

BJMP MANUAL

RULE II

COMMITMENT AND CLASSIFICATION OF PRISONERS AND DETAINEES

A person can be committed to jail only upon the issuance of an appropriate order by a competent court or authority so mandated under Philippine laws. This Rule enumerates courts and authorities, and classifies inmates according to the conditions for their commitment.

Section 13. COMMITMENT - means entrusting for the confinement of an inmate to a jail by a competent court or authority, for the purposes of safekeeping during the pendency of his/her case.

Section 14. COURTS AND OTHER ENTITIES AUTHORIZED TO

COMMIT A PERSON TO JAIL- The following (courts and entities) are authorized to commit a person to jail:

- a. Supreme Court;
- b. Court of Appeals;
- c. Sandiganbayan;
- d. Regional Trial Court;
- e. Metropolitan/Municipal Trial Court;
- f. Municipal Circuit Trial Court;
- g. Congress of the Philippines; and
- h. All other administrative bodies or persons authorized by law to arrest and commit a person to jail.

Section 15. CLASSIFICATION - refers to assigning or to grouping of inmates according to their respective penalty, gender, age, nationality, health, criminal records, etc.

Section 16. CATEGORIES OF INMATES -The two (2) general categories of inmates are:

- a. Prisoner - inmate who is convicted by final judgment; and
- b. Detainee - inmate who is undergoing investigation/trial or awaiting final judgment.

Section 17. CLASSIFICATION OF PRISONERS - The four (4) main classes of prisoners are:

a. Insular Prisoner - one who is sentenced to a prison term of three (3) years and one (1) day to reclusion perpetua or life imprisonment;

b. Provincial Prisoner - one who is sentenced to a prison term of six (6) months and one (1) day to three (3) years;

c. City Prisoner - one who is sentenced to a prison term of one (1) day to three (3) years; and

d. Municipal Prisoner - one who is sentenced to a prison term of one (1) day to six (6) months.

Section 18. CLASSIFICATION OF DETAINEES - The three (3) classes of detainees are those:

- a. Undergoing investigation;
- b. Awaiting or undergoing trial; and
- c. Awaiting final judgment.

Section 19. INMATES SECURITY CLASSIFICATION -The following are the classifications of inmates according to security risk each may pose:

a. High Profile Inmate - those who require increased security based on intense media coverage or public concern as a result of their offense such as but not limited to those who have been involved in a highly controversial or sensationalized crime or those who became prominent for being a politician, government official, multi-million entrepreneur, religious or cause-oriented group leader and movie or television personality.

b. High Risk Inmate - those who are considered highly dangerous and who require a greater degree of security, control and supervision because of their deemed capability of escape, of being rescued, and their ability to launch or spearhead acts of violence inside the jail. This includes those charged with heinous crimes such as murder, kidnapping for ransom, economic sabotage, syndicated or organized crimes, etc. Also included are inmates with military or police trainings or those whose life is in danger or under imminent threat.

c. High Value Target (HVT) - a target, either a resource or a person, who may either be an enemy combatant, high ranking official or a civilian in danger of capture or death, typically in possession of critical intelligence, data, or authority marked as an objective for a mission and which a commander requires for the successful completion of the same.

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Congress (1987-). Senate,2008-11

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