

[REPUBLIC ACT NO. 10575, May 24, 2013]

**AN ACT STRENGTHENING THE BUREAU OF CORRECTIONS
(BUCOR) AND PROVIDING FUNDS THEREFOR**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as “The Bureau of Corrections Act of 2013”.

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in our national penitentiary. It also recognizes the responsibility of the State to strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services.

Towards this end, the State shall provide for the modernization, professionalization and restructuring of the Bureau of Corrections (BuCor) by upgrading its facilities, increasing the number of its personnel, upgrading the level of qualifications of their personnel and standardizing their base pay, retirement and other benefits, making it at par with that of the Bureau of Jail Management and Penology (BJMP).

SEC. 3. *Definition of Terms.* –

(a) *Safekeeping*, which is the custodial component of the BuCor’s present corrections system, shall refer to the act that ensures the public (including families of inmates and their victims) that national inmates are provided with their basic needs, completely incapacitated from further committing criminal acts, and have been totally cut off from their criminal networks (or contacts in the free society) while serving sentence inside the premises of the national penitentiary. This act also includes protection against illegal organized armed groups which have the capacity of launching an attack on any prison camp of the national penitentiary to rescue their convicted comrade or to forcibly amass firearms issued to prison guards.

(b) *Reformation*, which is the rehabilitation component of the BuCor’s present corrections system, shall refer to the acts which ensure the public (including families of inmates and their victims) that released national inmates are no longer harmful to the community by becoming reformed individuals prepared to live a normal and productive life upon reintegration to the mainstream society.

SEC. 4. *The Mandates of the Bureau of Corrections.* – The BuCor shall be in charge of safekeeping and instituting reformation programs to national inmates sentenced to more than three (3) years.

(a) *Safekeeping of National Inmates* – The safekeeping of inmates shall include decent provision of quarters, food, water and clothing in compliance with established

United Nations standards. The security of the inmates shall be undertaken by the Custodial Force consisting of Corrections Officers with a ranking system and salary grades similar to its counterpart in the BJMP.

(b) Reformation of National Inmates – The reformation programs, which will be instituted by the BuCor for the inmates, shall be the following:

- (1) Moral and Spiritual Program;
- (2) Education and Training Program;
- (3) Work and Livelihood Program;
- (4) Sports and Recreation Program;
- (5) Health and Welfare Program; and
- (6) Behavior Modification Program, to include Therapeutic Community.

(c) The reformation programs shall be undertaken by Professional Reformation Personnel consisting of Corrections Technical Officers with ranking system and salary grades similar to Corrections Officers.

(1) Corrections Technical Officers are personnel employed in the implementation of reformation programs and those personnel whose nature of work requires proximate or direct contact with inmates.

(2) Corrections Technical Officers include priests, evangelists, pastors, teachers, instructors, professors, vocational placement officers, librarians, guidance counselors, physicians, nurses, medical technologists, pharmacists, dentists, therapists, psychologists, psychiatrists, sociologists, social workers, engineers, electricians, agriculturists, veterinarians, lawyers and similar professional skills relevant to the implementation of inmate reformation programs.

SEC. 5. *Operations of the Bureau of Corrections.* – (a) The BuCor shall operate with a directorial structure. It shall undertake reception of inmates through its Directorate for Reception and Diagnostics (DRD), formerly Reception and Diagnostic Center (RDC), provide basic needs and security through its Security and Operations Directorates, administer reformation programs through its Reformation Directorates, and prepare inmates for reintegration to mainstream society through its Directorate for External Relations (DER), formerly External Relations Division (ERD).

(b) The DRD shall be responsible for the conduct of classification of each and every inmate admitted to the BuCor. Inmates shall be classified according to security risk and sentence. Included in the classification is determining inmate's certain skills or talents, physical, spiritual, social, mental and psychological evaluation and other behavioral assessments, as reference of the DRD in the preparation of individual inmate reformation programs.

(c) Aside from those borne of the provisions under Rule 8, Part I, Rules of General Application of the United Nations Standard Minimum Rules for the Treatment of Prisoners and that of the existing regulation of the BuCor on security classification (i.e. maximum, medium and minimum security risk), inmates shall also be internally classified by the DRD and segregated according to crimes committed based on the related penal codes such as Crimes Against Persons, Crimes Against Properties,

Crimes Against Chastity, so on and so forth, as well as by other related Special Laws, Custom and Immigration Laws.

(d) From the DRD, the Custodial Force and Reformation Personnel of respective security institutions/camps shall be in charge for the security and the implementation of the recommended inmate reformation program of each and every inmate while serving sentence, respectively.

(e) The Directorate for External Relations (DER) shall be responsible for pre-release and post-release programs of inmates due for release. The DER shall also classify inmates according to skills acquired for referral and endorsement to appropriate companies or corporations participating in the BuCor On-The-Job Training Programs for newly reformed inmates. The DER shall also evaluate, classify and apply necessary programs to inmates for readiness to join the mainstream society upon release.

(f) Apart from handling inmates, the BuCor shall administratively operate like a standard government agency through its Administrative Directorates with internal control and internal audit units.

(g) The BuCor shall employ full computerization in the build-up, maintenance and transmittal of necessary inmate records to all its Prison and Penal Farms and other recipient agencies (i.e. Board of Pardons and Parole).

SEC. 6. Lands of the Bureau of Corrections. – (a) Aside from administrative purposes, all BuCor lands shall be used for inmate security, reformation programs and as a means to promote sustainability, both for income and non-income generating programs, with or without partnership among nongovernment organizations, civic organizations or other government entities.

(b) As a way to maximize its assets' value for the effective and extensive reformation (corrections) programs for national inmates, the BuCor shall have the absolute authority to design, formulate and implement land-use development plans and policies.

