Whereas, Republic Act No. 6975, otherwise known as the “Department of the Interior and Local Government Act of 1990,” provides that the task of jail management and penology shall be the responsibility of the Bureau of Jail Management and Penology (BJMP). As an institution, and pursuant to the mandate earlier mentioned, the BJMP has defined through consultative and participatory strategic planning sessions its vision, mission, powers, functions, values, objectives and principles;

Whereas, in view of the number of challenges brought about by time and circumstances having particular bearing on the bureau's operations, it behooves the BJMP to revisit its existing Comprehensive Operations Manual make it more responsive to the bureau's mandate of "Safekeeping and Development" of all district, city and municipal jail inmates;

Whereas, it has become imperative to ensure uniformity in the discharge of functions by all BJMP personnel concerned; to ensure uniformity in the implementation BJMP policies, rules and regulations; and to ensure uniformity in the treatment of inmates in BJMP-manned jails including those over which BJMP may exercise operational jurisdiction, by virtue of a Memorandum of Agreement (MOA);

NOW, THEREFORE, pursuant to Book IV of the Administrative Code of 1987, this second edition of BJMP Comprehensive Operations Manual is hereby adopted for observance, and guidance relative to ensuring humane safekeeping and development of inmates.

RULE I

GENERAL PROVISIONS

Section 1. MANDATE - The Bureau of Jail Management and Penology was created on January 2, 1991 pursuant to Republic Act 6975, replacing its forerunner, the Jail Management and Penology Service of the defunct Philippine Constabulary-Integrated National Police. The BJMP exercises administrative and operational jurisdiction over all district, city and municipal jails. It is a line bureau of the Department of the Interior and Local Government (DILG).

Section 2. VISION - The BJMP envisions itself as a dynamic institution highly regarded for its sustained humane safekeeping and development of inmates.

Section 3. MISSION - The Bureau aims to enhance public safety by providing humane safekeeping and development of inmates in all district, city and municipal jails.

Section 4. POWERS - The BJMP exercises supervision and control over all district, city and municipal jails. As such, it shall ensure the establishment of secure, clean, adequately equipped sanitary facilities; and ensure the provision of quality services for the custody, safekeeping, rehabilitation and development of
district, city and municipal inmates, any fugitive from justice, or person detained awaiting or undergoing investigation or trial and/or transfer to the National Penitentiary, and/or violent mentally ill person who endangers him/herself or the safety of others as certified by the proper medical or health officer, pending transfer to a mental institution.

**Section 5. FUNCTIONS** - In line with its mission, the Bureau endeavors to perform the following functions:

a. to enhance and upgrade organizational capability on a regular basis; thus, making all BJMP personnel updated on all advancements in law enforcement eventually resulting in greater crime solution efficiency and decreased inmate population;

b. to implement strong security measures for the control of inmates;

c. to provide for the basic needs of inmates;

d. to conduct activities for the rehabilitation and development of inmates; and

e. to improve jail facilities and conditions.

**Section 6. Vision, Mission, Objectives and Functions of Directorate for Operations**

a. **Vision** – A Directorate that will be instrumental in the humane safekeeping of inmates.

b. **Mission** – To enhance jail management by formulating policies and guidelines on humane safekeeping of inmates and ensure their compliance in all district, city and municipal jails.

c. **Objectives**

- To monitor the compliance by wardens with the different operational policies and regulations set forth by the bureau;
- To help enhance the security and safety of the inmates as well as the jail facilities;
- To equip the personnel with the necessary skills in the effective management of jail security and safekeeping of inmates.
- To ensure that the bureau complies with its directives pertaining to jail operations; and
- To ensure that the bureau complies with the principles relative to use of different international instruments in the humane treatment of inmates.
d. **Functions**

- Advises and assists the BJMP chief on matters relating to the formulation and execution of correctional programs, particularly as regard organization, training, operation and planning;
- Formulates and implements policies, guidelines, and programs relating to security, custody, discipline and control of offenders;
- Conducts periodic inspection of jail facilities and supervision over jail facility personnel; reviews matters concerning penology such as custody, security, discipline and control of offenders; and ensures that the same are properly and religiously implemented;
- Formulates plans, programs, policies and guidelines for the effective nationwide implementation of rehabilitation programs and services for all inmates;
- Coordinates with private and government agencies and solicits their assistance and support for rehabilitation programs in jails nationwide; and
- Performs such other functions as the BJMP chief may direct.

**Section 7. DISTRICT JAIL** - In large cities or a group of clustered municipalities, a district jail headed by a district warden may be established.

**Section 8. CITY AND MUNICIPAL JAILS** - The BJMP operates and maintains city and municipal jails, each headed by a city or municipal warden, as the case may be.

**Section 9. CORE VALUES** - The BJMP’s officers and staff are guided by the following core values:

a. **Commitment** - strong sense of dedication to the ideals of the organization and to the public that it serves;

b. **Respect for Human Rights** - to promote and protect the rights of our fellow human beings;

c. **Efficiency/Competence** - mastery of important skills for delivery of quality services;

d. **Cooperation** - willingness to share efforts in implementing plans and achieving goals; and

e. **Teamwork** - the combined effective action of all personnel.

**Section 10. OBJECTIVES** - The broad objectives of the Bureau are the following:

a. To improve the living conditions of offenders in accordance with the accepted standards set by the United Nations;
b. To enhance the safekeeping, rehabilitation and development of offenders in preparation for their eventual reintegration into the mainstream of society upon their release; and

c. To professionalize jail services.

Section 11. PRINCIPLES - The following principles shall be observed in the implementation of the preceding sections:

a. Humane treatment of inmates;

b. Observance of professionalism in the performance of duties; and

c. Multi-sectoral approach in the safekeeping and development of inmates can be strengthened through active partnership with other members of the criminal justice system and global advocates of corrections.

Section 12. DEFINITION OF TERMS - As used in this Manual, the following terms are defined:

Alcoholics - those inmates who suffer from alcoholism or those engaged in the improper compulsive intake of alcohol which may result in physical, social and behavioral problems.

Bisexual - are those inmates who have a sexual attraction or sexual behavior toward both males and females, and may also encompass sexual attraction to people of any gender identity or to a person irrespective of that person's biological sex or gender.

Carpeta - otherwise known as “inmate record or jacket”, contains the personal and criminal records of inmates, documents related to his/her incarceration such as but not limited to: commitment order, subpoenas, personal identification, orders from the court, and all other papers necessarily connected with the detention of an inmate.

Child or Children in Conflict with the Law (CICL), also known as “Youth Offender” - a person under eighteen (18) years old who is alleged as, accused of or adjudged as having committed an offense under the Philippine laws.

Chief Custodial Officer - is the personnel in-charge in the overall supervision of all custodial functions.

City Jail - is a facility or a place of confinement for those inmates who are sentenced with a penalty from (1) one day to three (3) year imprisonment.

Clustering of Jails - the designation of a municipal or city Jail as a facility for one or more adjacent municipalities in order to maximize the utilization
of personnel and other resources. The “host” city or municipality is named as a district to accommodate inmates from the municipalities clustered to it.

Commitment Order - a written order of the court, or any other agency authorized by law to issue, entrusting an inmate to a jail for the purpose of safekeeping during the pendency of his/her case.

Contraband - any article, item, or thing prohibited by law and/or forbidden by jail rules that would pose as security hazards or endanger the lives of inmates.

Conjugal Visitation – refers to the visit by the wife for a short period, usually an hour, more or less, to her incarcerated husband during which they are allowed privacy and are generally understood to have sexual contact.

Detainee - a person who is accused before a court or competent authority and is temporarily confined in jail while undergoing or awaiting investigation, trial, or final judgment.

District Jail - is a facility or a place of confinement for inmates coming from a city or clustered municipalities who are waiting or undergoing trial or serving sentence of one (1) day to three (3) years.

Drug Dependents - are those inmates who have a psychological craving for habituation to and abuse of or physiologic reliance on a chemical/drug substance.

Drug Users - are those inmates who take substances/drugs that can alter their body and mind works.

Escape-Prone Inmates - are inmates who are likely and have the tendency to escape from the jail facility.

Gay - is a male homosexual inmate, who experiences romantic love or sexual attraction to fellow male inmates.

High Risk Inmates in BJMP Jails - are those considered as highly dangerous or with high probability of escaping or being rescued because of the gravity of the crimes they are accused of or have a propensity for being troublemakers or initiators of jail riots and disturbance and who require a high degree of control and supervision. Particularly included herein are those charged with heinous crimes, such as murder, terrorism, kidnap for ransom, violation of R.A. No. 9165, the imposable penalty for which is from life imprisonment to death, etc. These also include those who have a record of escaping from jails, recidivists, habitual delinquents, and those with severe personality or emotional disorders that make them dangerous to their fellow inmates or the jail personnel.
High Profile Inmates in BJMP Jails - are those who are not necessarily charged with heinous crimes but are prominent figures in society or public figures whose cases have drawn public interest.

Infirmed Inmates - are those inmates who are physically or mentally weak for a prolonged period of time specifically caused by age or illness.

Inmate - is the generic term used to refer to a detainee or prisoner.

Inmates with Disability - are those inmates who have an impairment that may be physical, cognitive, mental, sensory, emotional, developmental, or some combination of these.

Inmates with Other Nationalities - are those inmates who are foreign nationals.

Instrument of Restraint - a device, contrivance, tool or instrument used to hold back, keep in, check or control inmates; e.g., handcuffs.

Jail - is a place of confinement for city and municipal detainees/prisoners, any fugitive from justice, or person detained awaiting or undergoing investigation or trial and/or pending transfer to the National Penitentiary, and/or violent, mentally ill person who endangers him/herself or the safety of others, duly certified as such by the proper medical or health officer, pending transfer to a mental institution.

Jail Aide – is an inmate who requires less supervision than other inmates. Although he/she may be assigned special tasks, he/she has no special privileges, and is not allowed to work alone nor exercise any authority over other inmates.

Jail Incident - any untoward or uncommon actions, events, or conditions such as jail break, riot, noise barrage, stabbing or assault upon personnel that occurs in jail and perpetrated by any person, which may or may not have followed or depended upon another action of grave or serious consequences such as escape, injury, death, fire, flood, earthquake, or other calamity which affects the jail.

Jailbreak - the escape from jail by more than two (2) inmates by the use of force, threat, violence or deceit or by breaching security barriers such as by scaling the perimeter fence, by tunneling and/or by other similar means or by burning or destructing of the facility or a portion of the facility with or without the aid of jail officer or any other person.

Jail escape - it is an act of leaving from jail of an inmate through unofficial and illegal ways or without any legal order from the authorities.

Jail Warden - person charged with the overall operational and administrative control of jail.
Illegal Contraband - are those that are unlawful in themselves and not because of some extraneous circumstances (i.e. dangerous drugs, weapons, potential weapons, explosives).

Lesbian - is a female homosexual inmate, who experiences romantic love or sexual attraction to fellow female inmates.

Mentally ill - are those inmates who suffer from mental illness and afflicted with or exhibiting irrationality and mental unsoundness.

Mittimus Order - a warrant issued by a court bearing its seal and the signature of the judge, directing the jail or prison authorities to receive inmates for the service of sentence.

Municipal Jail - is a facility or a place of confinement for those who are sentenced with a penalty for a term not exceeding six (6) month imprisonment.

Nuisance Contraband - are those that may not be classified as illegal under the Philippine laws but are forbidden by jail rules i.e. cellphone, money or other commodities of exchange such as jewelry, appliances and gadgets, excessive wearing apparels and sleeping paraphernalia, intoxicating liquors, cigarettes, pornographic materials, gambling paraphernalia and other products that are considered as instruments for vices since they threaten the security, fire safety, sanitation of the facility, and the orderly activities of the jail.

Offender - refers to a person who is accused of violating or transgressing laws and ordinances passed by competent authorities in the Philippines.

Officer - in general, the term officer shall refer to all uniformed personnel of the BJMP; when referring to rank, however, the term officer shall refer to those holding the rank of jail inspector and above.

Penology - a branch of criminology dealing with jail management and administration of inmates.

Pregnant Inmates - a female inmate bearing a developing embryo, fetus, or unborn offspring within her body.

Prisoner - an inmate who is convicted by final judgment.

Provincial Jail – is a facility or a place of confinement for inmates who are sentenced with imprisonment from six (6) months and (1) one to three (3) year imprisonment.

Provincial Jail Administrator - refers to the official duly designated to head the BJMP Provincial Jail Administrator's Office and to oversee the
implementation of jail services of all district, city and municipal jails within its territorial jurisdiction.

**Reformation** - means amending or improving by changing inmate's behavior or removing his or her faults or abuse and removing or correcting an abuse a wrong or error.

**Regional Director** - refers to the official duly designated to head the BJMP Regional Office, to oversee the implementation of jail services within his/her jurisdiction covering provincial jail administrator’s offices, district, city and municipal jails, and to ensure the enforcement of laws and regulations related to the functions his or her office as mandated of him or her.

**Regional Office** - means an office, which has administrative and operational control over its provincial jail administrator’s offices, district, city and municipal jails.

**Rehabilitation** - a program of activity directed to restore an inmate's self-respect and sense of responsibility to the community, thereby making him/her a law-abiding citizen after serving his/her sentence.

**Safekeeping** - refers to the temporary custody of a person for his/her own protection from the community he or she comes from, and for the community he or she comes from.

**Senior Citizens Inmates** - are those inmates who have reached sixty years old, or those who have retired from work, and those who generally belong to the "old age" bracket.

**Sex Offenders** - are those inmates who committed crimes involving sex, including rape, molestation, pedophilia, sexual harassment and pornography production or distributions.

**Sexual Deviates** - inmates who have a type of mental disorder characterized by a preference for or obsession with unusual sexual practices, as pedophilia, sadomasochism, or exhibitionism or inmates whose sexual practices are socially prohibited.

**Suicidal Inmates** - are those inmates who have a tendency to commit suicide or to harm themselves.

**Transgender** - are those inmates whose gender identity or gender expression does not match with their innate sexual identity.

