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TITLE RULES & REGULATIONS FOR THE GOVERNMENT OF INSULAR
& PROVINCIAL PRISONERS

ORIGIN Bureau of Prison, Muntinlupa, Luzon, P.I.

DATES 1943

AUTHENTICITY _____

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Advance copy
For 711. 701. 6. Pablo
June 1943 *M. M. M. M.*

RULES AND REGULATIONS
for the
GOVERNMENT
of
INSULAR AND PROVINCIAL PRISONERS
in the
PHILIPPINES
Revised and
CODIFIED — 1943

United States of America
Commonwealth of the Philippines

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THE PEOPLE OF THE PHILIPPINES

Plaintiff and Appellee,

— VERSUS —

Defendant and Appellant.

CASE No.:

CRIME:

MOTION FOR APPEAL

The undersigned defendant in the above-entitled case hereby interposes an appeal from the judgment of that Court to the.....

Date:

New Bilibid Prison
Muntinlupa, Rizal.

Pris. No.

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PART II

PENAL COLONIES
(In separate pamphlet)

PHILIPPINE EXECUTIVE BOARD
DEPARTMENT OF JUSTICE
BUREAU OF PRISONS
Manila, Luzon, Philippines

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February 9, 1943

MEMORANDUM for -
Messrs. Castafieda and Bunye
Members of the Style Committee

Herewith two copies of the draft of the Rules and Regulations as revised by me. Please go over it and make your suggestions for further improvements.

The substance of the Original Draft has been conserved as much as possible. Most of the changes have been made in form and style. Only two material changes have been effected to make them conform with provisions of law. The first change refers to the prescribed qualifications for colonists and trustees. The word "first-class workman" has been inserted in par. 3, p. 28, of the Original Draft, which corresponds to par. 3, p. 26, of the Revised Draft. This is to establish a uniform rule for classification, in harmony with the provisions of Sec. 7, of Act 2489.

The second change consists in the elimination of the phrase "in the discretion of the Director of Prisons" - in the matter of granting workmanship classification to recidivists, because Act 2489 (Sec. 8), prohibits the granting of such privilege to any person who has previously been convicted twice or oftener of any crime or misdemeanor and does not authorize any discretion. You will find corrected provision of p. 29, par. 2, of the Revised Draft, which corresponds to p. 34, par. 2 of the Original Draft.

Some unimportant separate provisions in the Original Draft have been consolidated in the Revised Draft - whenever convenient and possible.

In making the revision, brevity - compatible with clarity and precision - has been my aim. If you compare the Original Draft with the Revised one (I herewith submit), you will realize how thoroughly and extensively I undertook the revision. Because this piece of work would be an important literature on the prison system in the Philippines and no pains should be spared to make it as best we can. And with your valuable collaboration, the work, when completed, may be presented proudly to any international prison congress - without misgivings.

I would suggest a meeting of the Style Committee some time next week when I hope we may be able to thresh out suggestions for further improvements.

(SGD.) M. ALMARIO

Note the new arrangement of Sections and paragraphs.

ARTICLE I

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MANNER OF RECEIVING

SECTION 1

Prisoners committed to any penal institution under the administrative control and supervision of the Bureau of Prisons shall be received by virtue of a commitment order issued, in due form, by the court or other competent authority.)

A commitment order is in due form if it bears the name of the prisoner and the signature of the judge, or the signature of the clerk with the seal of the court and the fingerprint of the prisoner.

If it is a recommitment order for violation of parole or pardon, it is in due form if it bears the name of the prisoner and the signature of the competent authority vested with that power. (ORR - Mod.)

SECTION 2

On entering prison, the prisoners shall be minutely searched, and shall be allowed to retain in their possession only those personal articles enumerated in Sec. 9, Article II.

A list of all articles taken from a prisoner will be noted on the individual descriptive record and these articles will be suitably marked and stored until the prisoner's discharge, when they will be returned to him, unless previously otherwise disposed of at the prisoner's request, or condemned by the head of the institution - after a lapse of two years. The prisoner will be furnished with a copy of the list of the articles taken from him, duly signed by the employee taking charge thereof. (ORR-Mod.)

SECTION 3

All prisoners shall have their hair clipped off and at no times permitted to grow more than two (2) centimeters, except:

- (a) Female prisoners;
- (b) Detention prisoners awaiting trial;
- (c) Foreigners whose religion or the tradition

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of their country forbid the cutting of their hair in the manner provided herein; and

(d) Those whose sentences will expire within two (2) months.

They will then be placed in quarentine for five days, during which time they will be examined by the prison physician to determine whether they are suffering from any disease. If found sick, they will be confined in the prison hospital for medical treatment, otherwise they will be assigned to the corresponding brigade upon their release from quarentine. (ORR - Mod.)

SECTION 4

A proper segregation of prisoners shall be maintained in all prisons, where facilities will admit, by keeping in separate quarters:

- (a) Sentenced prisoners;
- (b) Detention prisoners;
- (c) Prisoners from 18 to 21 years old;
- (d) Third-class prisoners;
- (e) Habitual delinquents, recidivist, and repeaters; and
- (f) Prisoners sentenced to capital punishment.
(ORR - Mod.)

ARTICLE II

UNIFORM AND EQUIPMENT, CLOTHING AND INSIGNIAS

SECTION 5

All cloths for uniforms must be of fast color and strong material. The Prison shall provide each prisoner with the following uniform and equipment for which he or she shall be held accountable:

- | | |
|------------------|--------------------------|
| 3 suits uniforms | 1 mat |
| 1 blanket | 1 mess outfit consisting |
| 1 pillow | of 1 cup, 1 plate, and |
| 2 pillow cases | 1 spoon of soft metal |

In addition to the above, male prisoners shall be provided with the following:

- 1 buri hat
- 1 cloth cap with vizor, same color and material as the suit.