(c) The BuCor may propose additional penal farms as may be necessary as possible, aside from its existing seven (7) prison and penal farms to decongest existing penal institutions and accommodate the increasing number of inmates committed to the agency.

(d) All BuCor lands shall have a Certificate of Title registered under its name.

SEC. 7. Facilities of the Bureau of Corrections. – The BuCor shall operate with standard and uniform design of prison facilities, reformation facilities and administrative facilities, through all the operating prison and penal farms, such as the following:

(a) Dormitory;

(b) Administration building;

(c) Perimeter/Security fences;

(d) Hospital/Infirmary;

(e) Recreation/Multipurpose hall;

- (f) Training/Lecture center;
- (g) Workshop facility;
- (h) Mess hall/kitchen;
- (i) Visiting area;
- (j) Water tank and pump;
- (k) Reception and diagnostic center; and
- (l) Service personnel facilities.

SEC. 8. *Supervision of the Bureau of Corrections.* – The Department of Justice (DOJ), having the BuCor as a line bureau and a constituent unit, shall maintain a relationship of administrative supervision with the latter as defined under Section 38(2), Chapter 7, Book IV of Executive order No. 292 (Administrative Code of 1987), except that the DOJ shall retain authority over the power to review, reverse, revise or modify the decisions of the BuCor in the exercise of its regulatory or quasi-judicial functions.

SEC. 9. *Organization and Key Positions of the Bureau of Corrections.* – (a) The BuCor shall be headed by a Director who shall be assisted by three (3) Deputy Directors: one (1) for administration, one (1) for security and operations and one (1) for reformation, all of whom shall be appointed by the President upon the recommendation of the Secretary of the DOJ: *Provided*, That the Director and the Deputy Directors of the BuCor shall serve a tour of duty not to exceed six (6) years from the date of appointment: *Provided, further*, That in times of war or other national emergency declared by Congress, the President may extend such tour of duty.

(b) The Head of the BuCor, with the rank of Undersecretary, shall have the position and title of Director General of Corrections. The second officers in command of the BuCor, with the rank of Assistant Secretary, shall have the position and title of Deputy Directors of Corrections. The third officer in command of the BuCor, with the rank of Chief Superintendent, shall have the position and title of Corrections Chief Superintendent. The fourth officer in command of the BuCor, with the rank of Senior Superintendent, shall have the position and title of Corrections Senior Superintendent. The fifth officer in command of the BuCor, with the rank of Superintendent, shall have the position and title of Corrections Superintendent.

(c) The Department of Budget and Management (DBM) shall rationalize the existing organizational structure and staffing pattern of the BuCor in accordance with the provisions of this Act and relevant compensation and position classification laws, rules and regulations.

SEC. 10. *Increase of Personnel.* – The BuCor shall maintain the custodial personnel-to-inmate ratio of 1:7 and reformation personnel-to-inmate ratio of 1:24. Hence, it is authorized to increase its manpower to meet such ratio and may continue to increase personnel per percentage rate increase of committed inmates annually or as the need arises.

SEC. 11. *Professionalization and Upgrading of Qualification Standards in the Appointment of the BuCor Personnel.* – (a) No person shall be appointed as

personnel of the BuCor unless one possesses the following minimum qualifications:

- (1) A citizen of the Republic of the Philippines;
- (2) A person of good moral character;
- (3) Must have passed the psychiatric/psychological, drug and physical test for the purpose of determining his/her physical and mental health;
- (4) Must possess a baccalaureate degree from a recognized learning institution;
- (5) Must possess the appropriate civil service eligibility;
- (6) Must not have been dishonorably discharged or dismissed for cause from previous employment;
- (7) Must not have been convicted by final judgment of an offense or crime involving moral turpitude; and

(8) Must be at least one meter and sixty-two centimeters (1.62 m.) in height for male, and one meter and fifty-seven centimeters (1.57 m.) for female: *Provided*, That a waiver for height and age requirement/s may be granted to applicants belonging to the cultural communities: *Provided, further*, That a new applicant must not be less than twenty-one (21) or more than forty (40) years of age. Except for this particular provision, the above-enumerated qualifications shall be continuing in character and an absence of any one of them at any given time shall be ground for separation or retirement from the service: *Provided, furthermore*, That those who are already in the service upon the effectivity of this Act shall be given five (5) years from the date of such effectivity to obtain the minimum educational qualification and eligibility with subsidiary assistance as provided for in this Act.

(b) After the lapse of the period for the satisfaction of a specific requirement, incumbent personnel of the BuCor who fail to satisfy any of the requirements enumerated under this section shall be separated from the service if they are below fifty (50) years of age and have served in the government for less than twenty (20) years, or retired if they are fifty (50) years and above and have served in the government for at least twenty (20) years without prejudice in either case to the payment of benefits they may be entitled to under existing laws.

(c) For sustained professionalism in the service, the BuCor is directed to conduct study for the feasible establishment of the Philippine Corrections Academy, patterned after the Philippine National Police Academy (PNPA) of the Philippine National Police (PNP) and the Philippine Military Academy (PMA) of the Armed Forces of Philippines (AFP) for its commissioned officers.

(d) The BuCor shall continue training its personnel through its Personnel Training School, which shall be renamed as Corrections Training School/Institute patterned after the BJMP's Jail National Training Institute (JNTI), the Bureau of Fire's Fire National Training Institute (FNTI) and the PNP's National Training Institute (PNTI).

SEC. 12. *Appointment of Personnel to the BuCor.* – The appointment of the BuCor shall be effected in the following manner:

(a) Corrections Officer I to Corrections Chief Superintendent – Appointed by the Director General of Corrections, and attested by the Civil Service Commission