**Transfer** - the delivery, notwithstanding his/her or their appeal, of an inmate or inmates sentenced to more than three (3) year imprisonment, from any BJMP manned jail to any of the Bureau of Corrections (BuCor)
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 DETAINERS** - 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.

d. **Security Threat Group** - any formal or informal ongoing inmates’ group, gang, organization or association consisting of three or more members falling into one of the following basic categories: street gangs, prison gangs, outlaw gangs, traditional organized crime, aboriginal gangs, subversive groups and terrorist organizations.
e. **Subversive Group** - a group of persons that adopts or advocates subversive principles or policies tending to overthrow or undermine an established government.

f. **Terrorist Group** - a group of persons that commits any of the following: piracy and mutiny in the high seas or in the Philippine waters, rebellion or insurrection, coup d'état, murder, kidnapping and serious illegal detention, crimes involving destruction, arson, hijacking, violation of laws on toxic substances and hazardous and nuclear waste control, violations of atomic energy regulations, anti-piracy and anti-highway robbery, illegal and unlawful possession, manufacture, dealing in, acquisition or disposition of firearms, ammunitions or explosives.

g. **Violent Extremist Offender (VEO)** - a person whose political or religious ideologies are considered far outside the mainstream attitudes of the society or who violates common moral standards and who has adopted an increasingly extreme ideals and aspirations resorting to the employment of violence in the furtherance of his/her beliefs.

h. **Medium Risk Inmates** - those who represent a moderate risk to the public and staff. These inmates still require greater security, control and supervision as they might escape from and might commit violence inside the jail.

i. **Minimum Risk Inmates (Ordinary Inmates)** - those inmates who have lesser tendencies to commit offenses and generally pose the least risk to public safety. In most cases, they may be first time offenders and are charged with light offenses.

Section 20. **REQUIREMENTS FOR COMMITMENT** - No person shall be committed to any jail facility without the following required documents:

a. Commitment Order;
b. Medical Certificate - recent medical certificate taken within 24 hours prior to admission;
c. Complaint/Information;
d. Police Booking Sheet; and
e. Certificate of Detention from PNP and/or NBI.

**RULE III**

**RECEPTION AND RELEASING PROCEDURES, CLASSIFICATION BOARD, DISCIPLINARY BOARD AND PUNISHABLE ACTS OF INMATES**

One of the Guiding Principles of the United Nations Standard Minimum Rules for the Treatment of Prisoners states that "Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking from a person the right of self-determination by depriving
him/her of his/her liberty. Therefore, the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation”. Hence, a well-planned and organized reception of detainees is critical to achieving this. The inmate’s first impression of the correctional process greatly influences his/her attitude and behavior toward the custodial and rehabilitative regimens he/she must undergo during confinement and perhaps, to some extent, affect his/her outlook and adjustment after his/her release. This Rule provides guidance on the reception and disciplinary aspects of jail management.

Section 21. RECEPTION PROCEDURES - A decent and humane program of confinement starts with a systematic reception of inmates for commitment to the BJMP’s jail facilities. The following procedures should therefore be observed:

A. **Gater** - He or she checks the credentials of the person bringing the inmate/the committing officer to determine his/her identity and authority. Also, he or she reviews the completeness of the following documents before the person bringing an inmate/the committing officer is allowed to enter the facility. The documents mentioned earlier refer to the:

1. Commitment Order;
2. Medical Certificate – recent medical certificate taken within 24 hours prior to admission;
3. Complaint/Information;
4. Police Booking Sheet; and
5. Certificate of Detention from PNP and/or NBI.

Additionally, the "gater" shall subject the person to be committed and his/her escorts for search and inspection as prescribed. Finally, he or she (gater) refers the person to be committed and his or her escorts to the Records Unit.

B. **Records Unit** - This unit examines the completeness and authenticity of the requirements for Commitment (Commitment Order, Booking Sheet, Arrest Report and Information) before it refers the inmate for physical examination by the Health Unit.

C. **Health Unit**:

1. Checks the authenticity of the entries in the medical certificate; conducts thorough physical examination of the inmate to determine his or her true physical condition; and asks searching questions to determine injury/injuries found to have been sustained by the inmate after the conduct of medical examination or those injuries not diagnosed prior to commitment in jail. Inmate is required to undress while undergoing medical examination. A female inmate
shall be examined by female health personnel. A male inmate may be examined by either male or female health personnel;

2. In case of any discrepancy found during physical examination but same discrepancy is not indicated in the medical certificate, the committing officer shall be required to secure another medical certificate of the inmate. The commitment of an inmate shall be held in abeyance pending the submission of a new medical certificate with findings congruent to the medical findings of the jail physician/nurse. The reason for the deferment of commitment shall be recorded in the jail blotter. In case the committing officer fails to return the inmate to jail within twenty-four (24) hours, the reasons for the deferment of commitment and the grounds thereof shall be reported immediately to the court that issued the commitment order;

3. In the absence of a jail nurse/medical personnel, the receiving officer shall refer the person to be committed to the nearest government health facility for medical evaluation (check the medical certificate and observe the mental alertness, physical abnormalities and the overall appearance of the inmates); and

4. If no discrepancy is found during physical examination, the inmate shall be referred back to the Records Unit.

D. **Records Unit** - Receives the inmate and the documents from the committing officer and conducts the following:

1. Start the booking procedures:
   
   a. Accomplish the jail booking sheet;
   b. Strip-search the inmate to check for any birth marks, tattoos, etc;
   c. Encode the inmate's information to the NIMS;
   d. Fingerprint and photograph the inmate with mug shot background; and
   e. List the names of the visitors authorized by the inmate.

2. Apprise the inmate in a dialect that he/she understands of the provisions of Art 29 of the RPC which was further amended by R.A. 10592; *(Refer to ANNEX "A")*

3. Facilitate the signing of the Detainee’s Manifestation if he/she agrees to abide by the same disciplinary rules imposed upon convicted inmates. Otherwise, the warden issues a certification under oath manifesting that the inmate was apprised of the provision of Art 29 of the RPC as amended and refused to abide by the same; and
4. Store all documents in the Inmate's Carpeta.

**E. Property Custodian**

1. Checks the inmate's belongings for presence of contraband. Discovery of any contraband shall be treated in accordance with existing policies.

2. Takes all cash and other personal properties from the inmate, lists them down on a receipt form with duplicate, duly signed by him/her and countersigned by the inmate. The original receipt should be given to the inmate and the duplicate be kept by the Property Custodian.

3. Keeps all cash and other valuables of the inmate in a safety vault. Said cash and valuables may be turned over to any person authorized by the inmate.

4. Refers the inmate to the desk officer.

**F. Desk Officer** - books the newly committed inmate in the jail blotter; assigns the inmate to a reception area, if any, where he/she shall be scheduled for orientation on jail rules and regulation, and shall undergo risk assessment and classification, evaluation and conduct of further medical evaluation/screening by the Medical Officer.

**G. Assistant Warden or Officer of the Day** - Orients the newly committed inmates on jail rules and regulations using the Inmate’s Orientation Sheet.

**H. Jail Warden** - Coordinates with concerned agencies regarding the case of inmate for speedy disposition and to furnish them with copies of the available needed documents. The jail warden shall see to it that all concerned agencies and persons will be informed of the commitment of the inmate in his/her jail by submitting a written report. Through his/her paralegal officer, he/she shall ensure that the courts and prosecutors’ office are attending to the case of the inmate by constantly coordinating with them for the purpose of speeding up the disposition of the case. For this purpose, the sharing of non-confidential information with the concerned agencies is encouraged.

The following agencies/persons shall be notified by the warden upon commitment of the inmate:

1. **Presiding Judge** - (monthly submission of list of committed inmates to the presiding judge is mandatory)

2. **Executive Judge/
3. PNP - mandatory
4. NBI - mandatory
5. Family - mandatory
6. PAO lawyer - in case of indigent inmate
7. IBP legal aide - in case of indigent inmate and unavailability of PAO lawyer
8. Private lawyer - upon request
9. Priest or religious minister - upon request
10. Private physician - upon request
11. Commission on Human Rights - as needed/to submit list of committed inmates monthly
12. Public physician - as needed
13. Psychologist/Psychiatrist - as needed
14. Embassy - mandatory in case of foreign national/alien
15. DSWD - mandatory in case of CICL
16. Court/Other branches - in case of multiple cases

Section 22. CLASSIFICATION BOARD - Each jail shall maintain a classification board, if facilities and personnel are available, to be composed of the following:

- Chairperson: Assistant Warden
- Member: Chief, Custodial/Security Office
- Member: Medical Officer/Public Health Officer
- Member: Jail Chaplain
- Member: Inmates Welfare and Development Officer

Section 23. DUTIES AND FUNCTIONS OF THE CLASSIFICATION BOARD - The Classification Board is tasked to conduct background investigation of inmates to determine the cell assignment, the appropriate rehabilitative program, the type of supervision and degree of custody and restrictions applicable to the inmate/s. The investigation shall focus on the following:

a. Facts and data of the present case;
b. Inmate's recent criminal history and the facts about the inmate's attitudes and behavior while confined in other institutions, if the inmate is a recidivist or a habitual delinquent;
c. Biography or life history;
d. Medical History;
e. Vocational, recreational, educational and religious background/interests; and
f. Psychological characteristics as evaluated by the psychiatrist and psychologist.
The inmate is required to appear before the Classification Board for validation of his/her profile. Upon completion of the classification assessment, the inmate is then apprised of his/her cell assignment and welfare programs appropriate for him/her. He/she is asked if he/she is willing to undergo this program for his/her own good. If he/she is willing, the Board will see to it that the program planned for the inmate is followed. Then the inmate is assigned to his/her cell according to the approved classification.

Section 24. CLASSIFICATION PROCESS

a. Admission of Inmate - Once the inmate has undergone the registration process; he/she will be temporarily housed at the Inmate Classification and Counseling Unit (ICCU) in jails where it is available. The inmate shall stay at the ICCU for a minimum period of thirty (30) days but not exceeding sixty (60) days or until the completion of the classification process. At the ICCU, the newly committed inmate will undergo assessment by the different health professionals.

b. Medical Examination - The jail medical Officer or the jail officer designated nurse of the Health Unit will conduct a thorough physical examination on the newly committed inmate and will note down significant bodily marks, scars, tattoos and lesions based on the medical certificate presented by the committing officer. He or she must ensure that his/her findings are congruent to the medical certificate presented. Any discrepancy shall warrant further investigation by and reporting of the same to the CHR.

c. Results of the medical examination shall be recorded and shall bear the signature of the physician or nurse who conducted the examination. Medical issues will be attended to accordingly.

d. Dental Examination - The jail dentist shall perform a thorough dental examination and recording of his or her findings. The record shall bear the signature of the dentist who conducted the examination. Dental issues that need immediate attention shall be so attended to accordingly.

e. Psychological Examination - The jail psychologist-in-charge shall conduct psychological examination to determine the inmate’s psychological state at the time of examination. Results will be recorded in the psychologist’s logbook or in the health assessment card/HAS and shall bear the signature of the psychologist who conducted the examination.

f. Social Case Study - The jail social worker at the ICCU shall conduct in-depth interview with the newly admitted inmate, an interview that considers the "who the inmate is" from birth up to the present including his/her familial, educational, social, vocational and other issues that has an impact on his/her personality. The findings will be recorded and shall bear the signature of the social worker who conducted the assessment. In jails without ICCU, the interview will be done by the social worker-in-charge upon the order of the court or as
requested by the medical officer, the psychiatrist or the duly designated jail warden for specific purposes.

g. **Risk Assessment** - A risk assessment tool shall be utilized to determine the level of violence/risk the inmate poses, either external or internal. This will help in the proper classification and segregation of inmates and in the design of specific development plans.

h. **Psychiatric Evaluation** - Using the results of the psychological examination, social case study, and risk assessment, the psychiatrist conducts a psychiatric evaluation to determine the present mental state of the inmate and to diagnose any existing psychiatric illness for further treatment. The result will be recorded and shall bear the signature of the psychiatrist who conducted the examination.

The inmate shall undergo psychiatric evaluation under the following conditions:

1. The jail psychologist refers the inmate for further evaluation;
2. The court orders the psychological/psychiatric evaluation of the inmate;
3. The inmate was/is manifesting behavioral oddities;
4. The inmate discloses or admits upon inquiry by the admitting health staff that he/she had previous psychiatric consultation or had undergone psychiatric treatment;
5. The inmate discloses or admits upon inquiry by the admitting health staff that he/she had attempted to commit or had committed suicide or that he or she has noticeable body marks or scars indicating history of suicidal behavior;
6. The inmate discloses or admits that he or she has a history of recent torture, or he or she has been a victim of physical abuse or domestic violence;
7. The inmate discloses upon inquiry by the health staff that he/she has recently ingested/abused illicit substances or that he or she is an alcohol or other illicit substance dependent;
8. The disciplinary board referred the inmate for further evaluation and management; and
9. The inmate is a recidivist for heinous crimes or was charged of a sexual offense or was considered as violent sex offender.

The working diagnosis will be recorded at the inmate’s health assessment card and the details of the examination will be written in the psychiatrist’s logbook provided by the jail health unit. Every examination result shall bear the signature of the examining psychiatrist.

i. **Case Management** - Each inmate will be assigned to a specific case manager who may either be a psychologist, a social worker or a nurse. The case manager shall be responsible for the consolidation of all the results and shall
make the proper decision as to the classification of the inmates and the identification development programs for each inmate.

j. **Inmate Orientation and Counseling** - While undergoing assessment, the inmate shall be oriented on the basic jail rules and regulations. He/she shall be introduced to the different development programs that would best promote his/her personal growth.

In this phase, the newly committed inmate shall likewise undergo counseling for him/her to develop better coping skills thereby preventing psychological imbalance in the early phase of incarceration.

k. **Inmate Evaluation and Classification** - Using the different tools of assessment, the newly committed inmate will now be classified based on the level of risk and present physical, mental and emotional state.

l. **Proper Cell Assignment and Development Plans** - After the inmate has undergone all the assessments, his/her case manager shall consolidate all the results. Based on the results of the final evaluation, the inmate may then be assigned to the cell that is deemed best for his/her growth and well-being.

m. **The newly committed inmate** is encouraged to participate in the recommended development programs.

n. **Monitoring** - After the inmate has been transferred to his/her assigned cell and has been attending the prescribed development programs, the case manager shall periodically monitor, and change and enhance inmate's development program/s depending on his or her behavioral progress.

**Section 25. DISCIPLINARY BOARD** - A disciplinary board shall be organized and maintained for the purpose of hearing disciplinary cases involving any inmate who violates jail rules and regulations. It shall be composed of the following:

- Chairperson - Assistant Warden
- Member - Chief, Custodial/Security Office
- Member - Medical Officer/Public Health Officer
- Member - Jail Chaplain
- Member - Inmates Welfare and Development Officer
- Member - Inmates’ Representative

If the above composition is not feasible because of personnel limitation, the warden shall perform the board’s functions and he shall act as the summary disciplinary officer.

