



## CHARACTERIZATION OF PERSONS DEPRIVED OF LIBERTY (PDLs) AT TUGUEGARAO DISTRICT JAIL, TUGUEGARAO CITY, CAGAYAN

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**ABSTRACT:** *The creation of the Bureau of Jail Management and Penology under the Department of the Interior and Local Government through Republic Act 6975 in 1990 paved way on the creation of more jails efficiently manned by professionals, qualified, trained and committed jail personnel all over the country. This study was limited on the characterization of PDLs committed at the Tuguegarao District Jail. A total of three hundred sixteen (316) PDLs were used as respondents of the study representing 100 percent of its total population. The researchers made use 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. Results of the study on age, most of the respondents are young with an age bracket of 28-37 years old, majority are males, and are single, they belong to the Roman Catholic, most reached and finished high school and during the commission of the crimes, many were self-employed. In terms of the crimes committed by the PDLs, most have crimes against special laws, majority of them were already arraigned, and mostly have attended 6-10 hearings, have stayed in jail for one year one day to two years. In addition, most circumstance noted was "alleged suspect". It can be concluded that the profile of respondents, the classification of crimes charged against them, the circumstances that led to its commission must be given attention by the concerned agencies especially the five pillars of our criminal justice system in order to lessen the commission of crimes and not to prolong their stay of PDLs in jail for them to go back immediately into the mainstream of the community and live a normal life.*

**KEYWORDS:** *Crimes, Persons Deprived of Liberty (PDLs), Court, Safekeeping, Rehabilitation, Arraignment, District Jail, Characterization.*

### INTRODUCTION

The Tuguegarao District Jail is located in Cataggaman, Tuguegerao City that houses male and female Persons Deprived of Liberty (PDLs). The jail is manned by a commissioned officer as district warden assisted by a deputy warden. It has twenty four female (24) and forty one (41) male active officers. A total of sixty five (65) employees with a total of three hundred sixteen (316) PDLs. The jail caters to PDLs coming from the city and adjacent municipalities



as ordered by the court in their commitment orders. These PDLs are awaiting trials for the cases filed against them and eventually will be transferred to any of the national penitentiaries after final judgment by the court if the sentence given is three years one day and more. Others are left in the same jail wherein the sentence is lower.

This jail is under the Bureau of Jail Management and Penology (BJMP) as a line bureau of the Department of the Interior and Local Government (DILG) as provided under Republic Act 6975 of 1990. The BJMP is mandated to safeguard and rehabilitate all persons deprived of their liberty for whatever reason for their detention. Similarly, as mandated by the Constitution "Every person deprived of liberty is entitled to the protection of all fundamental rights and freedoms subject to such limitations as may be permitted" (PDLs Act #23 of 2014 – Kenya).

Memorandum Circular No. 2011-02 under the General policies and guidelines states that in compliance with the government's commitment to the principles of human rights and to improve the living conditions of the inmates, the following policies and guidelines are hereby issued: A). Members of the BJMP shall ensure full respect for the inmates' human rights and prevent the violation of said rights as part of the Bureau's safekeeping programs, B). All BJMP personnel shall be made to undergo appropriate skills trainings on inmates' human rights, C). Efforts shall be made to provide the inmates with their basic needs such as adequate food, water, at least one (1) hour daily exercise in the open air and medical and dental services, and their other needs to ensure humane treatment during their confinement, D). Procedures for the inmates' complaint mechanism shall be instituted and measures should be made to ensure that inmates who lodged complaints against the personnel or their co-inmates are properly protected from retaliation, and E). Violation of human rights shall be dealt with promptly through the BJMP's administrative disciplinary machinery or by the jail's disciplinary board, as the case may be.

International Committee of the Red Cross (2016) seeks to ensure PDLs decent conditions and receive humane and fair treatment in accordance with applicable laws and standards. This is done through interdependent and complementary activities, namely: 1.) assessing



what detainees need and the problems affecting them, essentially through direct, first-hand experience acquired during visits to places of detention; r 2). analysing the causes of these problems in relation to the detention systems; and 3). deciding on our strategy and carrying out our humanitarian activities within a constructive working relationship with the authorities.

Women represent roughly 6% of detainees worldwide. ICRC pays particular attention to the situation of women and girls in detention. Priority concerns include: safe living conditions, in particular the separation of male and female accommodation or facilities; sufficient levels of hygiene and availability of hygienic supplies; safe and equitable access to food, sanitary facilities, health services, work opportunities, education, recreational spaces and other services; ability to maintain contact with family, including visits from children and other family members; sufficient attention to the specific needs of pregnant women and girls, and of mothers held with their babies or small children; and effective female supervision of women's accommodation, particularly in order to prevent sexual abuse.

The different jails is a place of confinement for PDLs under investigation for violation of law, or those awaiting or undergoing trial, or those awaiting final judgment, generally three years and below. Jails include provincial, and the district, city and municipal jails all are under the Department of the Interior and local Government (DILG). These jail facilities are scattered in the different municipalities, cities and districts of the seventeen administrative regions of the country. Hence, the conduct of this study.

