



CHARACTERIZATION OF PERSONS DEPRIVED OF LIBERTY (PDLs) AT SANTIAGO CITY DISTRICT JAIL - FEMALE DORM, SANTIAGO CITY, ISABELA

PROF. VICTOR V. MARTINEZ, JR-Faculty Member, College of Criminology Isabela State University Cagan Campus, Isabela, Philippines

ABSTRACT: Republic Act 6975 was enacted and was known as the DILG Act of 1990. Under this agency, the tri-bureaus were created: the Philippine National Police, The Bureau of Fire Protection and the Bureau of Jail Management and Penology under the Department of the Interior and Local Government. Under the BJMP are jails efficiently manned by professionals, qualified, trained and committed jail personnel all over the country. In the Province of Isabela, there are district jails created and one of which is located in Santiago City – the female dorm that caters solely for female offenders. The jail is manned by a lady officer and having lady jail officer. A total of fifty five (55) PDLs were used as respondents of the study representing 100 percent of its total population. This study was limited on the characterization of PDLs committed at the Santiago City District Jail –(female dorm), in Santiago City, Isabela. The researcher 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. Based from the findings of the study on age, most of the respondents are young with an age brackets of 28-37 years old, all are females, majority are single, Roman Catholic, reached / finished high school, not employed, committed crimes against special laws and were arraigned, attended 1-5 times court hearings, been in jail for 2 years 1 day to 3 years and most claimed that they were alleged suspects of the crimes charged against them. It can be concluded that majority of the respondents' profile are similar but differs on the circumstances and reasons that led to the commission of the crimes as presented on the data gathered.

KEYWORDS: Arraignment, Commitment Order, Crimes, Persons Deprived of Liberty (PDLs), Court, Court Trial, Safekeeping, Rehabilitation, District Jail, Characterization, Female Offenders

INTRODUCTION

Republic Act 6975 was enacted and was known as the DILG Act of 1990. Under this agency, the tri-bureaus were created: the Philippine National Police, The Bureau of Fire Protection and the Bureau of Jail Management and Penology under the Department of the Interior and Local Government. Under the BJMP are jails efficiently manned by professionals, qualified, trained and committed jail personnel all over the country.

In the Province of Isabela, there are district jails created and one of which is located in Santiago City – the female dorm that caters solely for female offenders. The jail is manned by a lady officer and having lady jail officer.



IACHR- 2002, the right of persons deprived of liberty to humane treatment while under the custody of the state is a universally accepted norm in international law. In the Inter-American Human Rights System, this principle is enshrined primarily in Article XXV of the American Declaration, which provides: “every individual who has been deprived of his liberty has the right to humane treatment during the time he is in custody.” In addition, the humane treatment to be accorded to persons deprived of liberty is an essential element of Article 5(1) and (2) of the American Convention, which protects the right to humane treatment of all persons subject to the jurisdiction of a State party.

Deprivation of liberty commences when the person is made aware, by means of physical restraining, words or behaviour, that they are not free to leave the place. This moment does not depend on how national laws regulate the moment of deprivation of liberty, as in many countries the moment of deprivation of liberty is taken to be the moment when the protocol/official record on such deprivation is made. However, the Court holds that deprivation of liberty commences when a person is “not allowed” to leave the spot.

In addition, as already mentioned, the Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas are grounded in the fundamental idea that “All persons subject to the jurisdiction of any member State of the Organization of American States shall be treated humanely, with unconditional respect for their inherent dignity, fundamental rights and guarantees, and strictly in accordance with international human rights instruments”.

In particular, and taking into account the special position of the States as guarantors regarding persons deprived of liberty, their life and personal integrity shall be respected and ensured, and they shall be afforded minimum conditions compatible with their dignity.

United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) 2009, the State must take all necessary steps to ensure that all the detention centers in its territory –and not just those located in urban centers– are endowed with professional and well-trained staff.

