

Categorization of Persons Deprived of Liberty (PDLs)

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Abstract--- *The DILG Act of 1990 created one of its tri-bureaus, the Bureau of Jail Management and Penology referred to as the Jail Bureau, initially consisting of officers and uniformed members of the Jail Management and Penology Service as constituted under Presidential Decree No. 765. The Bureau is in charge to supervise district, city and municipal jails in the country. Under the Commission on Higher Education Memorandum #21 series of 2005, the policies and standards for the criminology program under CMO # 21, series of 2005 includes courses on institutional and non-institutional corrections that deal on detainees and sentenced prisoners. The Bureau of Corrections (BuCor) has begun implementing the so-called Mandela rule, which categorizes convicts as "persons deprived of liberty" (PDL). They are in charge of sentenced prisoners with a prison term ranging from three years and one day and above with their programs in rehabilitating and reforming PDLs in preparation for their return to mainstream society. In the Province of Cagayan, it has three (3) district jails with a total of Four Hundred Eighty Seven (487) Persons Deprived of Liberty (PDLs) in their custody. This study was limited on the categorization of Persons Deprived of Liberty (PDLs) in the province of Cagayan particularly the three district jails, the Aparri, Tuao and Tuguegarao City. The researcher made used of a questionnaire to gather the needed data from the respondents. Interview was also conducted in order to verify some vague answers on the questionnaire. Findings of the study on age, most of the respondents percent belongs to the age brackets of 18-27 for Aparri District Jail, while 22 or 34.37 percent belongs to the age brackets of 38-47 for Tuao District Jail and 102 or 32.27 percent belongs to the age brackets of 28-77 for Tuguegarao City District Jail. The lowest frequency of 2 or .63 percent belongs to the bracket of below 18 years of age, majority are males, married, Roman Catholic, reached / finished high school, self-employed, committed crimes against special laws and were arraigned, attended 1-5 times court hearings, been in jail for almost 1 month - 6 months and most claimed that they were alleged suspects of the crimes charged against them. It is therefore concluded that select variables like highest educational attainment and occupation before detention of the respondents have something to do with the commission of crimes.*

Keywords--- *Categorization, Arraignment, Detention, Court Hearing, Commitment Order, Jail, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, District Jail, Judgment, Release, Overcrowded, Reintegration, Bureau of Jail, Management and Penology, RA 6975.*

I. INTRODUCTION

The enactment of Republic Act 6975 in 1990 with the title "An act establishing the Philippine National Police under a reorganized Department of the Interior and Local Government, and for other purposes". This Act is also known as the "Department of the Interior and Local Government Act of 1990." Under Chapter V- Section 60, it created the Bureau of Jail Management and Penology referred to as the Jail Bureau, is hereby created initially

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consisting of officers and uniformed members of the Jail Management and Penology Service as constituted under Presidential Decree No. 765. The Jail Bureau shall exercise supervision and control over all city and municipal jails. In the case of large cities and municipalities, a district jail with subordinate jails headed by a district jail warden may be established as necessary. The different jails in the country are equipped in compliance with standards for the custody of PDLs, those who are awaiting trials and final judgment by the court. They also cater to sentenced prisoners who are awaiting transfer to the national penitentiary of the country.

Under the Commission on Higher Education Memorandum #21 series of 2005, the *policies and standards for the criminology program* includes courses on institutional and non-institutional corrections. The courses cover history, philosophy and objectives of incarceration and the development of different jails and prisons including the handling and treatment of criminal offenders in line with established standards as well as the operation and linkages of the probation system with the other pillars of the criminal Justice System.

The Bureau of Corrections (BuCor) has begun implementing the so-called Mandela rule, which categorizes convicts as “persons deprived of liberty” (PDL) who are entitled to minimum humanitarian treatment under the United Nations protocol. The BuCor director general Benjamin de los Santos told reporters (The Philippine Star) during the Kapihan sa Manila Bay at Café Adriatico in Manila that national penitentiaries across the country are now implementing rehabilitation and reformation programs for PDL in preparation for their return to mainstream society.

In Rule 89 of the Standard Minimum Rules, it states that persons who are deprived of their liberty must be treated humanely. There shall be separate confinement for sentenced prisoners from that of suspects. Detainees shall be considered innocent until proven guilty by the court.