## **STATEMENT OF THE PROBLEM**

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Tuguegarao District Jail, Tuguegarao City, 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?
  
6. What interventions could be offered to lessen the commission of crimes?

## **METHODOLOGY**

This study employed the descriptive-correlational research design. It was used particularly to describe the profile of the Persons Deprived of Liberty (PDLs) at Tuguegarao District Jail, Tuguegarao, Cagayan to determine the relationship among the profile variables, the status of the case and the circumstance that has led to the commission of the crime. The primary tool in gathering the needed data was the questionnaire. The questionnaire was constructed by the researchers 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 researchers using descriptive statistics such as frequency counts, percentages, ranking and Pearson  $r'$ .



## RESULTS AND DISCUSSIONS

### Profile of the Respondents

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

Age	Frequency	Percentage
Below 18 years	2	.63
18-27 years old	88	27.84
28-37 years old	102	32.27
38-47 years old	71	22.46
48-57 years old	43	13.60
58 or more	10	3.16
<b>Total</b>	<b>316</b>	<b>100</b>

Table 1 presents the frequency and percentage distribution of the respondents' profile as to age. As presented in the table, majority are in the age bracket of 28-37 with 32.27 percent followed by age bracket of 18-27 with 27.84 percent which imply that PDLs are more prone to commit crime in these stages of their lives. The lowest frequency of 2 or .63 percent belongs to the bracket of below 18 years of age. This implies that there are minor offenders who are committed in a regular jail due to lack of a facility for minor offenders.

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

Sex	Frequency	Percentage
Male	292	92.40
Female	24	7.59
<b>Total</b>	<b>316</b>	<b>100</b>

Table 2 shows the frequency and percentage distribution of the respondents' profile as to sex. As shown in the table, the jail has 292 or 92.40 percent male and 24 or 7.59 percent female PDLs which implies that males are more vulnerable to the commission of crimes compared to female.



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

Civil Status	Frequency	Percentage
Single	165	52.21
Married	143	45.25
Separated	4	1.26
Widow/er	4	1.26
Total	<b>316</b>	<b>100</b>

As gleaned in Table 3, the data show that a frequency of 165 or 52.21 are single whereas the lowest frequencies of 4 or 1.26 percent are separated and widower respectively. The data imply that unmarried individuals are more carefree compared to married people.

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

Religion	Frequency	Percentage
Roman Catholic	251	79.43
Iglesia Ni Cristo	34	10.75
United Methodist Church	2	.63
Born Again	3	.94
Others ()	26	8.22
Total	<b>316</b>	<b>100</b>

Table 4 presents the frequency and percentage distribution of the respondents' profile as to religion. Majority of the respondents are Roman Catholics with a frequency of 251 or 79.43 percent. The data imply that Roman Catholic is the most dominated religion in this part of the province.

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

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	75	23.73
HS Level / graduate	155	49.05
College Level / graduate	70	22.15
Post Studies Level / graduate	16	5.06
Total	<b>316</b>	<b>100</b>



Table 5 shows the frequency and percentage distribution of the respondents' profile as to highest educational attainment. As presented, majority or a frequency of 155 or 49.05 percent finished high school and the lowest frequency of 16 or 5.06 percent reached or finished post graduate studies which imply that most of the respondents have not undergone farther formal education.

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

Occupation before Detention	Frequency	Percentage
Farmer	42	13.29
Government Employee	3	.94
Self-Employed	253	80.06
OFW	1	.31
Others (studying)	17	5.37
<b>Total</b>	<b>316</b>	<b>100</b>

As gleaned from Table 6, the frequency and percentage distribution of the respondents' profile as to occupation before detention is presented. A frequency of 253 or 80.06 percent is self – employed whereas the lowest frequency of 1 or .31 percent is an OFW. The data imply that majority of the PDLs do not have permanent jobs before they were committed to jail for the crimes they were charged.

**Table 7. Frequency and Percentage Distribution of the Crime Committed by the Respondents**

Crime committed	Frequency	Percentage
Crimes against persons	52	16.45
Crimes against property	10	3.16
Crimes against Special Laws	238	75.31
Others (kidnapping)	16	5.06
<b>Total</b>	<b>316</b>	<b>100</b>

Table 7 presents the frequency and percentage distribution of the crime committed by the respondents. As presented, 238 or 75.31 percent of the respondents committed crimes against special laws like “violation of the comprehensive dangerous drugs act of 2002



while the lowest frequency of 10 or 3.16 percent committed the crimes against persons. The data imply that majority of the respondents got involved on crimes against special laws wherein the penalty is heavier compared to those crimes punishable under the Revised Penal Code.