**Section 26. DUTIES AND FUNCTIONS OF THE DISCIPLINARY BOARD** – The Board is tasked to investigate the facts of an alleged misconduct referred to it. It shall hold sessions as often as necessary in a room, which may be
Section 27. AUTHORIZED DISCIPLINARY ACTIONS/MEASURES FOR INMATES - The Board is authorized to impose any of the following disciplinary ACTIONS/MEASURES:

1. For Detainees:

   a. Admonition or verbal reprimand;

   b. Restitution or reparation;

   c. Temporary or permanent cancellation of all or some recreational privileges;

   d. Reduction of visiting time;

   e. Close confinement in a cell for a period not exceeding seven (7) days in any calendar month, provided that this disciplinary action shall be imposed only in the case of an incorrigible inmate, and when other disciplinary measures had been proven ineffective; and

   f. Transfer to another BJMP jail in the area, in coordination with the Court.

2. For Prisoners:

   a. Admonition or verbal reprimand;

   b. Restitution or reparation;

   c. Additional job functions/community service within the jail premises;

   d. Temporary or permanent cancellation of some or all recreational privileges;

   e. Reduction of visiting time;

   f. Close confinement in a cell for a period not exceeding seven (7) days in any calendar month, provided that this disciplinary action shall be imposed only in the case of an incorrigible inmate, and when other disciplinary measures had been proven ineffective;

   g. Transfer to another BJMP jail in the area in coordination with the Court;

   h. Suspension of visiting privileges for a period not exceeding one (1) month, provided that this sanction shall not apply to the lawyer, physician or religious minister serving the needs of the prisoner.
i. Permanent cancellation of visiting privileges with respect to persons not included in the definition of immediate family under RA 7438, provided that this sanction shall not apply to the lawyer, physician or religious minister serving the needs of the prisoner.

In addition to the above-mentioned punishment, the disciplinary board may recommend to the warden partial or full forfeiture of good conduct time allowance (GCTA) to be earned for a particular month and subsequent months depending upon the gravity of the offense.

**Section 28. LIMITATIONS ON DISCIPLINARY PUNISHMENT FOR INMATES** - The Disciplinary Board shall consider the following limitations when imposing disciplinary punishment:

a. No female inmate shall be subjected to any disciplinary punishment which might affect her unborn or nursing child;

b. No infirm or handicapped offender shall be meted out punishment, which might affect his/her health or physical well-being;

c. Corporal punishment, confinement in dark or inadequately ventilated cells and any form of cruel, unusual, inhumane or degrading punishment are absolutely prohibited;

d. When necessary, the jail physician shall visit the detainee/prisoner undergoing punishment and shall advise the warden of the need for the termination of the punishment imposed upon the inmate on grounds of the inmate's physical or mental health;

e. Instruments of restraint, such as handcuffs, leg irons and straitjackets are not to be applied as a form of punishment. They shall only be used as a precaution against escape and on medical grounds to prevent an offender from injuring himself or others;

f. Breaches of discipline shall be handled without anger or emotionalism and decisions shall be executed firmly and justly; and

g. As a general rule, any violation of jail rules and regulations or misconduct committed by the inmate shall be dealt with accordingly. In extreme cases where the violation necessitates immediate action, the warden or the officer of the day may administer the necessary restraints and report the action he or she has taken to the disciplinary board.

**Section 29. PROCEDURES IN THE HEARING OF DISCIPLINARY CASES** - The following procedures shall be followed in the hearing of disciplinary cases:
a. The aggrieved inmate or any person (visitor, inmate or personnel) reports the violation to the Desk Officer;

b. The desk officer shall immediately submit a written report to the warden and the latter shall direct the Investigation Unit to conduct an investigation within twenty-four (24) hours upon receipt of the directive. The Investigation Unit shall submit to the Warden their report together with their recommendations;

c. The warden shall evaluate the report and if he/she believes that there is no sufficient evidence to support the alleged violation, he/she shall dismiss the case. If he/she believes that sufficient evidence exists, he/she shall decide the case and impose the necessary penalty in case of minor violations. If the offense is less grave or grave, he/she shall endorse it to the disciplinary board for hearing or decide it himself/herself as a in his or her capacity as summary disciplinary officer in the absence of a disciplinary board;

d. The inmate shall be confronted of the reported violation and asked how he/she pleads to the charge. If he/she admits the violation or pleads guilty, the Board or the Warden, as the case may be, shall impose the corresponding authorized disciplinary action;

e. If the inmate denies the charge, a summary hearing shall be held giving the opportunity for both parties to present their testimonies and those of their witnesses, if any, and to present evidence to shed light on the case;

f. After the hearing, the board shall decide with the merits of the case as bases;

g. Whether the inmate is found guilty or not, he/she should be advised to obey the rules and regulations strictly and be reminded that good behavior is indispensable for his/her early release and/or the granting of privileges; and

h. Decisions of the Board are subject to review and approval by the warden whose decision should be final and executory.

Section 30. PUNISHABLE ACTS - An inmate is strictly prohibited from committing any of the following acts:

1. MINOR OFFENSES:

   a. Selling or bartering with fellow inmate(s) those items not classified as contraband;

   b. Rendering personal service to fellow inmate(s);
c. Untidy or dirty personal appearance;

d. Littering or failing to maintain cleanliness and orderliness in his/her quarters and/or surroundings;

e. Making frivolous or groundless complaints;

f. Taking the cudgels for or reporting complaints on behalf of other inmates;

g. Reporting late for inmate formation and inmate headcount without justifiable reasons; and

h. Willful waste of food.

2. **LESS GRAVE OFFENSES:**

a. Failure to report for work detail without sufficient justification;

b. Failure to render assistance to an injured personnel or inmate;

c. Failure to assist in putting out fires inside the jail;

d. Behaving improperly or acting boisterously during religious, social and other group functions;

e. Swearing, cursing or using profane or defamatory language directed at other persons;

f. Malingering or pretending to be sick to skip work assignment;

g. Spreading rumors or malicious intrigues to besmirch the honor of any person, particularly BJMP personnel;

h. Failure to stand at attention and give due respect when confronted by or reporting to any BJMP personnel;

i. Forcing fellow inmates to render personal service to him/her and/or to others;

j. Exchanging uniforms or wearing clothes other than those issued to him/her for the purpose of circumventing jail rules;

k. Loitering or being in an unauthorized place;

l. Using the telephone without authority from the desk officer/warden;
m. Writing, defacing, or drawing on walls, floors or any furniture or equipment;

n. Withholding information, which may be inimical or prejudicial to the jail administration;

o. Possession of lewd or pornographic literature and/or photographs;

p. Absence from cell, brigade, place of work during headcount, or at any time without justifiable reason; and

q. Failure to turn over any implement/article/s issued after work detail.

3. **GRAVE OFFENSES:**

a. Making untruthful statements or lies in any official communication, transaction, or investigation;

b. Keeping or concealing keys or locks of places in the jail which are off-limits to inmates;

c. Giving gifts, selling, or bartering items with jail personnel;

d. Keeping in his/her possession money, jewelry, cellular phones or other communication devices and other items classified as contraband under the rules;

e. Tattooing others or allowing him/her to be tattooed on any part of the body, or keeping any paraphernalia to be used in tattooing;

f. Forcibly taking or extorting money from fellow inmates and visitors;

g. Punishing or inflicting injury or any harm upon himself/herself or other inmates;

h. Receiving, keeping, taking or drinking liquor and prohibited drugs;

i. Making, improvising or keeping any kind of deadly weapon;

j. Concealing or withholding information on plans of attempted escapes;

k. Unruly conduct and flagrant disregard for discipline and instructions;

l. Escaping, attempting or planning to escape from the institution or from any guard;
m. Helping, aiding or abetting others to escape;

n. Fighting, causing any disturbance or participating therein and/or agitating to cause such disturbance or riot;

o. Indecent, immoral or lascivious acts by himself/herself or others and/or allowing himself/herself to be the subject of such indecent, immoral or lascivious acts;

p. Willful disobedience to a lawful order issued by any BJMP personnel;

q. Assaulting any BJMP personnel;

r. Damaging any government property or equipment;

s. Participating in kangaroo court, an unauthorized or irregular court conducted with disregard for or perversion of legal procedures as a mock court by the inmates in a jail/prison;

t. Affiliating with any gang or faction whose main purpose is to foment regionalism or to segregate themselves from others;

u. Failing to inform the authorities concerned when afflicted with any communicable disease, such as tuberculosis, sexually-transmitted diseases, etc.;

v. Engaging in gambling or any game of chance;

w. Committing any act which violates any law or ordinance, in which case, he/she shall be prosecuted criminally in accordance with law; and

x. Committing any act prejudicial to good order and discipline.

Any personnel, especially warden, found to be allowing and tolerating any violation mentioned above will be immediately relieved from his/her designation without prejudice to his or her being administratively charged.

Section 31. MODES AND GUIDELINES FOR RELEASE - The following modes and guidelines shall be observed when inmates are to be released from detention:

1. An inmate may be released through:
   a. Service of sentence;
   b. Order of the Court;
   c. Parole;
   d. Pardon; and
   e. Amnesty.
2. Before an inmate is released, he/she shall be properly identified to ensure that he/she is the same person received and is subject of release. His/her marks and fingerprints shall be verified with those taken when he/she was received. Any changes or differences in his/her distinguishing marks and scars shall be investigated to ascertain his/her real identity in order to prevent the mistaken release of another person;

3. No inmate shall be released on a mere verbal order or an order relayed via telephone. The release of an inmate by reason of acquittal, dismissal of case, payment of fines and/or indemnity, or filing of bond, shall take effect only upon receipt of the release order served by the court process server. The court order shall bear the full name of the inmate, the crime he/she was charged with, the criminal case number and such other details that will enable the officer in charge to properly identify the inmate to be released;

4. Upon proper verification from the court of the authenticity of the order, an inmate shall be released promptly and without unreasonable delay;

5. Under proper receipt, all money earned, other valuables held and entrusted by the inmate upon admission, shall be returned to him/her upon release; and

6. The released inmate shall be issued a certification of discharge from jail by the warden or his/her authorized representative.

Section 32. PROCEDURE ON RELEASING - The procedures shall be observed when inmates are to be released from detention.

1. Desk Officer

   Upon receipt of release order, the desk officer shall coordinate with the paralegal officer for verification of the authenticity of said order.

2. Paralegal Officer

   Verifies the authenticity of the release order.

3. Records/Admin Officer

   a. Starts processing inmate’s release.

   b. Checks inmate records to ensure that the data in the release order coincide with the data in the inmate’s carpeta (spelling of name, offense, Criminal Case Number, etc.).

   c. Checks that the inmate has no other pending case/s.
d. Routes the release paper to different signatories.

4. **Property Custodian**

1. Checks on the receipt of property and returns to the inmate his/her deposited items.

2. Makes sure that returned items of the inmate are duly received and properly recorded.

5. **Desk Officer**

Records the release of inmate and the condition of the inmate upon his/her release.

6. **Jail Warden**

Reports to concerned agencies/persons the release of inmate for aftercare program. Upon release of the inmate, the warden shall notify the following agencies/persons:

- Barangay Captain - mandatory
- Priest or religious minister - mandatory
- Family - if release is not witnessed by any member of immediate family
- Court - in case of convicted inmate

**RULE IV**

**TREATMENT OF INMATES WITH SPECIAL NEEDS**

The United Nations Standard Minimum Rules for the Treatment of Prisoners provides that “so far as possible, separate institutions or separate sections of an institution shall be used for the treatment of the different classes of prisoners”. The BJMP has adhered to this principle since its creation. However, the rise in criminality in recent years, coupled with the passage of more stringent laws (especially for drug-related offenses) and the adoption of better crime solution methods resulted in a marked increase in inmate population in BJMP detention centers. The lack of funds to expand existing jails or to build new ones aggravates the situation. This rule, therefore, provides guidance to wardens and jail officers treating unusual inmates or those with special needs, given the limited resources.

**Section 33. BASIC POLICY** - As a general rule, inmates with special needs should not be held in jails with other “regular” inmates. For example, female inmates should be confined in institutions separate from those used for males, and male youth offenders should not be mixed with adult offenders. However, given the reality relative to budget constraints, increasing inmate population, insufficient facilities and inadequately equipped detention homes, wardens and jail officers shall endeavor to provide the best arrangement they can make for such inmates, in
keeping with this rule. It is assumed that the inmates have been properly evaluated and classified for this purpose.

Section 34. HANDLING INMATES WITH SPECIAL NEEDS - The following guidelines shall be observed in handling inmates with special needs:

1. Female

   a. The female dorm should be completely separated from the male dorm;

   b. A female personnel shall be designated to keep the keys of the female dorms;

   c. Only work suitable to their age and physical condition should be assigned to female inmates;

   d. No male inmate shall be allowed to enter the female dorm;

   e. Male personnel must provide female inmate with utmost privacy and respect for personal space;

   f. No male jail personnel should be allowed to enter the female dorm except in emergency cases or when necessary;

   g. Searches shall be performed by a female personnel trained in the conduct of appropriate searching methods, shall be made in accordance with established rules, and shall be provided with privacy during the procedure;

   h. Medical/physical examination shall be performed by female health personnel. In the absence of a female health staff, the examination shall be performed by a male health personnel in the presence of a female staff; and

   i. Female inmates shall be provided with the opportunity to avail themselves of all programs and activities male inmates are provided with.

2. Drug Users/Dependents/Alcoholics

   a. Inmates found to be drug users/dependents/alcoholics should be segregated from other inmates, especially during the withdrawal period;

   b. Inmates undergoing drug/alcohol withdrawal must be referred to the jail psychiatrist, physician or nurse for evaluation and management;

   c. Appropriate measures should be taken to enable inmates to follow strictly the jail physician’s advice regarding diet and other medical interventions/treatments during the withdrawal period;
d. Maintain close supervision over inmates to prevent attempts to commit suicide or self-mutilation by designating a jail personnel trained to manage such cases; and

e. Conducts a regular search of the inmate’s dorm and maintain constant alertness to prevent the smuggling of narcotics, liquors and other dangerous drugs.