A suit of uniform for male prisoners shall consist of a blouse and trousers of the same color.

The blouse shall have an ordinary sport-shirt collar fastened in front by a pair of laces, reaching down to about 20 centimeters below the waistband. It shall have a patch pocket on the left breast, 13 centimeters wide and 15 centimeters deep. The sleeves shall be short, reaching down to 10 centimeters above the elbow.

The trousers shall be high waisted. Two pairs shall be short, reaching down to 8 centimeters above the knee, and one pair, long. They should be held in place by two straps to be fastened at the back, without buttons.

A suit of uniform for women shall consist of a simple one-piece gown, with a short V-shaped double collar, short sleeves, cloth belt, and a patch pocket on the right side of the skirt below the waist line. It shall have two tucks in front and two tucks on the back about the waistline. The average length shall be 110 centimeters and the width 72 centimeters; it may be made to fit. (ORR - Mod.)

SECTION 6

The male prisoner's number shall be printed on a patched black background 4 centimeters wide and 14 centimeters long on the right side of the blouse and on the same line at the opening of the breast pocket and 30 centimeters below the waistband on the front of the left leg of the trousers: white numerals indicating first-class, red, second-class, and yellow, third-class.

The female prisoner's number shall be printed in the same manner on the front of the dress, 10 centimeters from the hem. (ORR - Mod.)

SECTION 7

Orange denim uniforms shall be worn by all prisoners, except third-class, those undergoing punishment, detention and hospital patients.

Third-class prisoners and those undergoing punishment shall wear striped uniforms of black and grey, the strips of "Carcel" prisoners to be 2-1/2 centimeters in width and those of "Presidio" prisoners to be 5 centimeters.

Grey gris uniforms shall be worn by detention prisoners.

White uniforms, the style to be prescribed by the Chief of the Medical Division shall be worn by hospital patients.

Trusty Police prisoners shall wear the orange denim uniforms but with long sleeves and long pants with insignias to be prescribed by the head of the institution. Special uniforms appropriate for the band, exhibition units, athletic organization and the like, may be authorized by the Director, provided such uniforms are to be used only while actually performing the activities for which the special uniforms are authorized.
(ORR - Mod.)

SECTION 8

The following printed insignias shall be worn at all times by trusty police, squad leaders, hospital attendants and those receiving compensation:

On the sleeve, 4 cms. from the edge:
Pictures of the insignias for Chief, Assistant Chief, and Squad Leaders of Brigades, Department shops, hospital, offices, and educational section.

On the shoulder, 2 cms. from and along the shoulder seams: Pictures of the insignias for compensation.

On the right lapel of the blouse:
Picture of the fire squad insignia.

Prisoners with records of escape shall be distinguished by a thick arrow 20 centimeters long and the word ESCAPE in letters of 2 centimeters high below the arrow, printed in black 15 centimeters below the neck-line on the back of the blouse. Number of escape will be indicated by Roman numerals 2 centimeters high printed 1 centimeter above the center of the arrow.

Prisoners serving time for the second or more separate convictions in any Insular Prison shall be distinguished by the number of such convictions, in numerals 4 centimeters high enclosed by a circle, printed on the back of the blouse, 15 centimeters below the neck-line. In the event that a prisoner serving second or more convictions has a record of escape, the distinguishing mark for the escape shall be placed below that of the number of convictions. (ORR - Mod.)

SECTION 9

In addition to the clothing and equipment supplied by the Prison, male prisoners may have - if they possess such articles or have funds with which to purchase them - not to exceed:

- | | |
|-------------------------------------|-------------------------------|
| 3 suits underwear (silk prohibited) | 1 pair slippers |
| 1 light colored sweater | 3 pairs socks |
| 1 blanket | 6 handkerchiefs |
| 2 pillow cases | 2 tins or tubes of dentrifice |
| 3 towels | 2 toothbrushes |
| 2 pairs of shoes (tan or black) | 3 cakes of toilet soap |
| | 1 comb |
| | 1 hairbrush |

and such other necessary toilet articles as may be authorized.

And female prisoners:

- | | |
|---------------------|----------------------------|
| 3 chemises | 2 pillow cases |
| 6 handkerchiefs | 1 blanket |
| 3 night-gowns | 2 tooth-brushes |
| 4 drawers | 2 tubes or tins toothpaste |
| 1 pair of stockings | 1 powder and puff |
| 3 white towels | 1 small mirror |
| 1 comb | hair pins |
| safety pins | hair oil |

and other accessories for personal hygiene.

All personally-owned articles of clothing and bedding must be printed with the prisoner's number in black numerals 2 centimeters high, with the exception of the sweater which shall be 4 centimeters high, in the following manner:

- Undershirts - Over the diaphragm, from left to right.
- Drawers - 15 cms. below the waistband on the front of the left leg.
- Sweater - In front, over the diaphragm and on the inside back, 20 cms. below the neckline.
- Blanket - Same way as the blanket issued by the Prison.
- Pillow and cases - On the right-hand side along and 5 cms. from the dge.
- Towels - Along the width. (ORR - Mod.)