With the current situations our jails are facing now, programs are crafted to solve overcrowded prisons, insufficient facilities that affect all PDLs to some degree. Authorities may resort to the imposition of severe restrictions on PDLs in compliance with set standards.

At present, the Bureau of Jail Management and Penology (BJMP) in the Province of Cagayan has three (3) district jails with a total of four hundred eighty seven (487) Persons Deprived of Liberty (PDLs) in their custody.

Statement of the Problem

This study was focused on the categorization of Persons Deprived of Liberty (PDLs) in the Province of Cagayan. Specifically, it sought to answer the following questions:

1. What is the profile of the respondents in terms of:
 - 1.1 Age
 - 1.2 Sex
 - 1.3 Civil Status
 - 1.4 Religion
 - 1.5 Highest Educational Attainment
 - 1.6 Occupation before Detention

2. What was the crime committed by the PDLs?
3. What is the status of the case of the PDLs as to:
 - 3.1 Arraignment Status
 - 3.2 Number of hearings
 - 3.3 Number of years in jail
4. What circumstance that has led to the commission of the crime?
5. Is there a relationship on the crimes committed when grouped according to select profile variables?

II. METHODOLOGY

This study employed the descriptive-correlational research design. It was used particularly for the categorization of Persons Deprived of Liberty (PDLs) in the Province of Cagayan in terms of the different profile variables and other factors and to determine the relationship of the profile variables and the circumstance that has led to the commission of the crime.

The primary tool in collecting the data was the questionnaire. The questionnaire was constructed by the researcher and pre-tested to determine the validity of the questions. Results of the pre-test were the basis of revising some questions not properly understood during the pre-test.

The data were tabulated, analyzed and interpreted by the researcher using descriptive statistics such as frequency counts, percentages and Pearson r^2 .

III. RESULTS AND DISCUSSIONS

Profile of the Respondents

Table 1: Frequency and Percentage Distribution of the Respondents' Profile as to Age

Age	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		Total
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Below 18 years	-	-	-	-	2	.63	2
18-27 years old	35	32.71	7	10.93	88	27.84	130
28-37 years old	25	23.36	16	25	102	32.27	143
38-47 years old	30	28.03	22	34.37	71	22.46	123
48-57 years old	17	15.88	16	25	43	13.60	76
58 or more	-	-	3	4.68	10	3.16	13
Total	107	100	64	100	316	100	487

As presented in Table 1, highest frequencies of 35 or 32.71 percent belongs to the age brackets of 18-27 for Aparri District Jail, while 22 or 34.37 percent belongs to the age brackets of 38-47 for Tuao District Jail and 102 or 32.27 percent belongs to the age brackets of 28-37 for Tuguegarao City District Jail.

The lowest frequency of 2 or .63 percent belongs to the bracket of below 18 years of age. The data imply that respondents are relatively young when they got involved in the commission of crimes and two minors were charged and committed in a regular jail due to lack of a facility intended for minor offenders.

Table 2: Frequency and Percentage Distribution of the Respondents' Profile as to Sex

Sex	Aparri District Jail		Tuao District Jail		Tuguegarao City District Jail		Total
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage	
Male	107	100	61	95.31	292	92.40	460
Female	-	-	3	4.68	24	7.59	27
Total	107	100	64	100	316	100	487

Table 2 shows that Aparri District Jail, it has 107 or 100 percent male PDLs, while at the Tuao District Jail, it has 61 or 95.31 percent male and 3 or 4.68 percent female PDLs. On the other hand, Tuguegarao District Jail has 292 or 92.40 percent male and 24 or 7.59 female.

The data imply that majority of the PDLs in all the district jails are male. These data further imply that males are more vulnerable to the commission of crime compared to female. Generally, a total of 460 PDLs are males and 27 females with a grand total of 487 respondents in the three district jails in the Province of Cagayan.