Standard Minimum Rules for the Treatment of Prisoners (Rule 46.2) Generally speaking, penitentiaries are hostile, difficult, poorly funded environments, in which the work of prison officers can be, not just routine, but also highly stressful and exhausting. Such is why everything possible must be done to keep penitentiary staff motivated and conscious of the importance of the work they do.

BJMP firmly believes that these restorative efforts will inspire the PDL to rebuild their lost trail, and for the community to support their craft by accepting them as productive citizens of the society. At the same time, BJMP appealed for the support of the business sectors and



other stakeholders through their respective corporate social responsibility to promote and engage the PDL crafts, a vehicle toward their successful re-entry back to the community.

STATEMENT OF THE PROBLEM

This study was focused on the characterization of Persons Deprived of Liberty (PDLs) at Santiago City District Jail - Female Dorm, Santiago City, Isabela. Specifically, it sought to answer the following questions:

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

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 - Santiago City District Jail - Female Dorm, Santiago City, Isabela 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 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' .



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	-	-
18-27 years old	11	20
28-37 years old	20	36.36
38-47 years old	11	20
48-57 years old	7	12.72
58 or more	6	10.90
Total	55	100

The frequency and percentage distribution of the respondents' profile as to age is shown in Table 1. As presented, a frequency of 20 or 36.36 percent belongs to the age brackets of 28-37. The lowest frequency of 6 or 10.90 percent belongs to the age bracket 58 or more. The data imply that respondents are relatively young when they got involved in crimes and some are already on their prime ages.

Table 2. Frequency and Percentage Distribution of the Respondents' Profile as to Civil Status

Civil Status	Frequency	Percentage
Single	28	50.90
Married	26	47.27
Separated	1	1.81
Widow/er	-	-
Total	55	100

Table 2 presents the frequency of 28 or 50.90 single PDLs followed by 26 or 47.27 married PDLs. The data imply that single people are more carefree compared to married individual.

Table 3. Frequency and Percentage Distribution of the Respondents' Profile as to Religion

Religion	Frequency	Percentage
Roman Catholic	38	69.09
Iglesia Ni Cristo	12	21.81
United Methodist Church	-	-
Born Again	-	-
Others	5	9.09
Total	55	100

As presented in Table 3. Majority or 69.09 percent of the PDLs are Catholics. The data imply that Roman Catholic is the most dominated religion in this part of the province.



Table 4. Frequency and Percentage Distribution of the Respondents' Profile as to Highest Educational Attainment.

Highest Educational Attainment	Frequency	Percentage
Elementary Level / graduate	10	18.18
HS Level / graduate	39	70.90
College Level / graduate	4	7.27
Post Studies Level / graduate	2	3.63
Total	55	100

Table 4 shows the frequency and percentage distribution of the respondents' profile as to highest educational attainment. A frequency of 39 or 70.90 percent reached /finished high school. The data imply that most of the respondents have undergone formal basic education.

Table 5. Frequency and Percentage Distribution of the Respondents' Profile as to Occupation before Detention

Occupation before Detention	Frequency	Percentage
Farmer	11	20
Government Employee	3	5.45
Self-Employed	12	21.18
OFW	-	-
Others (not employed)	24	43.63
Total	55	100

The frequency and percentage distribution of the respondents' profile as to occupation before detention is presented in Table 5. Majority or 43.63 of the respondents were not employed before the commission of the crimes which implies that do not have permanent jobs as a source of living.

Table 6. Frequency and Percentage Distribution of the Crime Committed by the Respondents

Crime committed	Frequency	Percentage
Crimes against persons	8	14.54
Crimes against property	3	5.45
Crimes against Special Laws	44	88
Others (kidnapping, estafa)	-	-
Total	55	100

The frequency and percentage distribution of the crime committed by the respondents is presented in Table 6. As presented, 44 or 88 percent of the respondents committed crimes against special laws specifically violation of the provisions of RA 9165. The data imply that majority of the respondents got involved on in selling and use of prohibited drugs.