**Table 8. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment**

Arraignment Status	Frequency	Percentage
Yes	295	93.35
Not Yet	21	6.64
<b>Total</b>	<b>316</b>	<b>100</b>

The frequency and percentage distribution on the status of the case of the respondents as to arraignment is presented in Table 8. Most of the respondents with a frequency of 295 or 93.35 percent were already arraigned by the court on the cases filed against them. The data imply that the respondents have already their days in court for the cases filed against them whereas 6.64 percent has not been arraigned since they are just newly committed in jail.

**Table 9. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Number of Court Hearings**

Number of Court Hearings	Frequency	Percentage
0	40	12.65
1-5	81	25.63
6-10	85	26.89
11-15	57	18.03
16-20	27	8.54
21 or more	26	8.22
<b>Total</b>	<b>316</b>	<b>100</b>

Table 9 presents the frequency and percentage distribution on the status of the case of the respondents as to number of court hearings. As gleaned from the table, majority or 26.89 percent of the respondents have attended court hearings falling within the bracket of 6 to 10 times with the lowest frequency of 26 or 8.22 percent who has attended court hearings





falling within the bracket of 21 or more times. The data imply that most of the PDLs have attended many court hearings for the cases filed against them due to various reasons and circumstances before the pronouncement of final judgment.

**Table 10. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Duration of Stay in Jail**

Duration of Stay in Jail	Frequency	Percentage
Below 1 month	8	2.53
1-6 months	82	25.94
6months 1 day-12 months	47	14.87
1 year 1 day to 2 years	89	28.16
2 years 1 day to 3 years	28	8.86
3 years 1 day and more	62	19.62
<b>Total</b>	<b>316</b>	<b>100</b>

The frequency and percentage distribution on the status of the case of the respondents as to duration of stay in jail is shown in Table 10. A frequency of 89 or 28.16 percent of the respondents has stayed in jail falling within the bracket of 1 year 1 day and to two years. The lowest frequency of 8 or 2.53 percent has stayed in jail for barely a month. The data imply that most of the respondents have been in jail for quite some time for court trials before final judgment is given by the court.

**Table 11. Frequency and Percentage Distribution on the Circumstance that has led to the Commission of the Crime**

Circumstance that has led to the Commission of the Crime	Frequency	Percentage
Revenge	2	.63
Alleged Suspect	156	49.36
Jealousy	-	-
Poverty	9	2.84
Self-Motivated Interest	73	23.10
Self-defense	2	.63
No reason	22	6.96
Others	52	16.45
<b>Total</b>	<b>316</b>	<b>100</b>



The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 11. A frequency of 156 or 49.36 percent of the respondents claimed that they were “alleged suspects” for the crime charged against them. The lowest frequency of 21 or .63 percent is due to “revenge”. The data imply that respondents have varied reasons or circumstance that has led to the commission of crimes charged against them.

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

Profile	r' value	Decision
Age	-.121	Reject
Sex	.072	Reject
Civil Status	-.039	Reject
Religion	.022	Reject
Highest Educational Attainment	.185	Accept
Occupation before Detention	.091	Reject

± .110 critical value .05

Table 12 presents the test of relationship between the crimes committed and the profile of the respondents at Tuguegarao District Jail. As shown on the result, the r' value of .185 is higher than the critical value of .110. This means that there is a significant relationship between the crimes committed and the highest educational attainment of the respondents. This implies that the null hypothesis is accepted whereas all other profile variables have nothing to do with the commission which implies that the null hypothesis is rejected. The data imply that less educated individuals are more prone to commit crimes.

**Table 13. Rank Distribution on the Interventions to Lessen the Commission of Crime**

Interventions	Rank
Provision of More Job Opportunities	2
Stricter Enforcement of Laws	3
Information Drive on Different Laws	1
More Law Enforcers on the Streets	4



Table 13 presents the rank distribution on the interventions to lessen the commission of crimes. As gleaned in the table, “Information drive on the different laws” was rank number 1, followed by “availability of more jobs” and the least was “more law enforcers on the streets”. The data imply that most of the respondents need to be oriented on what are prohibited and what are not, to be educated on the different laws while others suggested that more jobs be provided in order for them to have something to focus their attention in a more production activity rather than being idle and tempted to get involved in crimes.

## **CONCLUSION**

Based from the findings of the study it can be concluded that PDLs came from all walks of life as seen in the profile of respondents especially on the highest educational attainment is something look into as a factor in the commission of the crime.

## **RECOMMENDATIONS**

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

1. Information dissemination of the functions of the five pillars of the criminal justice system must be done in order to help individuals avoid being involved in crimes and achieve justice they deserved.
2. Providing more job opportunities in order to minimize the possibility of committing crimes.
3. The long stay of PDLs in jail is also a factor to be given attention in order to decongest jails especially to those who can afford to post bail for the crimes charged against them.
4. Speedy trial must be done in order to free the innocent and incarcerate the guilty.
5. Improve delivery of services to transform PDLs to become better individuals during reintegration.



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