ARTICLE III

GENERAL SERVICE

SECTION 10

The general service shall consist of all kinds of manual labor, such as farming, road-work, kitchen police, and the like. Its purpose is to habituate all prisoners to manual labor and make them realize that any work, however humble, is honorable and dignified. Likewise, for them to realize that, in prison, they stand on equal footing, with equal opportunities for all, regardless of their profession, social or financial standing outside.

SECTION 11

Before a prisoner is given an assignment, more or less permanent, by the Classification Board, he must, immediately on his discharge from the quarantine, undergo the General Service for a period depending on the length of his aggregate or total sentence, to wit:

1. 2 months for Prison Correccional (6 months and 1 day to 6 years);
2. 4 months for Prison Mayor (6 years and 1 day to 12 years);
3. 6 months for Afflictive Penalties (12 years and 1 day to Life Imprisonment);
4. 1 year for those committed for the second time;
5. Not less than 6 months but not more than 1 year depending on the length of sentence, to be determined by the head of the institution - for Third-class prisoners committed to a national prison for the first time.

The following shall be made to submit to the General Service anew:

1. Those who have been punished for misconduct and are to be reclassified by order of the Summary Court;
2. Those who have been discharge for cause from vocational work;
3. All others awaiting permanent assignments.

SECTION 12

The prisoner shall be quartered, during such time, in the General Service Brigade and shall be thoroughly instructed in the prison rules and regulations, aims and general policies of the administration; trained in the habits of restraint, orderliness, obedience, discipline, sanitation and industriousness - preparatory to his classification in institutional work in shops or projects as may be determined by the Classification Board.

During his stay in the General Service, the prisoner must be thoroughly prepared for the task ahead, in such manner as to provide the Classification Board with ample means for determining what is best for him in vocational training which might be helpful to him on his release and complete rehabilitation. (New Provisions)

ARTICLE IV

CLASSIFICATION FOR ASSIGNMENT WORKING HOURS

SECTION 13

Immediately after release from the quarantine, the inmate is to be subjected to a thorough examination by the Classification Board presided by the head of the institution or his representative, with a physician, a psychiatrist, a psychologist, the head of the educational section, a chaplain, and all shop supervisors, as members. The Board will look into the physical and mental make-up of the inmate, as well as his emotional reactions, and inquire into his education and training, his environment and other individual and family background. The chaplain will interview the inmate and inquire into his religious beliefs for the purpose of ascertaining their possible influence on his past conduct and behaviour. A final report of his findings shall be submitted to the Classification Board with appropriate

recommendations. With the help of such report, the Classification Board will then determine the suitable treatment or vocational training to be given the inmate and will make the assignment accordingly - after the inmate has gone through the prescribed period in the General Service. The assignment, which will then be more or less permanent, shall be subject to such restrictions as will best secure the advancement of the inmate and his future usefulness - in harmony with proper regimentation and discipline - preparatory to his final rehabilitation. (New Provisions)

SECTION 14

All finally convicted able-bodied prisoners shall be required to work at least eight (8) hours a day, except on Sundays and legal holidays. However, they may be employed on those days if the interest of the service so require. Detention prisoners shall be compelled to police their cells and perform such other labor for exercise as deemed necessary for hygiene or sanitary reasons. Female prisoners shall be assigned to work suitable to their age, sex and physical condition. Prisoners over 60 years of age will be excused from hard work.
(ORR - Mod.)

ARTICLE V

GENERAL RULES

SECTION 15

Observe these rules strictly and obey all orders of prison officers and employees without unnecessary arguments. Only by observing these rules and obeying orders can you make a good record as a prisoner and become eligible to receive executive clemency, be given credit allowance for good conduct, and earn such other privileges as accorded to first-class prisoners, trustees, and penal colonists:

- (1) Be orderly everywhere - at all times.
- (2) Be respectful and polite in your language and deportment. Cursing and swearing or the use of indecent language will not be tolerated.
- (3) Be punctual. Punctuality is essential to success in any human endeavor. Make it a habit to be on time. (New Provision)

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(4) Be industrious. Industry makes for success in any field of human activity. Apply yourself diligently to whatever labor you are assigned and perform the same amount of work as would be expected of you as a free man.

(ORR - Mod.)

(5) Be truthful. Truthfulness is an essential attribute of any respectable man. If you commit any mistake or any offense against the prison rules, you may be punished for telling the truth, but you would deserve leniency instead of severe punishment and you would win the admiration and respect of those around you. So, always tell the truth. (New Provision)

(6) Be honest. Make honesty the guiding light of your actions. Be honest to yourself, be honest to your fellow-prisoners, be honest to all. If you practice this creed now, during your confinement, you would find yourself a much better man when you are returned to society to again enjoy the blessings of freedom. And you will not likely relapse. (New Provision)

(7) You will subsist entirely upon the ration provided by the government and shall not receive food except that which, by this regulation, is authorized. One-half hour will be allowed for each meal and at least another half-hour for rest. Immediately after finishing the meal you shall deposit in the receptacle provided for the purpose all food issued and remaining uneaten.

(8) You must not loiter or run around anywhere inside or outside the prison compound. (Inc. from Marching Rules, page 12)

(9) You must not go to bed during working hours, except by permission.

(10) You must respect all religious creeds. Whenever you are in the church to hear mass or attend a religious service, you must observe faithfully its rites and rituals. Never disturb any religious service by unnecessary noise or inattention on your part.

(11) You must keep your person, clothes, bedding, brigade and library books clean. You are required to take a bath at least three times a week.

(12) You must always wear your uniform wherever you are - in your brigade, while at work, in the plaza, in the library, church or hospital. But you may use your authorized undergarments when retiring for the night.