3. Mentally-ill

   a. Inmates manifesting signs and symptoms of mental illness must be referred to the jail psychiatrist for evaluation and treatment;

   b. Disturbed inmates (mentally-ill inmates) should be transferred to mental institutions for proper psychiatric treatment upon the issuance of a court order;

   c. Close supervision and medical management of mentally-ill inmates should be maintained by a jail medical personnel;

   d. Place the mentally-ill inmates in separate dorms or in a special restraint room provided for violent cases; and

   e. Maintain close supervision over inmates to guard against suicidal attempts or violent attacks on others.

4. Lesbian, Gay, Bisexual, Transgender (LGBT)

   a. Segregate LGBTs to prevent their maltreatment and abuse by other inmates and to prevent them from maltreating and abusing other inmates.

5. Sex Offenders

   a. Inmates charged with sexually-related crimes should be segregated to prevent them from taking advantage of other inmates; and

   b. Maintain close supervision and control.

6. Suicidal Inmates

   a. Inmates manifesting signs and symptoms of depression/suicidal tendency must be referred to the jail psychiatrist for evaluation and management;

   b. Inmate who attempts to commit or has attempted to commit suicide must be transferred to a government psychiatric hospital immediately upon issuance of court order;

   c. Maintain close supervision over suicidal inmates at all times and designate personnel trained to handle such cases; and
d. Subject them to frequent strip/frisk searches, and greyhound operation for tools/materials that can be used for suicide.

7. **Sex Deviates**

   a. Homosexuals should be segregated immediately to prevent them from influencing other inmates or being maltreated or abused by other inmates; and

   b. Likewise, other sex deviates should be separated from other inmates for closer supervision and control.

8. **Escape-Prone Inmates**

   a. Escape-prone inmates should be held in the most secure quarters, preferably in single-inmate cells, to minimize their contact with one another;

   b. Their conduct/behavior should be closely watched/observed during and after visiting hours and their activities, closely monitored;

   c. They should be frequently strip searched and their quarters frequently inspected;

   d. Special attention should be given to the examination of items recovered from strip searches; and

   e. Telephone calls must be restricted and only calls that can be monitored through an extension line shall be allowed.

9. **Inmates with Disability**

   a. Inmates with disability should be segregated and closely supervised to protect them from maltreatment and any form of abuse by other inmates, personnel and visitors;

   b. Individual case management and special activities should be developed and conducted to address distinct of the inmates;

   c. Collaboration with other government agencies should be done to ensure that disabled inmates are provided with the services and benefits contemplated under the Magna Carta for disabled persons; and

   d. Tasks related to self-care of inmates with disability shall be supervised and assisted to avoid potential self-harm or accidents.
10. **Children in Conflict with the Law (CICL)**

Pursuant to the RA 9344, CICL shall not be confined in jails. Hence, serious efforts shall be exerted by Wardens to immediately transfer the custody of any CICL to a Youth Detention Home or Youth Rehabilitation Center.

a. Upon admission, CICL shall be subjected to a thorough physical examination. The results of such examination shall form part of the records of the case of the CICL;

b. Provide a separate detention cell for CICL;

c. Continuously coordinate with the Public Attorney’s Office (PAO) for the provision of paralegal assistance to expedite CICL cases;

d. Continuous coordination and follow-up of CICL cases should be made to facilitate the provision of appropriate intervention programs by the DSWD;

e. The “Law on Proportionality” in the implementation of rehabilitation programs should be observed making said rehabilitation programs distinct and different from those given to adult inmates;

f. Unless absolutely necessary, a child in conflict with law should not be handcuffed nor other instruments of restraint applied on him/her, when he or she attends hearings or when he or she is brought to the hospital or is transferred to other institutions;

g. The use of vulgar or profane words should be avoided in dealing CICL;

h. CICL should not be required to wear prison uniforms; and

i. Upon release from confinement, the records of the CICL shall be sealed, and at an appropriate time, expunged.

11. **Senior Citizen Inmates**

a. Senior citizen inmates should be segregated and close supervised to protect them from maltreatment and other forms of abuse by other inmates;

b. Individual case management strategies should be developed and adopted to respond to the special needs of elderly inmates;

c. Collaboration with other government agencies and community-based senior citizen organizations should be done to ensure that the services due the senior citizen inmates are provided; and
d. Senior citizen inmates should be made to do tasks deemed fit and appropriate, their age, capability, and physical condition considered.

12. **Infirm Inmates**

a. Inmates with contagious diseases must be segregated to prevent the spread of said contagious diseases;

b. Infirm inmates should be referred to the jail physician or nurse for evaluation and management; and

c. Infirm inmates must be closely monitored and provide with appropriate medication and utmost care.

13. **Pregnant Inmates/Female Inmates with Infants**

a. Pregnant inmates must be referred to jail physician or nurse for pre-natal examination;

b. They should be given tasks that are deemed fit and proper, their physical limitations, considered;

c. During active labor, pregnant inmates should be transferred nearest government hospital;

d. Treatment of mother and her infant/s shall be in accordance with the BJMP Policy *(Refer to DIWD Manual)*; and

e. Female inmates with infants shall be provided with ample privacy during breastfeeding activity.

14. **Inmates of Other Nationalities**

a. The Warden shall report in writing to the Bureau of Immigration and the respective embassies of the detained foreigners the following:

1) Name of Jail;
2) Name of Foreigner;
3) Nationality and the number of his/her Alien Certificate of Registration, if any;
4) Age/Sex;
5) Offense Charged;
6) Case Number;
7) Court/Branch;
8) Status of Case; and
9) Additional data information.
RULE V

CUSTODY, SECURITY AND CONTROL,
EMERGENCY PLANS, MOVEMENT AND TRANSFER
OF PRISONERS AND DETAINEES

Jail management and penology is concerned with the humane safekeeping and development of inmates. Effective custody ensures that inmates are well-secured in all areas of the detention facility and properly escorted when attending their court hearings and other authorized/lawful destinations. This Rule focuses on effective safekeeping.

Section 35. CUSTODY, SECURITY AND CONTROL

A. Each jail shall, as much as practicable, maintain the following minimum standards with regard to security of the facility:

1. An established security perimeter. In every jail, there shall be a defined, controlled security perimeter;

2. A secured office for personnel;

3. A secured visiting area for inmates’ visitors;

4. A secured multi-purpose area for inmates’ activities and an area for livelihood activities;

5. Armory and storage lockers for inmates’ valuable items and other equipment;

6. Operational closed circuit televisions (CCTV) strategically mounted to monitor jail premises and all activities therein;

7. A two-way communication system to be used by the officer of the day, supervisor, desk officer and other personnel on duty; and

8. Equipment necessary to sustain operability of utilities, communications, security and fire protection equipment at all times.

B. To ensure that minimum standards in security and control are maintained, the following policies, guidelines and procedures shall be strictly implemented in all jail facilities:

1. Each newly admitted inmate shall be thoroughly searched for weapons and other contraband immediately upon arrival in the facility;
2. All inmates must be searched thoroughly by the duty personnel whenever they enter or leave the security areas;

3. Conduct surprise searches on inmates and inspection of their quarters and other areas accessible to inmates at least once a week to detect and flush out contraband;

4. Maintain an updated written emergency operations plan such as but not limited to natural and man-made calamities and other jail disturbances. These plans must be made known to and understood by jail personnel through the conduct of regular dry runs;

5. Maintain a journal of activities, emergency situations and unusual incidents;

6. Maintain a key control center for storing keys that is inaccessible to inmates and unauthorized persons. There shall be an accounting system for issuing and returning of keys. There shall be a reporting system for documenting and repairing broken or malfunctioning keys or locks. Inmates shall be prohibited from handling jail security keys;

7. There shall be one (1) full set of duplicate keys, secured in a place accessible only to jail personnel for use in the event of an emergency. These keys shall be marked for easy identification during adverse conditions;

8. Continuous inspection and maintenance of all locks. Replace locks as often as possible and never allow inmates to install locking system in the cell gates and to possess their own padlock for purposes of locking themselves in their cells that will cause delay for personnel conducting regular cell search and inspection;

9. Maintain strict control of firearms such as, but not limited, to the following:
   a. Never allow any personnel with firearms on areas of inmates and/or in any area intended for inmates' activities;
   b. Never allow inmates in the workplace of personnel or in areas where firearms are authorized; and
   c. Secure firearms and anti-riot equipment in the armory located within easy reach of jail personnel in case of emergencies but not accessible to inmates.
10. All firearms, ammunition, chemical agents, related security and emergency equipment must be inventoried and tested at least quarterly to determine their condition and expiration dates, as the case may be. This shall include regular inspection of fire extinguishers and other detection and suppression systems available;

11. All tools, toxic, corrosive and flammable substances and other potentially dangerous supplies and equipment shall be stored in a locked area which is secure and located outside the inmate's area. Tools, supplies and equipment which are particularly hazardous shall be used by inmates only under direct supervision;

12. Conduct daily inspections of all security facilities (i.e. closed circuit televisions, ceilings, window grills, iron bars, etc.) and document all findings. Any tampering or defects detected must be reported in writing to proper authority for immediate action;

13. Regular conduct of "guard mounting" for all "incoming duty" of the Custodial Unit and for the members of Escort Unit before their assumption of duty to remind and update them of the policies/guidelines pertaining to security and control;

14. Conduct regular count of inmates at least five to six (5-6) times within a 24-hour period and strictly implement the established procedures in counting inmates (See Section 35). Personnel conducting the count shall record the result;

15. Prohibit inmate’s visitor to stay inside jail premises beyond authorized visiting period regardless of any reasons; (Refer to ANNEX "B")

16. Inmates shall be supervised at all times whenever they are outside their cells;

17. Never allow any personnel under the influence of intoxicating beverage to enter the jail facility or to perform an official duty;

18. Carefully select the inmates to be utilized as jail aide and maintain rigid control over their activities. Never allow inmate to be utilized for any janitorial services at jail offices, restricted areas, and/or for errands outside the jail premises. In no case shall an inmate be allowed to perform clerical duties or to have access to personnel files and other official documents;

19. Never allow a jail officer to render successive shifts of duty except in cases of emergencies;
20. Never allow jail personnel to open inmates quarters alone. At least one (1) other jail officer should be present and guarding the gate;

21. Inmates should be taken out of jail only upon written order of the Court;

22. Ensure that all vehicles and persons entering the jail premises are properly searched in accordance with the existing policies/procedures;

23. Regularly inspect and check the availability of emergency lights and other emergency equipment and ensure that each personnel rendering night shift duties has one (1) flashlight, nightstick/baton and whistle; and

24. As regard the use of force:
   a. Use of force shall be limited to instances of justifiable self-defense, prevention of self-inflicted harm, protection of others, prevention of riot, commission of a crime, escape or other jail disturbance and to controlling or subduing an inmate who refuses to obey a lawful command or order;
   b. Use of force shall be limited to the amount of force necessary to control a given situation and shall include a continuum of escalating force levels;
   c. An examination and/or treatment by health personnel shall be provided to prisoners or staff involved in a use of force incident when there is obvious physical injury or there is a complaint of injury or request for medical attention; and
   d. Use of force incidents shall be recorded and reviewed by the Warden.

Section 36. INMATES COUNT - It is imperative that at specified times during each 24-hour period, all inmates are physically counted. For this type of count, the general procedures are as follows:
   a. Count each inmate physically at specified times or as necessary;
   b. During the count, ensure that all movements of inmates are stopped until the count is completed;
   c. The count must be accurate. Make a positive verification to ascertain that the inmates are physically present. Refrain from conducting a count on the basis of only having seen any part of his clothing, hair or shoes;
d. Submit a report of each count of a group of inmates to the warden and/or assistant warden (officer of the day); and

e. If the total jail count does not tally with the total jail population at any given time, conduct another count. Render an immediate report to the warden and/or assistant warden (officer of the day) relative to any unaccounted inmate.

Section 37. SECURITY PROCEDURES DURING MEAL SERVICE - Security must be considered in serving food inside the cells/quarters. A jail officer should not enter the inmates’ quarters to distribute food unless another officer is available to handle the keys and control the entrance door.

Section 38. DINING ROOM SECURITY - For jail facilities that have separate dining or mess halls, the following shall be observed:

a. As a general precaution, individual mess utensils of inmates shall be made of plastic;

b. When dining rooms are provided, the inmates should march in columns of two’s along designated routes under the supervision of jail personnel. Other officials to direct the orderly movement of inmates to and from the mess hall must be stationed along the routes;

c. Designate a roving supervisor to handle any disturbances or settle complaints;

d. After every meal, all utensils used by the inmates should be collected. Jail personnel should strictly supervise this to ensure that no utensils are brought out the dining room; and

e. Check and account for all forks, spoons and other kitchen utensils after every meal.

Section 39. MAIL SERVICES AND CENSORSHIP - Mail service shall be provided to all inmates provided that all outgoing and incoming mail matters are passed through a designated Censor Officer in order to intercept any contraband or illegal articles and any information affecting the security of the jail.

The following procedures should be strictly observed when censoring mail:

a. There shall be no limitation on the amount of incoming or outgoing mail or correspondence when the inmates are responsible for the cost/s of postage;

b. Incoming inmates’ mail, correspondence and packages shall be opened and inspected to intercept cash, checks, money orders and contraband. The censor officer shall observe the documentary procedures in disposing of intercepted items;
c. Legal mail or correspondence shall be opened and inspected in the presence of the inmate to intercept contraband;

d. Mails shall not be distributed to the inmates until the censors have examined them. Mail shall only be opened and searched by qualified, trained and authorized jail personnel in the presence of inmate addressee;

e. Any currency, checks or money found in the letter should be turned over to the Trust Officer/Property Custodian. The receiving officer should indicate the amount received on a "receipt form" in duplicate. The original receipt signed by the receiving officer should be kept for the record and the duplicate copy should be given to the inmate;

f. Carefully examine all greeting cards and collect fillers of any kind found therein for laboratory examination;

g. Photographs that are clearly within the scope of jail regulations should be marked on the opposite side and placed in the envelope;

h. Bring to the warden's attention any item or correspondence or enclosure that does not conform to regulations or are detrimental to security, order and discipline of the jail;

i. In the censoring of mails, prison slang, unusual nicknames, and sentences with double meanings should be carefully studied and analyzed to determine the real meanings;

j. Refer to the warden all letters containing statements concerning the security or reputation of the jail, like attempts to escape or smuggling/trafficking of contraband, and statements that may affect existing rules and policies;

k. All letters passing through the scrutiny standards of the censors should bear the censor's stamp at the top of each page and on the envelope. The letter should be placed back in the same envelope, resealed and given to the inmate;

l. A listing of mail for inmates should be properly kept and form part of the records of the jail;

m. Do not discuss the contents of inmates’ mail with other jail personnel, except for official purposes;

n. The inmate sending out any mail matter shall open his mail/package and have it read and inspected by the designated censor officer, if the mail is clear for dispatch, the inmate shall close and seal the mail and place the same in the outgoing mail box;
If the outgoing or incoming mail has contraband or harmful information, such matter shall be registered as violation of jail rules and regulations and should be brought before the Disciplinary Board for immediate adjudication;

The designated jail staff shall collect the inmates’ mail matters on a daily basis, Monday through Friday;

Inmate’s letters or any other mail matter shall be sent as registered, certified, "stamped" or marked "via special delivery" if he or she so desires at his or expense. The letters will be processed in accordance with the procedures in handling mails; and

An inmate under disciplinary segregation shall be allowed full correspondence privileges, unless his or her misconduct involves a serious violation of correspondence regulations.