Table 3: Frequency and Percentage Distribution of the Respondents' Profile as to Civil Status

Civil Status	Aparri District Jail		Tuao District Jail		Tuguegarao City District Jail		Total
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage	
Single	48	44.85	28	43.75	165	52.21	241
Married	49	45.79	34	53.12	143	45.25	226
Separated	8	7.47	-	-	4	1.26	12
Widow/er	2	1.86	2	3.12	4	1.26	8
Total	107	100	64	100	316	100	487

As gleaned in Table 3, the data show that Aparri District jail has 48 or 44.85 percent single PDLs, 49 or 45.79 percent married, 8 or 7.47 are separated and 2 or 1.86 are widower whereas a frequency of 28 or 43.75 are single, 34 or 53.12 are married and 2 or 3.12 percent are widower at Tuao District Jail. In Tuguegarao District Jail, majority are single with a frequency of 165 or 52.51 percent, a frequency of 143 or 45.25 percent are married whereas there are 4 separated and 4 widow/er with 1.26 percent respectively.

The data imply that majority of the respondents in the different district jails are married except for Tuguegarao. In totality, married people are more vulnerable in committing crimes compared to unmarried individuals.

Table 4: Frequency and Percentage Distribution of the Respondents' Profile as to Religion

Religion	Aparri District Jail		Tuao District Jail		Tuguegarao City District Jail		Total
	Frequency	Percentage	Frequency	Percentage	Frequency	Percentage	
Roman Catholic	97	90.65	55	85.93	251	79.43	403
Iglesia Ni Cristo	4	3.73	2	3.12	34	10.75	40
United Methodist Church	1	.93	1	1.56	2	.63	4
Born Again	2	1.86	-	-	3	.94	5
Others ()	3	2.80	3	4.68	26	8.22	35
Total	107	100	64	100	316	100	487

In Table 4, majority of the respondents are Roman Catholics with frequencies of 97 or 90.65 percent for Aparri, 55 or 85.93 percent for Tuao and 251 or 79.43 percent for Tuguegarao. The data imply that Roman Catholic is the most dominated religion in this province.

Table 5: Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment

<i>Highest Educational Attainment</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Elementary	30	28.03	23	35.93	75	23.73	128
HS	66	61.68	28	43.75	155	49.05	249
College	7	6.54	7	10.93	70	22.15	84
Post Studies	4	3.73	6	9.37	16	5.06	26
Total	107	100	64	100	316	100	487

Table 5 presents that majority at Aparri Jail District reached or finished high school with frequencies of 66 or 61.68 percent and the lowest frequency of 4 or 3.73 percent has reached post graduate studies. While at Tuao District Jail a frequency of 28 or 43.75 percent has reached or finished high school with the lowest frequency of 6 or 9.37 percent has reached or finished post graduate studies.

At Tuguegarao District Jail, data show that majority or 49.05 percent has reached or finished high school with the lowest frequency of 16 or 5.06 percent has reached of finished post graduate studies. In total, 249 from the three jails reached or finished high school while 26 out of 487 respondents reached or finished post graduate studies.

Table 6: Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention

<i>Occupation before Detention</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Farmer	24	22.42	31	48.43	42	13.29	97
Government Employee	2	1.86	2	3.12	3	.94	7
Self-Employed	75	70.09	30	46.87	253	80.06	358
OFW	1	.93	-	-	1	.31	2
Others (studying)	5	4.67	1	1.56	17	5.37	23
Total	107	100	64	100	316	100	487

As gleaned from Table 6, majority of the PDLs at Aparri District Jail are self-employed with a frequency of 75 or 70.09 percent while a frequency of 1 or 4.67 percent is an OFW. Tuao District Jail presents a frequency of 31 or 48.43 percent are farmer whereas 1 or 1.56 percent is a student. A frequency of 253 or 80.06 percent is reflected as farmers at Tuguegarao District Jail with the lowest frequency 1 or .31 as an OFW.

In general, majority or a frequency of 358 out of 487 respondents are self-employed with the lowest frequency 2 is an OFW which imply that majority of the PDLs do not have permanent jobs before being detained in jail.