(13) Exchange of clothing among prisoners is forbidden. Wearing a number other than your own is a serious offense. Wearing of clothing other than that issued to you - except authorized undergarments, is forbidden.

(14) You must not have in your possession or in your brigade any money, jewelry, postage stamps, valuables, or writing materials, or any other unauthorized articles. Writing materials will be furnished you on writing day. Letter paper, when not used, must be returned.

(15) You must not, at any time, have any unauthorized tools or weapons.

(16) You will be punished for careless handling of or wilful injury to your work or tools.

(17) You must always approach a prison officer or employee in a respectful manner. Insolence in any form to a prison officer or employee, or even to a fellow-prisoner, will not be tolerated.

(18) You must not address any prison officer or employee on personal matters.

(19) You must never approach a prison officer or employee bearing firearms without first obtaining permission, and when permission is granted, you must keep a space of five paces from him.

(20) You are cautioned to use care in your authorized movements, as guards are instructed to fire upon any person or persons in the near vicinity of prison buildings after dark who do not immediately stop and make known their business when halted. If your work requires you to be out of buildings or cells after dark you must carry a lighted lantern.

(21) When speaking to a prison officer or employee stand at two paces' distance, and speak distinctly. Do not pass too closely by an officer or employee, or between officers or employees who are conversing, and do not interrupt them except on some urgent official matters.

(22) If approached by a prison officer or employee, you must stand at attention and remove your hat and hold it on to your left breast until he has passed, ex-

cepts: (a) when you are at work; (b) when taking your meals; or (c) attending a religious service.

(23) You must make no present or gift whatsoever to any prison officer or employee, nor buy nor receive anything from or for them.

(24) You must not trade, barter, or sell anything without proper permission.

(25) If you have cause for complaint against anyone, you will be allowed to send an application for interview with the proper official, or make your complaint during the weekly inspection. All reasonable complaints will be thoroughly investigated. If they prove to be justified, the conditions complained of will be promptly remedied. But you will be punished for making frivolous or groundless complaints.

(26) Those of you who are physically fit and who have not had an elementary education will be required to attend the prison school at least one hour each working day.

(27) You will be inspected weekly, either on Saturday or Sunday morning, at which you will be paraded in front of your ward or cell. In your ward or cell, your bedding and clothing should be folded separately in a uniform manner, the clothing on top of the bedding. The inspecting officer will hear requests or complaints from you during the inspection.

(28) You will be paraded and checked daily before being locked in the cells or prison rooms for the night and you will also be checked upon the opening of the cells or prison rooms in the morning.

(29) For misconduct of a serious nature, such as assault, attempt at escape, or escape, you will be given disciplinary punishment and in the discretion of the prison authorities, prosecuted in the courts of justice.

(30) Ignorance of the rules and regulations will not be considered an excuse. If you know of any violation of some rule or regulation and you failed to report same, you would be subjected to disciplinary measure according to the gravity of the offense which you failed to report.

(31) For your information and guidance, a copy of

these Rules and Regulations will be prominently displayed in all dormitories, shops, and other conspicuous places. (ORR p. 7-10 - With mod.)

ARTICLE VI

MARCHING RULES

SECTION 16

- 1.- At the signal or command to fall into formation, you must take your places in line or column, stand at attention, and obey all orders - promptly and quietly.
- 2.- You shall march in silence with military steps at quick time, keeping your heads and eyes always straight to the front. You must never leave your places in line or exchange places without permission. You will break ranks only upon command.
- 3.- Any scuffling, jostling or rowdism in formation shall be punished. You must endeavor to maintain military bearing at all times and avoid insolence in walk, manner and gesture. Endeavor to maintain military bearing and appearance at all times.
- 4.- Smoking, or chewing tobacco while marching is strictly prohibited.
- 5.- At the sound of discharge of firearms or of an alarm signal, you must instantly lie on the ground or floor, face downward with both arms spread from the body - wherever you may be found, until order or signal is given to stand up. Violation of this rule may place your life in danger - you might be shot. (New prov.)
(ORR p. 10 - Mod.)

ARTICLE VII

S H O P R U L E S

SECTION 17

- 1.- All prisoners upon entering any industrial shop shall be thoroughly searched by the keeper, shop foreman or shop supervisor.
- 2.- Once inside the shop no prisoner shall be allowed to leave it without permission until the close

of working hours - except by reason of illness or in compliance with an official summon.

3.- No prisoner is allowed to leave his bench or place of work for any purpose unless the nature of the work so requires, or by permission.

4.- Prisoners shall not be allowed to pass tools or work from one prisoner to another, or from one bench to another, or instruct each other - without permission.

5.- Only one prisoner at a time will be allowed to go to each water closet.

6.- No prisoner shall be permitted to carry anything into or out of the shops without permission.

7.- Prisoners shall, at all times, be at work, do all work well, and pay strict attention to all instructions and orders.

8.- Loud and unusual noise of any kind are strictly forbidden.

9.- Tools and benches shall, at all times, be kept in order, and when quitting work at noon or at night, all tools must be put in place and benches cleaned up. All tools should be checked against the record once every two days or oftener. Loss of tools shall be promptly reported.

10.- For instructions about tools or work, prisoners must apply to shop foremen or shop supervisor.

11. At first shop bell each prisoner shall wash and get ready to leave the shop. At second bell the prisoners shall fall into line ready to march. Before leaving the shop, prisoners shall be minutely and thoroughly searched by the keeper, shop foreman or shop supervisor.