Section 40. MOVEMENT/TRANSFER OF INMATES - Prisoners or detainees may be moved or transferred safely and humanely by trained personnel who shall adopt the necessary level of security, supervision, and control to ensure public safety under specific circumstances outlined below:

A. Subject to the conditions set forth in the succeeding sections and by virtue of an appropriate court order, an inmate may be brought out of jail under any of the following instances:

1. To appear, as witness before any court of justice or prosecutor’s office during preliminary investigation, arraignment or hearing of a criminal case;

2. To appear as witness in any investigation or formal inquiry being conducted by a government agency;

3. To view the remains of a deceased relative within the second degree of affinity or consanguinity; and

4. To undergo medical examination or treatment in a hospital or clinic.

B. An inmate may be transferred to another institution only upon specific order of the court having jurisdiction over him/her, except in cases of serious illness where hospitalization is necessary, and the inmate has to be immediately taken to the nearest hospital upon recommendation of the health officer. In this case, the jail warden, or in his/her absence, the officer in-charge, shall immediately notify the regional director and the court concerned within six (6) hours after the inmate is brought to the hospital or within six (6) hours from the first hour of the following day (BJMP Revised Policy on Hospitalization and Death of Inmates dated 29 July 2010);
C. In the case of inmates classified as high-risk/high-profile and detained in small and remote jail facilities or in jails not considered as high security facility, their transfer to a better secured jail shall be effected provided a prior request is made from the executive judge who has administrative supervision over the court in the place where the jail in which the inmate is detained for his/her immediate action, approval and notification to the court’s Presiding Judge (See ANNEX “C” - Supreme Court Administrative Circular Nr 68-2005);

D. In any emergency like riot or other jail disturbance that happens on a weekend and when the immediate transfer to other BJMP-manned jails of inmates involved is necessary to ensure the safety of other inmates and security of the jail, the warden, under such compelling situation, can recommend to the regional director, verbally or in writing, their immediate transfer to another jail, provided that, on the first hour of the following working day, the court concerned must be informed of the said transfer and a commitment order must be issued, otherwise, the return of the transferred inmates is imperative. Provided, however, that those inmates who instigated and led, and those involved in the disturbance or violence, disruptive and/or riotous actions so created shall be classified as high-risk detainees and shall be immediately transferred to a more secured facility in accordance with the immediately preceding paragraph;

E. The same classification shall be applied to inmates who (a) have escaped, attempted to escape or committed acts to facilitate an escape from custody; (b) demonstrated physically or sexually assaultive behavior resulting in either attempt to sexually assault any person, serious physical injury or death of any person; (c) assaulted or attempted to assault another with a deadly weapon; (d) compelled or attempted to compel another to perform sexual acts, engage in sexual conduct or sexual contact, or submit to sexual contact all by means of force or threat of force; or (e) compelled or coerced another, by force or threat of serious physical harm or death, to provide anything of value, to perform any act, or to violate any statute or jail rule;

F. Inmates who wish to view the remains of a deceased relative within the second degree of consanguinity or affinity and whose motion for that purpose was approved by the court as proven by a valid court order issued to the warden shall be required to submit a written request to the warden at least three (3) days before the date of viewing and which request should be accompanied by the following documents:

1. Death Certificate of the deceased relative duly certified by the attending physician or local civil registrar;

2. The appropriate certificate as indicated after the name of the deceased relative, to wit:
a. **Spouse** - marriage contract;

b. **Children** - birth certificates of the deceased child and marriage certificate of the inmate and his/her spouse;

c. **Father or Mother** - birth certificates of the inmate and his/her deceased parent;

d. **Brother or Sister** - birth certificates of the inmate and his/her deceased sibling;

e. **Grandparent** - birth certificates of the inmate and his/her parent who is the child of the deceased grandparent; and

f. **Grandchild** - birth certificates of the inmate and his/her child who is the parent of the deceased grandchild.

3. Sketch map of the place where the remains lie in state.

G. Immediately upon receipt of the court order, and with the inmate's written request yet to be submitted, the warden shall order the Jail intelligence unit to conduct reconnaissance operation in the area where the remains of the deceased still lie in state, to assess any threat against the inmate and/or his/her security escorts, to locate the place of burial, and to conduct route survey to establish a safer and better route for the escorts;

H. In case of Muslim inmates, it shall be ascertained whether the date indicated in the Court Order for the inmate or inmates to view the remains their deceased relative/s within twenty-four (24) hours from the time of the death of his or her/their relatives. This is view of Muslim customs and traditions, providing among others burying the dead within twenty-four (24) hours after death.

I. The warden shall timely oppose the request and timely notify the court of his or her inability to comply with the order allowing the inmate to be escorted out of the jail to view the remains of a deceased relative in any of the following cases:

1. The deceased relative is lying-in-state in a place beyond thirty kilometer radius from the jail or, in any case, where the inmate cannot return to said place during daylight hours;

2. The inmate has a record of escape or attempted escape;

3. The inmate has two (2) or more pending criminal cases or is a material witness in a pending criminal case;
4. The inmate is classified as high risk, high profile, high value or violent extremist offender;

5. The inmate cannot be assured of his safety and security, or his escape is highly possible; and

6. There is an intelligence report that the inmate will escape or will be rescued.

J. If approved, the inmate shall not be allowed to stay more than three (3) hours in the place where the remains of the deceased relative lie in state. Further, in no case shall the inmate be allowed to join the funeral cortège.

Section 41. COOPERATION AND COORDINATION AMONG JAIL WARDENS REGARDING TEMPORARY TRANSFER OF INMATE - Jail Wardens must agree on the use of facilities for the temporary detention of an inmate from other localities before, during and after trial. Warden who shall effect the movement/transfer of an inmate shall shoulder all the expenses for transportation and other incidental expenses of the same while confined in other jails. The classification standards of the BJMP such as to the inmate’s age, gender, or those with special needs, among others, shall be observed while he/she is in temporary detention.

Section 42. RULES TO BE FOLLOWED WHEN TRANSPORTING INMATES - When moving/transporting inmates, the following shall be observed:

A. General Precautions

1. Jail personnel shall not discuss with the inmate the transportation plans, schedules or equipment to be used / adopted;

2. Inmates shall be notified of a trip only prior to the departure and shall not be allowed to make any phone call;

3. Prior to movement/transport, all escort personnel shall be given detailed instructions on their respective duties and responsibilities;

4. Whenever possible, transfer shall only be made during daytime;

5. Long distance transport of one (1) or more inmates shall be escorted by a minimum of three (3) escort personnel and a back-up vehicle, if available;

6. If possible, personnel from Jail Intelligence Unit shall serve covert security by serving as advance party of the convoy and shall conduct road scanning of the agreed route to detect any threat to the inmate and his/her escorts while en route. Being familiar with the area, the local intelligence unit of the nearest jail facility in the place of destination shall also assist in long
distance transport of inmates by way of conducting reconnaissance operation prior to the scheduled arrival to determine any unusual activities in the area which may affect the safe and secure transport of the inmate;

7. The most direct and shortest route to the destination shall be taken and no deviation shall be allowed except when security consideration requires otherwise;

8. Using rented vehicle shall not be allowed when transporting inmates;

9. Team leader of the escort personnel must be equipped with a two-way radio and/or a mobile phone;

10. Inmates under escort shall always be under the watchful eye of the escort personnel. While in transit, the personnel shall stay close enough to the inmate to be able to respond effectively in case of emergency. If on board a prisoners van, escort personnel shall not seat inside the van but shall instead strategically position himself or herself in the escort seat;

11. While en route, escort personnel shall ensure that the sliding bolt lock of the back door of the van carrying the inmates is properly locked, observe people and vehicles getting near their vehicle, and remain prepared for any eventuality;

12. Escort personnel shall observe and follow the established guidelines in escorting high-risk/high-profile and VEO’s inmates;

13. Escort personnel shall be the first ones to disembark from the vehicle and shall position in a safe distance to ensure clear vision of disembarking inmates. However, when boarding the vehicle, it should be the inmate who shall first board the vehicle;

14. Escort personnel are justified in using deadly force to protect themselves and/or the inmate/s from ambush or any deadly attack while in transport;

15. In case of an accident while en route, escort personnel shall secure and observe the inmates inside the vehicle, let them stay inside the vehicle as much as possible. Apply first aid to injured inmates when necessary, while waiting for law enforcement and emergency assistance. The chief escort shall also be informed about the incident and be updated of the development in the situation;

16. In the event that radio or mobile phone communication is not possible, escort personnel may flag down any motorist, identify themselves and ask the motorist to notify the nearest law enforcement agency for assistance;
17. In the case of minor serious vehicular problem that can be repaired on the spot, escort personnel shall secure and observe inmates who shall remain inside the vehicle to the extent possible;

18. Maximum security measure shall be observed at all times in providing escort to high risk, high profile inmates and VEO’s following the ratio of one is to one plus one escort supervisor;

19. The driver shall not leave the vehicle while in court or other authorized destination and be watchful of any suspicious individual;

20. To avoid unnecessary stops while in transit, inmates should have relieved themselves from personal necessity; and

21. The following basic security precautions shall be observed during transport of inmates:

   a. Do not allow inmates to tinker with the handcuff;

   b. Regard all inmates being transported as extremely dangerous;

   c. Adjust the cuffs properly for tightness to avoid the need of adjustment while en route and observe proper placement of handcuff which is either right to right or left to left. High risk/ high profile inmates and VEO’s must be handcuffed at the back;

   d. The escort shall always be on guard for any possible attack or ambush;

   e. Escort personnel shall be extra careful not to sit, stand or walk next to an inmate while carrying a gun to avoid being grabbed by the inmate;

   f. Stopping along the highway while in transit is highly discouraged;

   g. Keep inmates inside the vehicle except when necessary;

   h. Thoroughly inspect restraint equipment for proper function and damage, and make a thorough body search before placing the equipment on an inmate and before removing an inmate from a holding area;

   i. Keep inmates in sight at all times;

   j. While in court premises, firearms shall be unloaded. However, when escorting the inmate to and from the vehicle, the same shall be properly loaded with ammunitions;

   k. Exercise good judgment as unexpected events not covered by policy or procedure may occur on any transport. If in doubt, secure the inmate in a local law enforcement/jail facility and call the chief escort or officer of the day for direction;
l. Never stop for a disabled motorist or road mishap while transporting inmates but notify local enforcement unit or the highway patrol regarding the incident;

m. Avoid interfering with road incidences such as but not limited to robbery in progress while transporting inmates unless it poses imminent threat against the inmate, escort personnel or the public and if the same so occurs, the immediate evacuation of the inmate from the area shall be primarily considered. In no case shall the inmate and the vehicle be left unattended;

n. In case of involvement in a road accident and no traffic authority is present or cannot arrive in a shortest possible times, the position of the vehicles and the damage incurred including skid mark, if any, shall be immediately photographed or sketched and before leaving, provide the driver of the other party a contact number of the jail. Once the inmate was returned to the jail, immediately coordinate with the traffic authorities having jurisdiction in the place of incident;

o. Secure inmates who damaged restraints, other equipment or vehicles and report rule infraction;

p. Turn in vehicle inspection slip to the supply officer noting any vehicle deficiency or problem upon conclusion of each transport; and

q. Turn in or check in all inmates, property/equipment and the necessary documents to the concerned offices.

B. **Chief Escort**

1. Coordinates with the records section chief and determines the number and names of inmates scheduled for court hearing as well as their respective destinations as approved by the warden;

2. Conducts guard mounting and accounting of the members of escort unit and carefully inspects their service firearms including other equipment to be used;

3. Coordinates with the custodial unit the list of inmates scheduled for court hearing and assumes responsibility over them after they are properly accounted for and turned over by the custodial unit;

4. Records in the Jail Blotter the purpose, date, time, branch of court and other destination of each movement/transfer of inmates. Maintain a logbook or database for Escort Unit indicating there in the same data to include the date and time of arrival as well as the occurrence of untoward incident, if any, as well as the observation of any unusual movement of inmates and other people en route;
5. Select escort personnel and designate a team leader who shall serve as the contact person for the duration of the transport of inmates;

6. Accomplish the Daily Escort Slip indicating the names of assigned escort personnel for each inmate;

7. Ensure the availability of marked transportation vehicle;

8. Supervise the conduct of strip searches on inmates prior to and after the inmates’ movement/transport;

9. Ensure that appropriate security measures are undertaken to maintain custody and control of inmates to be transported;

10. Ensures that all inmates are properly dressed in accordance with prescriptions before they are transported, and ensure that inmates carry only item/s duly inspected and for which they have been granted permit to carry;

11. Ensures that the driver had checked the vehicle and ascertain BLOW BAGETS is observed;

12. Monitors through handheld radio or mobile phone the situation and current location of the inmates and their escorts while outside the jail facility;

13. In case of long distance transport of inmates, coordinates with the nearest local law enforcement agencies/jail units having territorial jurisdiction over the destination; and

14. Maintain regular communication with the warden on all movements/transfers of inmates.

C. Escort Personnel

1. Check the identity and receive the inmate named in the Daily Escort Slip duly signed by the Chief Escort;

2. Keep/maintain a copy of current profiles and photos of all inmates being transported for immediate submission to local law enforcement units in the event of an escape or other emergency situations. For this purpose, the Records Section shall maintain a duplicate copy of the current profiles and photographs of all inmates in their respective carpetas which shall be prepared on the day prior to the date of scheduled hearing and be given to the Chief Escort prior to the inmates transport;

3. Ensure the correct identification of all inmates being transported by comparing the face, name and other important data with the photograph and information on each inmate’s profile before leaving the facility;
4. Conduct visual inspection of the vehicle to ensure that it is clean, fueled, mechanically serviceable and free of contraband or any other item that may impede the safe and secure transport of inmates;

5. Ensure that all inmates are properly restrained before going out of the jail;

6. Ascertain whether an inmate has a crippled, deformed or very small hand that will allow him/her to slip the handcuff off his hand;

7. Be armed with an authorized and duly permitted weapon and ammunitions;

8. Transport and secure the inmate as assigned;

9. Maintain radio or mobile phone contact with the Chief escort/Officer of the Day in the jail. Escort team leader shall bring his mobile phone or check out one from the Supply Officer for use, if any; and

10. Be updated of their location along the roadways to expedite the response from law enforcement units in case of any eventuality.