Table 7: Frequency and Percentage Distribution of the Respondents' Profile as to Crime Committed as Charged

<i>Crime committed as Charged</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Crimes against persons	41	38.31	39	60.93	52	16.45	132
Crimes against property	8	7.47	4	6.25	10	3.16	22
Crimes against Special Laws	56	52.33	20	31.25	238	75.31	314
Others (Kidnapping, Estafa, Illegal Recruitment)	2	1.86	1	1.56	16	5.06	19
Total	107	100	64	100	316	100	487

Table 7 presents that Aparri District Jail has a frequency of 56 or 52.33 percent of the respondents committed

crimes against special laws whereas a frequency of 2 or 1.86 percent charged with kidnaping and Illegal Recruitment respectively. Majority of the respondents at Tuao District Jail posting a frequency of 39 or 60.93 percent committed crimes against persons while the lowest frequency of 1 or 1.56 percent committed the crime of kidnapping. A frequency of 238 or 75.31 percent of the respondents of Tuguegarao District Jail committed crimes against special laws while the lowest frequency of 10 or 3.16 percent committed crimes against property. In general, majority or 314 out of 487 respondents committed crimes against special laws whereas only 19 out of the total respondents from the three district jails committed crimes against liberty (Kidnapping, Illegal Detention). The data imply that respondents are more susceptible to violating special laws which require stricter penalties and higher fines or both.

Table 8: Frequency and Percentage Distribution of the Respondents' Profile as to Arraignment Status

<i>Arraignment Status</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Yes	106	99.06	60	93.75	295	93.35	461
Not Yet	1	.93	4	6.25	21	6.64	26
Total	107	100	64	100	316	100	487

In the three jails, majority of the respondents were already arraigned in the different cases filed against them with a frequency of 106 or 99.06 percent in Aparri, 60 or 93.75 percent in Tuao and 295 or 93.35 percent in Tuguegarao. A total of 461 out of the 487 respondents from the three district jails were already arraigned whereas only 26 were awaiting schedule for their arraignment.

Table 9: Frequency and Percentage Distribution of the Respondents' Profile as to Number of Court Hearings Attended

<i>Number of Court Hearings</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
0	17	15.88	8	12.5	40	12.65	65
1-5	43	40.18	22	34.37	81	25.63	146
6-10	29	27.10	16	25	85	26.89	130
11-15	5	4.67	3	4.68	57	18.03	65
16-20	1	.93	2	3.12	27	8.54	30
21 or more	12	11.21	13	20.31	26	8.22	51
Total	107	100	64	100	316	100	487

As gleaned from the table, majority or a frequency of 43 or 40.18 percent of the respondents from the Aparri District Jail have attended court hearings within the bracket of 1 to 5 times during their stay in jail with the lowest frequency of 1 or .93 percent who has attended court hearings falling within the bracket of 16 to 20 times. Majority or 34.37 percent of the respondents at Tuao District Jail have attended court hearings falling within the bracket of 1 to 5 times with the lowest frequency of 2 or 3.12 percent who has attended court hearings falling within the bracket of 16 to 20 times. At the Tuguegarao District Jail, a frequency of 85 or 26.89 percent of the respondents have attended court hearings falling within the bracket of 11-15 times with the with the lowest frequency of 26 or 8.22 percent who has attended court hearings falling within the bracket of 21 or more times during their stay in jail. As a whole, 130 out of 487 respondents have attended court hearings falling within the bracket of 6-10 times followed by 146 within the bracket of 5-10 times with the lowest frequency of 30 falling within the bracket of 16-20 times of attendance in court. The data imply that most of the PDLs have their days in court from the time they were arraigned

which imply further that the wheel of justice is moving forward.

Table 10: Frequency and Percentage Distribution of the Respondents' Profile as to Number of Years in Jail

<i>Number of Years in Jail</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Below 1 month	6	5.60	1	1.56	8	2.53	15
1-6 months	62	57.94	9	14.06	82	25.94	153
6months 1 day-12 months	27	25.23	8	12.5	47	14.87	82
1 year 1 day to 2 years	9	8.41	15	23.43	89	28.16	113
2 years 1 day to 3 years	2	1.86	3	4.68	28	8.86	33
3 years 1 day and more	1	.93	28	43.75	62	19.62	91
Total	107	100	64	100	316	100	487