ARTICLE VIII

HOSPITAL RULES, HYGIENE AND SANITATION

SECTION 1B

1.- The same general rules governing prisoners shall be observed in the hospital. Prisoners in the hospital must also observe such rules prescribed for the shops which are not inconsistent with these rules.

The physician's order in regard to the medical treatment, diet, etc., must be strictly and carefully obeyed.

2.- Meals will be served at the same hours that they are to other inmates in the prison, unless the Prison Physician prescribes otherwise. Prisoners assigned to the hospital shall be rationed with the food coming from the General Kitchen, except those who, by proper medical prescription, should be rationed from the hospital kitchen. Provided, however, that patients may receive food or medicine from outside - by medical prescription.

3.- No prisoner may be permitted to have dental work for which he is to pay without the written consent of the Chief of the Medical Division. All charges for such work must be approved by the latter and bills for the same must be submitted to the Director for final approval.

SECTION 19

1.- Beds and clothing will be neatly made up in a uniform manner as soon as the wards and cells are unlocked in the morning.

2.- Beds and buildings occupied by prisoners will be thoroughly fumigated, disinfected, or cleansed with boiling water or steam, at least once a month.

3.- Mess kits and boxes shall be kept thoroughly cleaned at all times.

4.- All toilets, baths, and dormitories or cells will be cleaned and kept in good order throughout the day. Night tubs and toilets which are not flushed after using will be kept securely covered when not in use.

5.- Twice a week every prisoner should have his dirty clothes given to the laundry.

6.- Every Sunday and holiday, if weather permits, prisoners will expose their clothes, beds, beddings and etc., in the sunshine.

7.- Spitting on the floor and walls of the buildings or anywhere within the premises is strictly prohibited. Cuspidors are provided for this purpose.

8.- Squad leaders in charge of prisoners in the

brigades as well as in the shops or in any other assignments must report to the Hospital any accidental or acquired ailment.

SECTION 20

Unless claimed by his family, the body of the prisoner who dies in prison shall be turned over to the institute of learning or scientific research first applying for it, for the purpose of study and investigation, provided that such institute shall take charge of a decent burial of the remains. Otherwise, the Bureau of Prisons shall order the burial of the body of the prisoner at government expense at which members of the family and friends of the prisoner may attend. If the body is claimed by the family, all expenses incident to the burial shall be at the expense of the family. In no case shall the burial of a death-sentenced prisoner be held with pomp. (ORR - p. 11, with innovations and mod.)

ARTICLE IX

PRIVILEGES

SECTION 21

Trusties, colonists, or members of the trusty police force, chief and assistant chief squad leaders shall enjoy the following privileges:

- 1.-To write one letter once a week;
- 2.-To receive regular visits once a week on Saturday or Sunday afternoons;
- 3.-To receive such books, letters, newspapers, magazines and other publications as the prison authorities may approve;
- 4.-To attend or participate in any entertainment or athletic competition in the yard;
- 5.-To attend any religious service of the church of their own choice.
- 6.-To read books and other reading materials available in the prison library; and
- 7.- To smoke cigars or cigarettes, except during work hours.

SECTION 22

First-class prisoners shall enjoy the following privileges:

- 1.- To write two letters a month;
- 2.- To receive regular visits every other Sunday;
- 3.- To receive such books, letters, newspapers, magazines and other publications as the prison authorities may approve;
- 4.- To attend or participate in any entertainment or athletic competition in the yard;
- 5.- To attend any religious service of the church of their own choice;
- 6.- To read such books and other reading materials that are available in the prison library; and
- 7.- To smoke cigars or cigarettes, except during work hours.

SECTION 23

Second-class prisoners shall enjoy the following privileges:

- 1.- To receive regular visits, behind screen, once a month;
- 2.- To write one letter a month;
- 3.- To receive such books, letters, newspapers, magazines, and other publications as the prison authorities may approve;
- 4.- To attend or participate in any entertainment or athletic competition in the yard;
- 5.- To attend any religious service of the church of their own choice;
- 6.- To read such books and other reading materials that are available in the prison library; and
- 7.- To smoke cigars or cigarettes, except during work hours.

SECTION 24

Third-class prisoners shall be allowed:

- 1.- To receive visits, behind screens, once every two months, and may write letters only when the matters to be treated therein are of such importance as to warrant the granting of the permission;
- 2.- To attend any athletic event or competition within the prison compound during the day-time; and
- 3.- To attend any religious service of the church of their own choice.

SECTION 25

Detention prisoners shall enjoy the following privileges:

- 1.- To wear their own civilian garments inside the brigade (New Prov.) or when taken outside the prison walls;
- 2.- To write one letter once a week or oftener by special permission;
- 3.- To receive regular visits once a week on Saturday or Sunday afternoons, or oftener by special permission;
- 4.- To receive such books, letters, newspapers, magazines and other publications that the prison authorities may approve;
- 5.- To wear their hair in their customary manner;
- 6.- To receive meals from outside, subject to inspection and approval by prison officials; (New Prov.)
- 7.- To smoke cigars or cigarettes, except while at work;
- 8.- To attend or participate in any social entertainment or athletic competition in the yard;
- 9.- To attend any religious service of the church of their own choice; and
- 10.- To read such books and other reading materials that are available in the prison library.

Provided, however, that detention prisoners whose cases are on appeal and those who are recidivists or habitual delinquents shall not enjoy the privileges specified in paragraph 1, 5 and 6.