D. Use of Restraints

In all instances, an inmate being moved shall be handcuffed. When two (2) or more inmates are transported, each must be secured to the other. In no case shall an inmate be handcuffed in any part of the vehicle during transit to avoid being trapped in case of an accident. Use additional restraints, or limited restraints for special needs, when necessary shall be authorized.

1. Techniques in Handcuffing:

   Rear Position                                     Front Position
   - thumbs up                                       - thumbs down
   - palms out                                       - palms out
   - double locked                                   - double locked
   - key holes facing up                              - key holes facing up
   - used for hostile or violent inmates              - used for general population

2. Guidelines for using restraint:

   a. Never place a restrained inmate in an area where unrestrained inmates are located;

   b. Never handcuff an inmate without double-locking both handcuffs;

   c. Never handcuff a male inmate with a female inmate;

   d. Never handcuff an adult inmate with a juvenile inmate;
e. Never handcuff a maximum risk inmate with a medium or minimum risk inmate;

f. Observe right to right/left to left when placing handcuff; and

g. Restraint shall never be used as a punishment.

E. Special Concerns

1. Illness En Route

a. In the event that an inmate becomes gravely ill while en route and there is no medical assistance available, the escort personnel shall make an arrangement for a medical examination at the nearest government hospital or medical facility

b. The escort personnel shall contact the Chief Escort or Officer of the Day for further instruction; and

c. Should an escort personnel becomes ill during transport, the escort shall secure the inmate/s in a nearest jail/police station and immediately notify the Chief Escort or Officer of the Day.

2. Escape

a. If an inmate escapes during transport, the escort personnel shall exhaust all means possible to immediately apprehend the inmate;

b. If more than one (1) inmate is being transported, at least one (1) personnel shall remain with the inmates still in custody;

c. The escort personnel shall notify the nearest law enforcement unit and the Chief Escort as soon as possible;

d. Personnel shall remain in the vicinity of the place where escape happened to assist local law enforcement units; and

e. In the event that an escape or attempted escape has transpired in a public place, escort personnel shall not fire warning shots. If time and opportunity allows and no other person is near the escapee, the personnel may shoot provided a verbal warning was made prior to the discharge of the firearm.

3. Meals

a. Escort personnel shall provide all meals and drinks en route with packed meals and drinks;
b. Inmate meals shall be served to the inmate in the transport vehicle; and

c. The inmate shall be kept in restraint at all times;

4. **Restroom Breaks**

   a. If possible, escort personnel shall coordinate restroom breaks with the nearest local law enforcement units or jail facilities;

   b. In case of emergency stop, escort personnel should avoid congested areas; and

   c. Escort personnel must inspect emergency stop areas before entry and keep the inmate under visual supervision at all times without removing the restraint.

F. **Contact to the Public**

1. Escort personnel shall maintain low profile and shall avoid public contact while in the company of an inmate;

2. Inmates shall not be allowed to make any phone call or contact with anyone while in transport;

3. Unauthorized person shall not be allowed to get near the inmate. Only a lawyer or lawyers and court personnel shall be permitted to converse with the inmate; and

4. No media interview shall be allowed for the inmate and/or escort personnel. (Based on the case of ANDREA ROSAL)

**Section 43. EMERGENCY PLANS/CONTINGENCY PLANS**

Emergency plans for both natural and man-made calamities and other forms of jail disturbances shall be formulated to suit the physical structure and other factors peculiar to every jail, such as:

<table>
<thead>
<tr>
<th>Natural Calamities</th>
<th>Man-made Calamities/ Disturbances</th>
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<tbody>
<tr>
<td>a. Fire</td>
<td>a. Riot</td>
</tr>
<tr>
<td>b. Flood</td>
<td>b. Jailbreak</td>
</tr>
<tr>
<td>c. Earthquake</td>
<td>c. Noise barrage</td>
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<tr>
<td>d. Tsunami</td>
<td>d. Hostage-taking</td>
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<td>e. Landslide</td>
<td>e. Food poisoning</td>
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<td>f. Typhoon</td>
<td>f. Rescue</td>
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<td>g. Volcanic eruption</td>
<td>g. Biological attacks</td>
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<td>h. Epidemics</td>
<td>h. Bombing</td>
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<td>i. Others</td>
<td>i. Water shortage</td>
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<td></td>
<td>j. Power failure</td>
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<td></td>
<td>k. Others</td>
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Section 44. REGULAR DRY- RUN - To ensure that the contingency plans would be applied to the letters, regular dry run shall be conducted taking into consideration the actual strength of the jail per shift and the absolute reaction of personnel on off duty upon notice of disturbance/s. Regional and provincial offices of the Jail Bureau shall adopt its own contingency plans on how to react upon notice of any disturbance in the jail and on its own offices. The same shall likewise conduct a regular dry-run to ensure effective and well-organized reaction.

RULE VI

DUTIES AND RESPONSIBILITIES OF BJMP PERSONNEL IN THE FRONTLINE SERVICE

Section 45. DUTIES AND RESPONSIBILITIES OF BJMP PERSONNEL ASSIGNED IN JAILS - The following are the specific duties and responsibilities of personnel assigned in a particular jail:

I. Jail Warden

1. The jail warden generally exercises supervision and control over all personnel in the jail unit and the inmates in all matters related to the following:

   a. Proper implementation of legal orders, rules and regulations and directives on jail operation and administration;

   b. Administration of sanctions and other disciplinary actions on inmates and reporting to higher authority those personnel under his command who willfully disobey lawful order and commit any infraction of law; and

   c. Conduct of greyhound operations and inspections of jail facilities and premises.

2. Looks after the welfare of his men through awards, commendations and the like:

   a. Leads and enforces a high standard of discipline among his personnel;

   b. Endeavors to promote personal and professional growth of subordinates;

   c. Observes fairness and impartiality in dealing with personnel and inmates; and
d. Always upholds human rights and observes the code of conduct.

3. Assumes responsibility for the formulation and implementation of emergency plans to preclude occurrence of jail incidents and disturbances. He shall act as adviser to the PA as regard the implementation of plans, programs and policies of the Jail Bureau;

4. Delegates work activities to his subordinates and ensures their accomplishment through effective monitoring system;

5. Ensures proper use and maintenance of equipment;

6. Coordinates with GOs or NGOs and/or the media groups;

7. Acts on other matters as his PA and/or RD may direct;

8. Submits spot reports, if necessary, to higher offices;

9. Turnover duties and responsibilities including supplies, logistical funds, organic equipment, records, paraphernalia, books and magazines to the incoming jail warden upon relief or such needed records, supplies and equipment to his designated OIC during his absence; and

10. Performs such other functions as higher offices may direct.

II. **Assistant Warden**

1. Assumes the duties and responsibilities appurtenant to the warden in the latter’s absence;

2. Assists the jail warden in the implementation of plans, programs and policies of the Jail Bureau;

3. Assists the jail warden in the supervision and monitoring of various projects, programs and policies of the Jail Unit;

4. Assists the jail warden in the over-all management of the jail unit; and

5. Acts as chairman of the inmate’s disciplinary machinery.

III. **Human Resource Management Officer (HRMO)**

1. Supervises the implementation of administrative policies relative to the proper wearing of uniform, attendance and participation in jail functions;

2. Implements programs for welfare development and uplift of morale and discipline;
3. Prepares the necessary reports for submission to PA and the Regional Office;

4. Shall be responsible in the safekeeping of administrative and personnel records or 201 files;

5. Prepares office orders, details and disposition of personnel, memoranda, administrative issuances and other communications as instructed;

6. Programs activities to jail information and education, trainings and seminars, and sports development;

7. Evaluates the performance of each personnel; and

8. Coordinates with NGOs/LGUs as regard personnel development trainings.

IV. Custodial Unit

A. CUSTODIAL PROCEDURES

Custodial function is a highly sensitive and delicate job that requires personnel specialization, prowess, and keen knowledge of the job and of the hazards involved. It also requires personnel mental stability and physical attributes needed to perform at optimum level.

Incidents of escapes due to custodial lapses, however, cannot be attributed solely to the absence of the factors mentioned earlier. These may boil down to laxity, lack of self-discipline, and lack of dedication to sworn to job on the part of the personnel concerned.

It is a must that both dedication to the job and discipline be inculcated in the hearts and minds of all personnel. These can be done thru regular meeting, PI & E and other ways to remind personnel the essence of being a jail officers, the nature of the job they have chosen, the things expected of them.

Custodial function therefore is not merely seeing to it that the personnel is/are physically present or existent. More importantly, it refers to the personnel's conscious efforts ensure the prevention of any untoward incidents that would tarnish the image of the Jail Bureau and/or, and the prevention of destruction to lives and properties.

Custodial function is never easy. It involves an intrinsically great responsibilities, such as but not limited to, strict adherence to rules, regulations, SOP’s, and memoranda, etc. by all concerned. However, it can be made a hobby, notwithstanding the temptations, hardships and dangers entwined with it.
The foregoing considered, a warden is required to be present on a 24/7 basis to supervise personnel and direct the operations of his or her jail unit. Chaos, untoward incidents, and unsound subordinates' decisions often result from the absence of an officer particularly during emergencies.

B. RULES AND SOP’S

1. Generally, all personnel should be equipped and clothed with BJMP CORE Values;

2. Custodial personnel shall render the maximum of 8 hours of operational tour-of-duty daily;

3. No personnel shall render less than 50 hours of official tour-of-duty weekly;

4. No personnel shall be allowed 1-day duty with 2-days off; or 2-day-duty with 3-day-off; or weekly straight duty, especially in far flung jail units;

5. No personnel shall be permitted, allowed or authorized by the warden to act as his personal body guard or as Intel officer without approval by higher headquarters. The designation of personnel as personal body guard or intel officer of the warden, if any, shall be covered by a "Letter Order" and not by a "unit office order only;

6. In-coming duty custodial shall be present 30 minutes before the turn-over to pave the way for “guard mounting activity;"

7. No personnel shall leave his/her post unless properly relieved. All out-going personnel shall wait for his/her reliever and the completion of the turn-over before going out;

8. Before the accounting of inmates, greyhound should be conducted, if necessary. Facility check shall be religiously done. This includes thorough inventory of firearms for fire power, check of vans for mobility, grills, padlocks, restraining devices, gates and walls to ensure safety and prevent possible escapes by inmates;

9. During the accounting of inmates both in-coming and out-going shift supervisors and all members of the in-coming custodial personnel shall personally account the inmates;

10. Accounting of inmates shall be done at least 6 times in a day. No personnel shall carry his gun while in the designated “No Firearm” Zone inside the jail facility. No personnel shall enter the jail building unless accompanied by his buddy;
11. It is a must for the in-coming desk officer to check "previous entries" in the Logbook as some important details or information might have been forgotten by the out-going desk officer to relay to the in-coming team;

12. Personnel manning designated post shall stay in his/her post for the most of their 8-hour tour-of-duty. Only when he/she has to relieve himself that he/she is allowed to leave his post but shall return immediately;

13. Personnel shall be vigilant at all times. No personnel take a nap or sleep while on his/her post especially during 3rd shift duties or during unholy hours;

14. Shift supervisor shall conduct hourly inspection to ensure all duty personnel are intact, present and alert in their designated post. He shall likewise ensure that no personnel are using cell phone, tablet, i-pads or any gadgets that can disrupt their attention while on tour-of-duty;

15. Personnel assigned at the main gate of the facility shall be professionally strict and firm, keen observer of the surrounding and shall open the gate only when safety is sure. They should see to it visitors allowed to enter or to go out the jail are properly frisked or inspected and accounted. They or he/she shall not by themselves or himself/herself deal with the media by but they or he/she shall inform the warden or any authorized officer in the absence of the warden, for proper action/disposition. They or he/she must ensure that no inmate shall escape at the gate and no enemy and/or unauthorized person shall enter;

16. Cell control personnel must not allow any inmate to go out except during IWD activities authorized by the warden. He shall personally open the cell gates or cells accompanied by other personnel;

17. Roving guard-personnel shall from time to time inspect the facility building, walls, grills, and surroundings. They shall assist the IWD personnel during activities of inmates outside cell;

18. Female searchers shall religiously implement strip searches of visitors suspected to be couriers of contrabands but shall adhere to existing memos and SOP’s as regards the process;

19. Searchers shall be witty and resourceful in searching for contrabands as they are cleverly stashed in unassuming items such as in chocolates, toothpastes tubes, bath soaps, sole of sandals or shoes, etc;
20. Searchers shall exercise courtesy to visitors but must be firm in decision making as regards his/her duty as searcher. Any item he/she has deemed suspicious shall be disallowed to be brought inside the facility;

21. During visitation of inmates, the shift-in-charge shall assist the cell control officer who personally supervises and control the exit of inmates from the cell building ensuring that only those who called are allowed to go out;

22. Establishes Intel inmate operatives/assets for better monitoring of events or happenings inside cells. Counter Intel operations to verify and evaluate gathered information shall be launched accordingly.

23. Practice of and adhere to Jail Officers “COMMON SENSE” and “OPLAN GREYHOUND” are musts all the among jail officers;

24. Never TRUST inmate. ZERO escape is everybody's business; and

25. To secure IWD programs and activities and closely monitor them, close coordination between the IWD unit officer and the chief security and custodial unit officer is highly necessary. The notion that IWD programs and activities weaken the security is immaterial.

