



Republic of the Philippines  
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT  
**BUREAU OF JAIL MANAGEMENT AND PENOLOGY**  
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## MEMORANDUM

**FOR :** **JOEL S SUPERFICIAL**  
Jail Senior Superintendent  
OIC, Directorate for Operations

**SUBJECT :** **COMMENT re: Proposed Definition of "Kubol" in Jails**

**DATE :** December 14, 2016

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1. References: a. Oplan "RODY" of the Chief, BJMP, Jail Director SERAFIN P BARRETTO JR, CESO IV, CSS;  
b. 2007 Revised BJMP Manual; and  
c. Request for Comment on the above-subject matter, by the Director for Operations, J/SSUPT JOEL S SUPERFICIAL, dated December 12, 2016.

2. It has been observed that we have been using the word "kubol" since time immemorial, but its meaning has not been defined with certainty and definiteness. It is high time that we come up with a concrete definition of the word "kubol" especially that there is a direct guidance from the Chief, BJMP to dismantle it.

3. To once and for all put certainty and definiteness on the word "kubol" the Director for Operations, JSSUPT JOEL S SUPERFICIAL, hereunder defined kubol as:

*"Any illegal structure built within the jail compound or any place in jail building, other structures which are surrounded by walls, curtains and any materials that may serve as a partition/cubicle that hinders detection of inmates illegal activities."*

4. First and foremost, to be politically correct the word inmates must be changed to persons deprived of liberty (PDL), this is the internationally accepted term for inmates.

5. It is also noteworthy to mention that the word "kubol" was used by the High Court in its several decisions. In the case of *People vs. Ludivicho Blaza*,<sup>1</sup> wherein it defined "kubol" as:

*"A more or less permanent, roofed structure built over and around tombs in certain places in the Philippines, used by relatives of the dead as shade and shelter when visiting the final resting places of their loved ones."*

*In the case of *People vs. Lito Macabare*<sup>2</sup>:*

*"The word "Kubol" was loosely translated as "cubicle"."*

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1 G.R. No. 127111, February 19, 2001  
2 G.R. No. 179941, August 24, 2009

6. From the foregoing definition of the High Court we cannot derive any definition that would exactly define the word "kubol" under present jail setting. Hence, this Office will subscribed and join the proposed definition of the Directorate for Intelligence, wherein it defined "kubol" as:

*"Any unauthorized additional structure built within the jail/cell premises that are surrounded by walls, curtains, and any other materials that hinder visual monitoring of persons deprived of liberty and/or visitors' movements and activities."*

7. Respectfully recommended and humbly submitted for consideration in the final draft of the memorandum.

  
for: **PAULINO H MORENO JR**  
Jail Senior Superintendent  
Chief, Legal Service Office