Table 7. Frequency and Percentage Distribution on the Status of the Case of the Respondents as to Arraignment

Arraignment Status	Frequency	Percentage
Yes	46	83.63
Not Yet	9	16.36
Total	55	100

Majority of the respondents with a frequency of 46 or 83.63 percent have been arraigned on the cases filed against them as presented in Table 7 which implies that most of the PDLs



have presented themselves to the court where there were asked if they plead guilty or not on the crime charged.

Table 8. 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	9	16.36
1-5	34	61.81
6-10	5	9.09
11-15	2	3.63
16-20	3	5.45
21 or more	2	3.63
Total	55	100

Table 8 presents the frequency and percentage distribution on the status of the case of the respondents as to number of court hearings. A frequency of 34 or 61.81percent attended court hearings falling within the bracket of 1 to 5 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 and awaiting final judgment form the court.

Table 9. 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	3	5.45
1-6 months	12	21.81
6 months 1 day-12 months	6	10.90
1 year 1 day to 2 years	5	9.09
2 years 1 day to 3 years	15	27.27
3 years 1 day and more	14	25.45
Total	55	100

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 9. The highest frequency of 15 or 27.27 percent of the respondents stayed in jail falling within the bracket of 2 years 1 day to 3 years. The data imply that most of the respondents have been in jail for a long while waiting for the pronouncement of judgment.

Table 10. 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	1	1.81
Alleged Suspect	41	74.54
Jealousy	-	-
Poverty	1	1.81
Self-Motivated Interest	-	-
Self-defense	5	9.09
No reason	3	5.45
Others (Grudge)	4	7.27
Total	55	100



The frequency and percentage distribution on the circumstance that has led to the commission of the crime is presented in Table 10. A frequency of 41 or 74.54 percent of the respondents claimed that they were “alleged suspects” for the crime charged against them. The data imply that majority of the respondents have similar reason or circumstance why they are in jail.

Table 11. Test of Relationship on the Crimes Committed and the Profile of Respondents

Profile	r' value	Decision
Age	.036	Reject
Civil Status	-.035	Reject
Religion	-.010	Reject
Highest Educational Attainment	-.357	Reject
Occupation before Detention	.241	Reject

± .266 critical value .05

The test of relationship between the crimes committed and the profile of the respondents at Female Dorm, Santiago District Jail is presented in Table 11. As shown on the result, the r' value of all the profile of the respondents are lower than the critical value of .266. This means that there is a no significant relationship between the crimes committed and the profile of the PDLs. This implies that profile variables have nothing to do with the commission of the crime so the null hypothesis is rejected.

CONCLUSION

On findings of the study, it can be concluded that majority of the respondents' profile are similar but differs on the circumstances and reasons that led to the commission of the crimes as presented on the data gathered.

RECOMMENDATIONS

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

1. Information dissemination should be conducted in the different areas of the municipality.
2. Jail programs shall be strengthened to prepare PDLs on their reintegration.
3. More job opportunities to minimize the possibility of committing crimes.
4. Expedite resolution of cases.



BIBLIOGRAPHY

<https://theguardian.com/local-news/not-inmates-but-persons-deprived-of-liberty-bjnp/>

<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-14-liberty-and-security-of-person.html>

Persons deprived of liberty act no. 23 of 2014, Published by the National Council for Law Reporting with the Authority of the Attorney-General

Republic Act No. 6975 December 13, 1990. An act establishing the Philippine National Police under a reorganized Department of the Interior and Local Government, and for other purposes.

The Bill of Rights of the 1987 Constitution

IACHR, *Report on Terrorism and Human Rights*, OEA/Ser.L/V/II.116. Doc. 5 rev. 1 corr., adopted on October 22, 2002, (hereinafter "*Report on Terrorism and Human Rights*"), para. 147.

United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD), *Crime, Criminal Justice and Prison in Latin America and the Caribbean*, 2009, p. 275.

United Nations, Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Third Report to the [former] Commission on Human Rights, E/CN.4/2004/56, adopted on December 23, 2003, para. 36