C. SPECIFIC FUNCTIONS

1. Officer-of-the-Day (OD)/ Chief Custodial Unit:
   a. Assists, advises and recommends to the warden plans or strategies regarding jail situation, personnel deployment and activities to be undertaken inside the jail facility;
   b. Monitors in-coming communications from higher offices, courts, LGU’s, and other offices;
   c. Screens and checks all out-going communications;
   d. Inspects on-duty custodial and escort personnel;
   e. Fully supervises over personnel conducting IWD activities inside the jail facility;
   f. Imposes and implements “No Cell Phone Use, Smoking, Gambling and Drinking” by personnel while on operational Tour-of-Duty;
   g. Strictly imposes the “No smoking, drinking and gambling” policy inside jail;
h. Recommends to the warden the formulation of OPLANs and assists
him during dry runs of the same;

i. Acts as Officer-in-Charge when the warden is on leave or on official
business;

j. Performs other duties and functions as higher headquarter or the
warden may direct;

k. Assists the higher authority in the proper implementation of
policies, SOP's, rules and regulations pertaining to jail security;

l. Supervises and monitors the conduct of custodial unit personnel as
they perform duties; and

m. Prepares and submits to higher authorities necessary report/s to
pertaining to jail security and the conduct of custodial unit
personnel.

2. **Shift/Duty Supervisor:**

   a. Acts as model to his subordinates and emphasizes the promptness
   and punctuality, cooperation, 100% attendance of his team
   members;

   b. Spearheads the proper conduct of guard mounting before the
   actual assumption of operational tour-of-duty;

   c. Reminds his men about decency, dedication, professionalism and
   positive attitude towards work;

   d. Relays information to the officer-of-the-day, assistant warden and
   warden about any abnormal occurrence/s during the operational
   tur-of-duty;

   e. Assists his team members in any situation/s that calls/call for his
   official intervention as senior NCJO;

   f. Assists the assistant warden and the warden in the formulation of
   OPLAN and during the conduct of dry runs;

   g. Assists in the supervision of personnel during the conduct of IWD
   activities inside the jail facility;

   h. Shall be responsible for the discipline of his immediate
   subordinates; and

   i. Performs other duties and functions as the warden may direct.
3. **Desk Officer:**

   a. Observes strictly proper recording and entry of activities in the logbook and records comprehensively and legibly all entries of events and activities in jail;

   b. Accounts duty personnel before guard mounting;

   c. Properly maintains the logbook and preserves all entries made;

   d. Thoroughly checks entries in the logbook and notifies the out-going desk officer about any discrepancy of entry in the logbook;

   e. Asks the out-going desk officer about any unrecorded event or about event/s the out-going desk officer failed to record in the official logbook;

   f. Double checks the actual number of inmates recorded in the logbook before proceeding to official headcount of inmates;

   g. Records in the logbook the actual number of inmates accounted during the headcount;

   h. Records all vehicles, individuals, calls or letters coming in and going out the jail facility;

   i. Carefully checks and personally accounts for the names of inmates due for court hearing and does the same checking, accounting and identification of the inmates upon their return from the court;

   j. Assists the gate guard when the latter opens or closes the gate and assists also in the identification of out-going visitors after visiting hours;

   k. Disseminates to all individuals concerned all instructions received from the jail warden and higher authorities;

   l. Courteously receives incoming telephone calls, letters, mails, and other items requiring appropriate action or disposition;

   m. Serves as the information officer of the unit;

   n. Records daily activities in the journal including special events, occasions, activities of personnel and inmates, VIP arrivals and unusual occurrences during the tour of duty;
o. Maintains the posting/publication of letter/special orders and other "disseminations" in the bulletin board such as lost and found items, wanted persons, etc;

p. Safe keeps and maintains a separate logbook for visitors;

q. Informs the warden about any infraction/violation made by the inmate/s while in custody for appropriate investigation and disposition by the jail warden or the disciplinary board;

r. Acts as control officer by sounding the alarm in case of escape or jail disturbances; hence, alerting the personnel on duty including those not on duty; and receives emergency instructions from the most senior officer on post or from the jail warden upon his arrival;

s. Coordinates with other agencies/friendly forces in case of jail disturbances, such as riot, escape, fire, etc;

t. Spearheads the headcount of inmates before the assumption of their tour of duty;

u. Assigns custodial unit members to different post and monitors them regularly;

v. Ensures the implementation of the Do’s and Don’ts in the security, control and custody of inmates;

w. Prepares and submits necessary reports to higher authorities;

x. Supervises the proper use of water and lighting facilities in jail in the absence of the personnel in-charge;

y. Books the newly committed inmate in the jail blotter and assigns the inmate to a reception area, if any;

z. Ensures the conduct of search on newly admitted inmates and inmates returned by escort unit before allowing them to return to their respective cell;

aa. Maintains a system of key control, which shall includes accurate listing and receiving of all keys and prohibiting inmates from handling keys or scrutinizing them;

bb. Personally accounts for all keys before and after assumption of duty to determine whether all keys are still intact;
cc. Ensures that keys to all emergency exits, cells, brigades, and stage places of fire-fighting equipment are made available when needed;

dd. Adheres to the Eleven General Orders; and

e. Performs such other functions as higher authorities may direct

4. **Gate Supervisor:**

   a. Supervises/monitors the conduct of searchers and other duty personnel at the gate;

   b. Ensures that the duty personnel at the gate are always courteous/polite to visitors;

   c. Ensures strict implementation of the SOP on the conduct of body searches on jail visitors and inspection of their belongings, and disallows visitor who refuses to be searched to enter the jail facility;

   d. Is responsible for the temporary safekeeping of firearms and other properties not allowed inside jail facility and brought by organic and non-organic personnel and other law enforcement personnel;

   e. Supervises the inspection of all vehicles that pass through the gate, and makes sure that all trips of official bureau van are for "official business" only;

   f. Records activities/events at the gate;

   g. Reports to proper authority any unusual incident in his AOR; and

   h. Performs such other functions as higher authorities may direct;

5. **Main Gate JNCO:**

   a. The main gate shall function as primary check point where anybody or material shall be subjected to rigid inspection before he/she or it be allowed entry into the facility;

   b. Must be alert, vigilant and keen observer at all times must not carry long firearm;

   c. Must open the main gate only when necessary must keep the same securely locked at all times;

   d. Must ensure that hinges and padlocks are fully operational;
d. Must observe safety procedures by ensuring no inmate shall stay near the gate at any time must not to talk to anyone except in line of duty;

e. Must ask who is at the gate, request for identification, ask the purpose of the visit and name of inmate he/she intends to visit, and verify through the gate's peephole whether or not it’s already safe to open the gate;

f. Informs the desk officer or any personnel about his decision to open the gate and thereafter requests for their assistance;

g. Upon entry of visitor/s, the gate must be closed immediately and double checking of the padlock must be done to ensure that it is properly locked;

h. Must advise non-organic personnel, friendly forces to deposit their firearms before entering the facility;

i. No inmate shall be allowed near the main gate;

j. Ensures that no inmate shall escape through the gate;

k. Religiously adheres to the eleven (11) general orders during the tour of duty.

l. Requires/verifies ID, and checks individuals coming in and out the facility;

m. Counterchecks entrance stamp/security marks of visitors leaving the jail premises;

n. Strictly implements policies/guidelines pertaining to gate security and control;

o. Thoroughly inspects all vehicles that enters and leaves the jail facility;

p. Immediately reports to the higher authority any unusual circumstances during the tour of duty;

q. Counterchecks the list of inmates going outside the jail facility for legal purposes; and

r. Performs such other functions as higher authorities may direct.
6. **Secondary Gate Guard:**

   a. The secondary gate shall function as final check point before anybody or anything shall be allowed entry the heart of the facility;
   
   b. Must conduct physical and ocular inspection of all persons or vehicles allowed entry through the main gate;
   
   c. Must advice non-organic personnel, friendly forces or civilians to deposit their belongings such as cell phones, video or camera and other gadgets not authorized inside the facility;
   
   d. Must inspect the van thoroughly and account inmates due for Court hearing before opening the secondary gate;
   
   e. Must inspect the van and inmates on their return from the Court before allowing their entry; and
   
   f. Must conduct thorough and proper inspection of all vehicles going out of the facility and of all persons passing his post.

7. **Main Cell Gate Control JNCO:**

   a. The main cell gate JNCO shall function as main check point before any inmate shall be allowed to go outside;
   
   b. Must not carry firearm while on TOD;
   
   c. Must never leave his post unless he or she is going to relieve himself or herself or he or she is properly relieved;
   
   d. Must not entrust key to any inmate;
   
   e. Must open the main cell gate only when necessary in the presence of a buddy;
   
   f. Must devise a procedure ensuring systematic control of inmates coming in and out the jail building;
   
   g. Must keep note on the number and identification of inmates that went out to participate in any jail activity;
   
   h. Must strictly impose memorandum, and SOP as regard time. Inmates should be already inside their respective cell at 1700H and ensure that no one shall be allowed to linger outside;
i. Must refrain from playing games using electronic gadgets and must refrain from engaging himself/herself with social media during his TOD;

j. Must refrain from taking any food or beverage offered by inmates especially during night duties; and

k. Must not instantly open cell gate upon notice of commotions or receipt of emergency calls from inmates as these information about commotions and emergency calls might only be tactics or ploys to rattle the cell gate JNCO; hence, the need for him to assess first the situation and apply contingency procedures as the need be.

8. **Roving Guard:**

a. Must not stay long in a place and nor remain thereat for the duration of TOD;

b. Must not bring firearm while in areas of the jail facility where carrying said firearm is not allowed;

c. Refrain from utilizing inmates as jail aides rendering massage/or other personal services;

d. Shall assist the secondary guard in the inspection of inmates going out and coming in to the jail facility;

e. Observes keenly the surroundings, behavior and actuations of inmates; checks perimeter walls, fences, and barbed wires for any sign of breaches of security, and removes objects that can be used to climb or scale the walls and other materials that can be utilized for escape by inmates;

f. Tightly guards inmates requested to throw garbage or who simply hang their clothes in the drying area;

 g. Acts accordingly and immediately calls the attention of other personnel, officers and the warden in in cases of any abnormal situation such as jail emergencies or disturbances as well as emergencies brought about by natural or man-made calamities;

h. Conducts regular roving inspection of his/her area of responsibility to monitor the movements/activities of inmates and the jail situation as a whole;
i. Immediately reports to the desk officer any incident or any unusual situation observed;

j. Inspects regularly the jail security facilities, such as window grills, ceilings, walls, iron bars, etc., and immediately reports to the desk officer any unusual observations for proper disposition; and

k. Performs such other functions as higher authorities may direct.

9. **Tower Guard:**

   a. Acts as the eyes of the whole facility for the duration of TOD; hence, must be very alert and observant;

   b. Immediately alerts any personnel via handheld radio or sounds the alarm upon noticing any unnatural event/s inside and outside of the facility;

   c. Gives or sounds the alarm when calamity threatens the facility;

   d. Instantly alerts all personnel in the event of any disturbance perpetrated by inmates and that occurs more often when inmates are to perform tasks/activities in areas or places outside their cells;

   e. Using his utmost and sound discretion, fires warning shots during disturbances, attacks from enemy forces, and when inmates are trying to escape by scaling the wall or when inmates are in the act of actually destroying parts of the facility;

   f. Must not allow any inmate to be in his designated place of assignment;

   g. Religiously adheres to the eleven (11) general orders during the tour of duty;

   h. Closely monitors the situation within his area of responsibility and immediately reports to higher authority any unusual circumstances;

   i. Alarms the higher authority as the need arises; and

   j. Performs such other functions as higher authorities may direct.

**D. SEARCHES – PROCEDURES**

To attain 100 percent effectiveness of every search, it demands dedication, cunning, wit, and firmness of every searcher. Searchers should possess qualities and characteristics that are unbendable by temptations, threats or pressure,
demands and intimidations by inmates, visitors or colleagues in the uniform service. Basically, everything that goes in inside the jail passes through searchers. Searchers comprise the first line of defense to thwart the entry of all contrabands and the last line of defense when communications aimed to besmirch or embarrass the jail bureau come from inside the jail.

It is a fact though, that contrabands were often slipped into the jail by erring personnel. It is most imperative therefore that pre-emptive measures to ensure that proliferation of these items will be curtailed once and for all.

**Specific Functions of Searchers:**

1. Searcher must aim for zero (0) contraband-slipping through him/her or smuggling into the jail facility during his/her duty as searcher;

2. Must be professional, exercising prudence and sound judgment, respecting the rights of visitors or personnel whom he or she subject to search;

3. Searcher shall be strict and firm in his/her decision but must his/her decision must be within the purview of existing BJMP memoranda, rules, regulations and SOP's;

4. Searcher must be impartial and must treat all visitors and personnel equally to avoid any misunderstanding;

5. Observe courtesy to all visitors and/or personnel. Searcher must not be harsh and rude during his/her duty and he or she must refrain from making any unnecessary comment/s on all visitors;

6. Any visitor whom he/she has observed to be under the influence of intoxicating beverages shall be disallowed inside the jail facility;

7. Letters and all communications shall be thoroughly read and censored. Those which may affect security or emotion of inmates the visitor intends to visits should not be given to the addressee;

8. He/she shall apprise any suspected visiting courier/s of contrabands of his/her or their right before any bodily, strip or body cavity search will be done on him/her or them;

9. Strip or body cavity search shall be done professionally in the designated search room wherein the searcher is accompanied by the duty personnel who supervises and witnesses search conducted. The searcher must wear latex glove;

10. Whenever possible, the searcher must see to it that the person to be searched shall be accompanied by another visitor who shall act as witness the procedures conducted;
11. Adheres to related laws (GAD and VAWC) as regard the procedures to be conducted and is sensitive to the rights of the person to be subjected to search;

12. Searcher must not divulge any personal observation made on the subject’s body for whatever legal purposes;

13. Let’s the visitors sign a waiver for the search he/she will undergo.
   a. Refusal to sign any waiver means he/she shall not be allowed to enter the facility on that day he/she shall be subjected to same procedure when he/she decides to return for a visit on other date.
   b. Refusal for a visitor to have his belongings searched shall be a ground to disallow him/her entry to the facility.
   c. Upon approval of the warden or his authorized representative, personnel who shall refuse to be searched likewise must not be allowed inside the facility;
   d. Personnel shall likewise be subjected to strip search. However, the procedure must be done by the warden, assistant warden or ranking officer whom he is under.
   e. Refusal of personnel to undergo strip search will mean he/she will be disallowed to enter the facility and if he/she is a duty custodial, he/she will be marked absent on that date. He/she shall undergo the procedure the next day when reporting for work.
   f. Personnel who refuse for two consecutive times to undergo strip search shall be charged accordingly; that is, appropriate charged will be filed against them.
   g. All vehicles must undergo intensive search before entry to and exit from the facility.
   h. Relatives of personnel including those of the warden shall not be excluded from anybody search before entering the facility.