As shown from the table above, majority of the respondents from Tuao and Tuguegarao District Jails posted frequencies of 15 or 23.43 percent and 89 or 28.16 percent falling within the 1 year 1 day – 2 years stay in jail while there are 62 or 57.94 percent of the respondents of Aparri District Jail have stayed in jail falling within the bracket of 1-6 months. The lowest frequencies of 1 in Aparri who stayed in jail from 3 years 1 day and more, 1 or 1.56 percent in Tuao and 8 or 2.58 percent of the respondents in Tuguegarao have stayed in jail for less than a month respectively. In total, 153 out of the 487 respondents in the three jails have stayed in jail from 1-6 months while the lowest frequency of 15 out of the 487 respondents has stayed in jail for less than a month. The data imply that respondents have been in jail for a while awaiting for the final judgment of the cases filed against them.

Table 11: Frequency and Percentage Distribution of the Respondents' Profile as to the Reason for the Commission of the Crime

<i>Reason for the Commission of the Crime</i>	<i>Aparri District Jail</i>		<i>Tuao District Jail</i>		<i>Tuguegarao City District Jail</i>		<i>Total</i>
	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	<i>Frequency</i>	<i>Percentage</i>	
Revenge	3	2.80	-	-	2	.63	5
Alleged Suspect	27	25.23	31	48.43	156	49.36	214
Jealousy	13	12.14	1	1.56	-	-	14
Poverty	4	3.73	2	3.12	9	2.84	15
Self-Motivated Interest	35	32.71	2	3.12	73	23.10	110
Self-defense	4	3.73	4	6.24	2	.63	10
No reason	4	3.73	16	25	22	6.96	42
Others	17	15.88	8	12.25	52	16.45	77
Total	107	100	64	100	316	100	487

In the two jails, majority of the respondents said that they were “alleged suspects” on the crimes charged against them with frequencies of 31 or 48.43 percent in Tuao and 156 or 49.36 percent in Tuguegarao respectively while majority or 35 respondents in Aparri stated that their reason is “self- motivated interest”. Generally, the highest frequency of 214 reasoned out that they were alleged suspects, followed by “self-motivated interest”, while the lowest frequency of 5 or simply the reason is “revenge”. The data imply that PDLs have varied reason why they committed crimes.

Table 12: Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	Aparri District Jail		Tuao District Jail		Tuguegarao City District Jail	
	<i>r' value</i>	<i>Decision</i>	<i>r' value</i>	<i>Decision</i>	<i>r' value</i>	<i>Decision</i>
Age	.078	accept	.199	accept	-.121	accept
Sex	.162	accept	.077	accept	.072	accept
Civil Status	.029	accept	.019	accept	-.039	accept
Religion	.144	accept	-.073	accept	.022	accept
Highest Educational Attainment	.194	reject	.297	reject	.185	reject
Occupation before Detention	.252	reject	.010	accept	.091	accept
	± .190 critical value .05		± .246 critical value .05		± .110 critical value .05	

Table 12 presents that at Aparri District Jail, the r' value of .194 for “highest educational attainment” and r' value of .252 for “occupation before detention” are higher than the critical value of .190. It implies that there is a significant relationship between the crimes committed and the highest educational attainment and occupation before detention of the PDLs. This implies further that the hypothesis is rejected for both highest educational attainment and occupation before detention profile whereas all other profile variables have nothing to do with the commission of the crime. The data furthermore imply that less educated individuals are more prone to get involved in the commission of crimes. On the other hand, at Tuao and Tuguegarao District Jails, there is a significant relationship between the crimes committed and the highest educational attainment of the respondents. This implies that the hypothesis is rejected whereas all other profile variables have nothing to do with the commission. The data imply that educated individuals are less prone to commit crimes.

IV. CONCLUSION

On findings of the study, it can be concluded that select variables highest educational attainment and occupation before detention of the respondents have something to do with the commission of crimes.

RECOMMENDATIONS

In the light of the foregoing findings, the researcher has the following recommendations to offer:

1. Strengthen jail programs in preparation for their reintegration.
2. Information dissemination of the functions of the five pillars of the Justice System to help individuals to achieve justice they deserved.
3. Provision of more job opportunities for PDLs to lessen the commission of crimes.
4. Community-based correction to shorten the stay of PDLs in jail.
5. Decongest of jails be given attention by proper authorities.

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