SECTION 26

On special occasions of national significance which shall not exceed five times a year, all prisoners except those undergoing disciplinary punishment, may at the discretion of the head of the institution, spend several hours with their visitors and eat with them such inspected and approved meals that may have been brought to them - in a compartment designated for that purpose. (New Prov.)

SECTION 27

Under special circumstances, a prisoner may be permitted, by Executive approval, to leave the institution in order to visit a sick or dying parent, spouse, child, or brother or sister, or to attend the funeral of such kin or for some other similar purpose. In such occasions, the prisoner must show his appreciation of such special privilege by observing a conduct beyond reproach and by obeying implicitly the orders of his guard. (New Prov.)

ARTICLE X

CLASSIFICATION: CONDUCT AND WORKMANSHIP - PROMOTIONS

SECTION 28

According to the nature of commitment, character and conduct, prisoners are divided into Penal Colonist or Trusty, Squad-leader, First, Second and Third-class and Detention.

1.- The penal colonist or trusty class consists of those whose known character and general good conduct in the first-class shall prove them worthy of confidence and trust; allowed to work without the surveillance of guards and possessed of the other qualifications prescribed in par. 3, Sec.30 of this Article.

2.- Squad-leaders consist of those who possess the quality of leadership and the other qualifications prescribed in par. 2, Sec. 30 of this Article.

3.- The first-class consists of: (a) those whose known character or credit for work while in detention

have earned them assignment to this class upon commencement of sentence, and (b) those who possess the qualifications prescribed in par. 1, Sec. 29 of this Article.

4.-- The second-class consists of: (a) new arrivals; (b) those who have been demoted from higher classes; and (c) those who have earned promotion from the third-class as prescribed in par. 1, Sec. 29 of this Article.

5.-- The third-class consists of: (a) those who have been previously convicted of any offense for three or more times, regardless of the number of committals; but imprisonment for non-payment of fine shall not be considered; (b) those whose known character or crime for which convicted is of such a nature as to warrant an additional period of training and observation; and (c) those who have been reduced from higher classes.

6.-- Detention prisoners consist of those who are in confinement awaiting trial or result of trial, those whose cases are pending appeal; and those awaiting execution of capital punishment. (ORR - Mod.)

SECTION 29

1.- Promotion from one class to the next higher class will, as a general rule, be made on the first of each month, and shall be conditioned upon the attainment of - a general rating of at least 85% from third to second class, and 90% from second to first class - for six months immediately preceding the date of promotion.

2.- Conduct and proficiency in workmanship shall be rated as follows:

Excellent -----	95% to 100%
Very good -----	90% to 94%
Good -----	85% to 89%
Fair -----	75% to 84%
Bad -----	70% to 74%
Very bad -----	Below 70%

3.- In case of exceptionally good conduct for a period of four successive months, a prisoner may be provisionally promoted to the next higher class. Detention prisoners and those assigned to second-class, on committal, may be considered as of the first-class, from the date of commencement of sentence, if they have shown exceptionally good conduct during detention

or during the time spent in the second-class. And, for heroism, courage, and loyalty to the administration, a prisoner may be promoted to a higher class regardless of the conditions herein specified - in the discretion of the Director.

4.- Any prisoner whose general rating is less than 80% will automatically lose the privilege of good conduct time allowance, but all good conduct time allowance already earned shall not be forfeited.

SECTION 30

1.- Second-class prisoners shall be given an initial general conduct rating of 85%, and third-class prisoners who are not recidivists or habitual delinquents shall be given an initial general conduct rating of 80%. Third-class prisoners who have had three or more convictions shall be given an initial conduct rating of 75%.

2.- To become eligible for promotion to Squad-leader, a prisoner must be of the first-class and must have attained a general conduct rating of 90% during the three months previous to his last promotion. And to become Chief-squad-leader, he must attain a general conduct rating of 95% for a period of three months previous to his last promotion. These promotions are limited to prisoners whose leadership proved them capable of handling men with ability to help in the enforcement of the policies of the prison administration.

3.- To become eligible for promotion to penal colonist or trusty, a prisoner must possess the following qualifications:

(a) He must be a first-class workman and must have attained a general conduct rating of 95% for, at least, one year prior to his promotion;

(b) He must have served imprisonment for a period equal to one-fifth of the time sentence imposed by the court, or seven (7) years in the case of life sentence.

4.- Promotion to penal colonist or trusty, which automatically modifies life sentence to 30 years imprisonment and carries an additional good conduct time allowance of five days per month, must have Executive approval and shall not be made during the first two (2) years of imprisonment unless authorized by the Director

- for optional reason. Prisoners who have previously been convicted twice or oftener of any crime or misdemeanor shall not be entitled to this classification. (Act 2489)

SECTION 31

In respect to workmanship, prisoners shall be divided into four grades; viz: Grade One will consist of those classified as first-class in conduct and who have qualified as skilled workmen with ability to handle men and direct work; Grade Two will consist of those classified as first-class in conduct who have qualified as semi-skilled workmen with fair ability to handle men and direct work; Grade Three will consist of those classified as either first or second-class in conduct and not qualified as skilled or semi-skilled workmen; Grade Four will consist of those in First, Second or Third class, in conduct, performing ordinary labor, and apprentices in trades, farming or any other vocational work in which skilled ratings can be obtained.

In making workmanship classification equal emphasis must be laid on conduct qualification. Neglect, laxity, carelessness or waste will retard advancement or be the cause for reduction in grade. Reduction will carry with it a corresponding reduction in the workmanship grade. (Sec. 4, ORR - Mod.)

ARTICLE XI

GOOD CONDUCT TIME ALLOWANCE

SECTION 32

As a reward for good conduct, diligence and loyalty, a prisoner may have his sentence diminished or reduced in the manner provided under the following schedule:

1.- For good conduct, a prisoner who is not sentenced to life imprisonment will be entitled to five days for each month of good conduct - during the first two years of imprisonment; eight days for each month from the third to the fifth year of imprisonment; ten days for each month from the sixth to the tenth year of imprisonment, and fifteen days from the eleventh and successive years of imprisonment. (Art. 97, RPC.)

2.- A prisoner who has attained the classification of penal colonist or trusty under the provisions of Act No. 2489, shall be entitled to an additional

five days' good conduct time allowance for each calendar month, while he retains this classification - in addition of the credit allowance authorized in the preceding paragraph. A prisoner serving life sentence receiving and retaining the classification of penal colonist or trusty shall have his sentence automatically modified to thirty years' imprisonment and shall be entitled to receive the regular credit as well as the special credit granted herein.

3.- Special time allowance for loyalty, consisting of a deduction of one-fifth of the period of his sentence, shall be granted to any prisoner, who, having evaded the service of his sentence, on the occasion of disorder resulting from conflagration, earthquake, explosion, or similar catastrophe, or during a mutiny, in which he has not participated, shall have voluntarily surrendered to the authorities within forty-eight hours, following the issuance of a proclamation announcing the passing away of such calamity, catastrophe, or mutiny. (Art. 98, RPC.)

4.- A detention prisoner who voluntarily offers in writing to perform such labor as may be assigned to him, shall be entitled to the same credit as a sentenced prisoner, which credit shall be deducted from such sentence as may be imposed upon him in the event of conviction. This credit shall commence to accrue from the date of approval of his application for work by the Director or head of the institution. Such detention prisoner will be considered as sentenced prisoner in so far as work and discipline is concerned. Any failure or neglect in the performance of the work assigned to him may be considered sufficient cause for his withdrawal from the assigned work and he shall thereafter cease to earn the privilege herein granted. A detention prisoner, upon final conviction, shall be credited with one-half of the time served in detention as part of his sentence, except in the following cases:

(a) When he is a recidivist, or has been convicted previously twice or more times of any crime;

(b) When upon being summoned for the execution of his sentence he has failed to surrender voluntarily;

(c) When he has been convicted of robbery, theft, estafa, malversation of public funds, falsification, vagrancy, or prostitution. (Art. 29, RPC.)

5.- Calendar months and years are considered in reference to sentence and time served, while thirty

days constitute a month in computing good conduct time credits.

6.- The Director or head of the institution shall grant good conduct allowance herein authorized, and once granted shall not be revoked. (Art. 99, RPC.)

SECTION 33

Good conduct time allowance disallowed by reason of misconduct may be restored - as a reward for exceptionally distinguished service, such as preventing escape, saving human life, or preventing destruction of valuable property at extreme personal peril - in the discretion of the Director or head of the institution. (Sec. 10, ORR - Mod.)

ARTICLE XII

COMPENSATION FOR LABOR

SECTION 34

1.- Special compensation may be allowed for those classified in workmanship at the following rates:

- (a) Grade One, at twenty centavos per diem;
- (b) Grade Two, Fifteen centavos per diem;
- (c) Grade Three, ten centavos per diem; and
- (d) Grade Four, five centavos per diem.

Over-time service outside of regular working hours, may be paid at the rate of:

Three centavos per hour for grade one;
Two centavos per hour for grades two and three; and
One centavo per hour for grade four. (New Prov.)

Provided, however, that no overtime pay shall exceed the regular daily compensation herein authorized.

No prisoner shall be recommended for compensation until after six months' work in his assignment. Promotion in compensation shall be made not only on the basis of workmanship but also on general conduct. In order to be eligible for promotion in compensation a prisoner must attain a rating of not less than 90 per cent both in workmanship and conduct.

2.- The benefits accruing under this Article shall

not be made applicable to any prisoner who has previously been convicted twice or oftener of any crime or misdemeanor. (ORR - Mod. Sec. 8, Act 2489)

SECTION 35

1.- Amounts earned may be placed on deposit with the Postal Savings Bank, to the credit of the prisoner to be disposed of as herein provided. (ORR - Mod.)

2.- A record shall be kept of prisoners granted workmanship classification in which entries of credits accruing to each shall be made monthly.

3.- The whole or a part of the compensation earned by any prisoner may be forfeited and applied to the payment of supplies or equipment lost or damaged by his own misconduct or wilful negligence. (Sec. 3, Act 2489.) One-half of the credits earned may be expended by the prisoner to meet authorized expenses, and the balance should be retained and paid to him upon release. However, in exceptional cases, and for reasons satisfactory to the Director, he may authorize the release of any part of the amount retained. (Sec. 2, Act 2489)

ARTICLE XIII

SUMMARY COURT - PUNISHMENT

SECTION 36

1.- The Summary Court for prisoners shall be presided over by the Director or head of the institution, or by any officer designated by him.

It shall hold sessions as often as necessary - in a room or compartment specially provided for that purpose.

2.- The Summary Court shall not follow the hard and fast rules obtaining in a regular court of justice, but it may be guided by the general rules of evidence in the appreciation and final consideration of the case. Accordingly, in its proceedings the court should refrain, whenever possible, from the use of legal terminologies, substituting "Reported Prisoner" for "Accused", "Report" for "Complaint", etc., etc.

3.- The hearing shall commence by the presentation of the evidence by the person making the report - his own testimony and those of his witnesses, if any, and

such other material evidence as may be necessary to substantiate the report made by him.

4.- After the presentation of the evidence for the one reporting, the reported prisoner shall be given an opportunity to defend himself - by means of his own testimony and those of his witnesses, if any, and such other evidence as he may care to submit to prove his innocence.

5. If found guilty, the reported prisoner should be cautioned and impressed with the idea that good behavior is an indispensable requisite for his early release and rehabilitation. (New Provisions)

SECTION 37

1.- The penalty which may be imposed by the Summary Court shall consist of any of the following punishments:

(1) Caution or reprimand, or being deprived of not in excess of one ration a day.

(2) Hard labor.

(3) Deprivation of good conduct time allowance.

(4) Reduction in class and workmanship grade.

(5) Close confinement in cell with or without leg irons on half ration, the period of time on half ration not to exceed seven (7) days in any calendar month and will not be repeated until after the lapse of a period of full ration equal to the time served on half ration. (Reduced from 14 to 7 days.)

(6) Close confinement in irons by restraint through handcuffing the hands fast at the height of the shoulder which may or may not be on half ration, the reduced-ration portion of which will not exceed seven (7) days, in any calendar month. (Reduced from 14 to 7 days) This punishment shall be imposed only in the case of obstinate prisoners where other punishment proved ineffective.

Whenever the punishment imposed may effect the health of the prisoner, he shall first be subjected to a medical examination to determine his physical fitness to undergo such punishment.

Any penalty that might be imposed by the Summary Court shall be subject to review and approval by the Director or head of the institution when the court imposing the penalty is not presided by him.
(Sec. 2, ORR - Mod.)

ARTICLE XIV

COMPUTATION OF GOOD CONDUCT RATING AND DISALLOWANCE OF GOOD CONDUCT TIME ALLOWANCE

SECTION 38

The conduct of prisoners shall be computed on the basis of 100 points per calendar month for perfect ratings:

(a) When the punishment imposed is reduction in class or grade, it shall carry with it a deduction of 50 points, and the corresponding disallowance of good conduct time credit.

(b) When other punishments are imposed, a deduction of 2 points shall be made for each day while undergoing such punishment and the corresponding disallowance of good time credit.

future reference.

(e) For every 10 points of deduction in good conduct, a corresponding disallowance of good conduct time credit of 1 day shall be made. No fraction of a day shall be disallowed.

(Sec. 10, ORR - Mod. in manner of computation, but substantially same.)

ARTICLE XV

PARDON AND PAROLE

SECTION 39

Pardon may be granted at any time during service

of sentence; parole, generally after completion of minimum penalty.

Pardon and parole are rare privileges which may be granted for exceptionally good behavior, or as a reward for demonstrated heroism, courage, or loyalty to the administration. (New Provision)

Finally convicted prisoners will be permitted to make petition for clemency as soon after their arrival at prison as they may desire. A prisoner whose petition for clemency has been denied will not be permitted to make another until six months after such denial - except for special reasons. Petitions shall be addressed to the Chief Executive in case of pardon and to the Department of Justice, in the case of parole thru the official in charge of the prison in which the prisoner is confined and should be based on reasonable grounds. If possible, prisoners must write their own petitions, but if unable to write, the petition should be written under the direction of an officer or employee of the prison in which case a statement to this effect shall be made as a foot-note, but under no circumstance should the petition be prepared by a fellow-prisoner.
 (Sec. 25, ORR - Mod.)

SECTION 40

Violation of any condition of the pardon or parole will subject the pardonee or parolee to recommitment to prison, and shall be given the classification of third-class upon committal. (New prov.)

ARTICLE XVI

MANNER OF RELEASING

SECTION 41

A prisoner may be released by:

- (1) Expiration of sentence;
- (2) Order of the Court;
- (3) Reprieve, parole or pardon;
- (4) Amnesty; and

(5) Any other lawful order of competent authority.

Before a prisoner is released, he should be properly identified, that is, his identification marks and finger-prints which were taken upon committal should be verified, and any change in his distinguishing marks and scars, properly recorded.

No prisoner shall be released on the strength of a mere order by telegram or telephone. Prisoners to be released by reason of acquittal, dismissal of case, filing of bond, or payment of fine and/or indemnity, shall only be released upon receipt of a written order in due form, bearing the seal of the court and signed by the Judge or Clerk of Court. The order of release should bear a sufficient description of the prisoner - his name and the crime charged, the number of the case, and such other informations as will enable the prison officer to properly identify the prisoner to be released.

Prisoners shall be released promptly and without unreasonable delay.

(ORR - Mod.)

SECTION 42

Upon the release of an Insular prisoner, he shall be supplied by the Bureau of Prisons with transportation to his home, including a gratuity to cover the probable cost of subsistence enroute, and if necessary, a suit of clothes of the value of not more than ten pesos, or in case the prisoner is deported of not more than forty pesos. (Sec. , Administrative Code.)

United States of America
Commonwealth of the Philippines

THE PEOPLE OF THE PHILIPPINES
Plaintiff and Appellee,

— VERSUS —

Defendant and Appellant.

CASE No.: _____

CRIME: _____

MOTION FOR APPEAL

*The undersigned defendant in the above-entitled case hereby interposes an appeal from the
judgment of that Court to the*

Date:

New Bilibid Prison
Muntinlupa, Rizal.

Pris. No.

DECLASSIFIED

Authority NND 583078

DECLASSIFIED
Authority NR0583078