14. Searcher must have at least one (1) buddy and shift supervisor during searches;

15. In cases where/when a contraband or contrabands is/are confiscated from any person or organic personnel, the searcher shall immediately notify his/her buddy, and turn-over the contraband/s and courier to the shift supervisor or any duty personnel. The latter shall immediately inform the warden. The duty personnel must take photos of and document every detail of the search made;

16. He or she shall inform the desk officer who shall record the incident in the logbook, stating every minute-detail of the confiscation. This is done for documentary for documentary and evidentiary purposes relative to the
filing of the filing of appropriate charge/s against the courier of the contraband/s;

17. The searcher and his or her witnesses must be committed to pursue the case filed against the suspect;

18. Strictly implements SOP in the conduct of body searches on jail visitors and on the inspection of their belongings;

19. Prepares and maintains an official record of inmate’s visitor/s;

20. Conducts body search on inmate’s visitors, personnel and other visitors who enter the jail facility with their belongings likewise inspected;

21. Strictly implements the policies/guidelines pertaining to confiscated contrabands;

22. Performs strip search on all inmates prior to and after transport and before allowing the inmates to enter his/her cell;

23. Strip searches shall be conducted by the personnel of the same gender as that of the inmate being searched;

24. Prepares and submits report on any incident/s taking place within his/her area of responsibility; and

25. Performs such other functions as higher authorities may direct.

NOTE: Any personnel involved in the confiscation of contraband during his/her official TOD refuses or refuse to stand as witness during the trial shall put in writing his/her or their reasons, stating therein all circumstances and compelling grounds of his/her or their withdrawal with the same duly notarized. His/her or their failure to act in the interest of the bureau will be dealt with accordingly.

V.Escort procedures

Escorting inmates from Jail Unit to another or to other destination is an intrinsically risky function considering that both personnel and inmates are vulnerable to any sorts of danger from unfriendly forces. In escorting, an inmate has contact with the outside world which makes him more psychologically pumped up to seek freedom using any means necessary for him to escape either by the help of other people or himself. Lawless elements or civilians will have the best opportunity to abduct or assassinate inmate/s that may itself endanger escort personnel in the process.

Escorting is authorized by law but there have been many cases where it is abused by erring personnel. Eventually, this leads to escape by prisoners and
sometimes results in casualties of personnel, more so; henceforth, putting the Bureau in a bad light and embarrassment.

Strategic and careful planning prior to any movement by the warden and chief escort is indeed necessary. Thus, members of escort team shall first be briefed and notified about any scheduled movement. Proper coordination with friendly forces in the locality while en route to any destination is a must. Intelligence gathering shall be made inside jail units and around AOR before any movement is done.

Therefore, escorting procedures must be strengthened and strict compliance with the same by escort personnel ensured. It is not enough that escorting personnel adhere to existing rules and SOP’s. Equally or even more important is the assumption by the personnel concerned of the “sense of great responsibility.” Professionalism, team work, proficiency and cohesion must also be inculcated in them. Stiffer penalty shall be imposed those who shall be found violating SOP’s, most especially in cases resulting in escape by an inmate or inmates.

1. **Before Leaving for Court:**

   a. The prisoners’ van must be thoroughly checked (BLOW BAGETS) and inspected for the presence of explosives;

   b. The inmate/s must be searched or frisked at the cell gate for any weapon, key and other prohibited items before he/she or they steps or step out his/her or their cell;

   c. Before letting the inmate or inmates board the prisoners' van, proper identification of the inmate or inmates must be conducted by both custodial and escort personnel to ensure that such inmate or inmates is/are the same as the one or those whose name or names appears or appear in the list of inmate or inmates to be escorted for the court hearing;

   d. Otherwise notified in Open Court, names of inmates for the day’s scheduled hearing shall be announced “only” in the morning to deter inmate’s plan to escape;

   e. A Standard Operating Procedure (SOP) must be practiced, Right-to Right or Left-to Left in placing handcuff to inmate in pairs; and

   f. Aside from the issued standard two-way radios, “NO” escort personnel including the official driver shall use personal cellular phone while escorting en route to and from the court. Only the chief escort shall have the privilege to use cellular phone while escorting but he or she limited to official communication/s only.
2. **Inside the Court:**

   a. In Courts where there is no holding area for inmates, the personnel should place the inmate or inmates in the most secured area within the court house while waiting for the call of his/her or their;

   b. While the inmate or inmates is/ are inside the court, civilians or his/her or their relatives be restricted from giving him/her or them anything such as letters, toiletries, money, foods, clothes, etc;

   c. Escort personnel shall not in any manner allow any civilian except his or her counsel to sit with inmates during court hearing;

   d. As a general rule, inmate must be handcuffed at all-time unless the Judge orders otherwise; and

   e. Do not allow relatives lengthy talks to an inmate or inmates shall not be allowed to talk lengthily with his/her or their relatives before or after the hearing. *(See ANNEX "D" para 14 OCA NO. 08-2013)*

3. **Upon Return to Jail:**

   a. Upon arrival from the Court, an inmate or inmates shall be put in a holding area where he/she or they will be accounted for by the custodial duty personnel and searched for any contraband that might have been given to him/her or them while in the court; and

   b. After inmate/s is/are cleared of any contraband and duly accounted for, escort personnel shall then un-cuff and endorse him/her or them to the cell gate guard for his/her or their return to his/her or their respective cell.

4. **Medical Referrals:**

   a. Authentic court order for the inmate to undergo Medical check-up must be obtained;

   b. In cases of "between life and death situations," whether the cause is natural or one that resulted from a fatal injury inflicted inside the jail, the inmate or inmates must be referred to personnel concerned for appropriate medical care and attention;

   c. In emergency cases, the duty doctor, medical staff or jail nurse shall immediately assess the inmate or inmates to determine whether or not the inmate or inmates is/are in great danger or whether or not the life
of the inmate or inmates is in peril if he/she or they is/are left unattended.

d. During confinement of an inmate or inmates in a hospital, the escort duty must not exceed an eight (8) hour tour of duty especially when the illness of the inmate or inmates is contagious;

e. Always adheres to the buddy system when escorting at hospital;

f. Must strictly limit the number of relatives, friends or civilians visiting inmate patient or patients especially when the inmate patient or patients is/are a high risk /a high profile inmate or high risk high profile inmates VEO’s; and

g. When the confinement of an inmate or inmates in a hospital or when the medical evaluation of an inmate or inmates is deemed too risky or when the escorts are reasonably few, the warden shall immediately make a formal letter to the court stating therein valid reasons for their inability to bring the inmate or inmates to the hospital and he/she shall request the court to direct a government physician to treat or conduct checkup of the inmate or inmates inside the jail.

5. **Viewing the Remains:**

a. Authentic Court Order for the inmate to view the remains of his/her immediate members of the family must be obtained;

b. Wardens or their authorized representatives shall coordinate with the court to ensure that the order allowing an inmate or inmates to view the remains of his/her or their immediate members of the family must specify the date and that the purpose is purely inmate's or inmates' viewing;

c. The chief escort shall seek the approval of the warden on the planned route and best possible time proposed to proceed for monitoring purposes and avoidance of deviation;

d. In cases where court order has been issued but the place is risky and there is a great possibility that inmate might be rescued, or escorts' life might be greatly imperiled, the warden shall make immediate representation before the court and manifest the impossibility of bringing the inmate or inmates to the destination so indicated in the order;

e. At the wake, two (2) escorts shall accompany the inmate while other escorts shall secure the place to prevent any untoward incident;
f. Inmate must wear only yellow t-shirt marked with BJMP Detainee and his handcuff shall not be removed while at the wake; and

g. As much as possible, communication between him and his relatives, friends or other civilians shall be brief and limited.

6. **Transport:**

   a. First hour in the morning, as daily routine, official drivers shall observe “BLOW BAGETS” procedures;

   b. While en route, the driver should not stop in any place along the way unless, there is a reason to do so. However, he has slow down when approaching check points or detachments put up by authorities;

   c. When re-routing is inevitable, the official driver must be familiar with the street or place he is traversing and must be sure that the route is safe; and

   d. He must drive at a reasonable speed while transporting inmates. He should drive carefully, prudently, and defensively all the time.

7. **Movement Schemes:**

   a. Prior to any movement of HR/HP inmates and VEO’s, unit intel shall coordinate with the intel community in his AOR and in the place where the inmates/s will be taken. The result of his work shall be relayed immediately to the warden and escort team leader evaluation and concomitant planning for counter intelligence operations, as the need be;

   b. The warden is duty bound to personally coordinate with the local chiefs of police and other friendly forces for assistance and/or back up en route to the destination. In his absence, the assistant warden shall do the task;

   c. Upon assurance of assistance or back up from the PNP or other friendly forces, the warden shall initiate strategic planning, tactical briefing or brainstorming with team for other possible options that will ensure safety of all personnel and inmate/s;

   d. The team shall then without delay proceed, maintaining an open communication with PNP counterparts or friendly forces as regards route security. However, the details of any route to be taken shall solely rest under the discretion of the Escort Team Leader and members as planned;
e. Personnel aboard the main and back up vehicles shall maintain open communication while in transit and shall treat other vehicles especially those vehicles without plate numbers or conduction stickers as carrying would be rescuers or assassins of the HR/HF inmate and VEO's. Personnel shall make hand signal for other vehicles to go slow or to overtake the convoy;

f. Deviation is not allowed. However, to deviate from the shortest route when there is a clear and present danger shall be allowed swiftly with prudent assessment of the team leader and/or members of the team to ensure everyone's safety;

g. As much as possible, the route taken in going to the destination must be avoided during the return of the team to the jail unit. Alternate routes should be pre-identified, and security threats assessed for smoother travel with delay in returning to the jail unit avoided, and

h. When engine malfunctioning is experienced while on transit, pull over in a safe part of the way is recommended. The driver shall immediately assess the cause of the engine's malfunctioning and solve the same. The team members must be on high alert making sure that the safety of the inmate and all escort personnel is in place. If the vehicle is totally broken, the other vehicle shall be used immediately and notice about the possible delayed arrival should be provided the warden and the court concerned.

8. In times of Attack, Rescue Attempt:

   The maxim "Kill when imperative than to be killed" should be applied. However, the personnel concerned should always observe the salient provisions in the rules of Engagement before resorting to such violent action.

   a. When fired upon, driver shall out run the attackers if possible;

   b. If it is impossible to out run the attackers, pull over along the road or in an area where there can be a barrier for cover is recommended;

   c. Personnel should observe and find out where the fire power is coming from;

   d. As much as possible and unless the threat is such very serious as to result in personnel-casualties or inmate-casualties, the personnel should not engage with the enemy;

   e. Neutralize threat as necessity calls for it;
f. When threat is far too strong, the personnel concerned should immediately call for back up from other jail units and friendly forces in the area; and

g. When threats have been neutralized, the personnel concerned shall identify the attackers, secure those who have survived, account personnel and inmates and call/request for the call the assistance of the nearest PNP in the area.

**Escort Personnel**

1. **Chief Escort Unit:**

   a. Coordinates with chief of admin section and determines the number and names of inmates scheduled for court hearings and their places of destination as approved by the jail warden;

   b. Coordinates with the custodial unit in connection with the list of inmates scheduled for court hearings and assumes responsibility over them after inmates are properly accounted for and turned over by custodial unit.;

   c. Designates escort personnel for inmates scheduled for court hearing;

   d. Accomplishes and signs the Daily Escort Slip indicating there in the names of corresponding security escorts and inmates, the cases of inmates and the courts concerned for the information of the jail warden;

   e. Conducts guard mounting and accounts for all members of the escort unit, drivers, vehicles to be used, and the firearms and equipment to be carried or issued;

   f. Inspects carefully all security devices such as handcuffs, probations, metal detectors, etc. to be used during tours of duty;

   g. Ensures the proper use of handcuffs and color coded T-shirts by inmates while outside the jail facility;

   h. Personally supervises the conduct of body search on inmates by the members of escort unit before the inmate or inmates leaves/leave the jail facility;

   i. Monitors thru handheld radio or cellular phone the situation/location of escort and inmates while outside the jail facility;
j. Maintains regular contact with the jail warden on all movements or transfer of inmates; and

k. Performs such other functions as higher authorities may direct.

2. **Escort Unit member:**

   a. Checks and receives the inmates indicated in the escort slip duly signed by the chief escort:

   b. Properly handcuffs and conducts body search on inmates assigned to him/her before the inmate or inmates leaves or leave the jail facility and before the inmate/inmates leaves or leave for the place for which purpose he/she or they is/are escorted;

   c. Escorts and secures the inmates while in transit to court, to other authorized destinations and to hospitals in cases of emergencies;

   d. Properly implements the **Do’s and Don’ts** in escorting an inmate;

   e. Presents the inmates in person to the court concerned on time and observes court rules/demeanor;

   f. Provides security during the conduct of body search by the member of custodial unit upon return of the inmate or inmates to jail facility;

   g. Properly turns over to the desk officer escorted inmates;

   h. Reinforces or augments the custodial unit as it conducts operation greyhound, other security services and jail activities; and

   i. Performs such other functions as higher authorities may direct.

**VI. Records Unit**

1. Verifies the authenticity of court orders, subpoenas, release orders, mittimus, bail bonds, and records of pending and decided cases, if any;

2. Receives the inmate and documents related thereto from the committing officer, and conducts the following:

   a. Start the booking procedures;

   b. Accomplish the jail booking sheet;

   c. Strip-search the inmate to check for any birth marks, tattoos, etc;

   d. Encode the inmates’ information in the NIMS;
e. Fingerprint and photograph the inmate with mug shot background; and

f. List the names of the visitors authorized by the inmate.

3. Apprise the inmate about the provisions of Art 29 as amended by R.A. 10592 in the dialect that he or she understands;

4. Facilitate the signing of the detainee’s manifestation if he/she agrees to abide by the same disciplinary rules imposed upon convicted inmates. Otherwise, the Warden issues a certification under oath manifesting that the inmate was apprised of the provision of Art 29 of the RPC as amended and refused to abide by the same;

5. Store all documents in the Inmate’s Carpeta;

6. Follow up mittimus and other documents or papers necessary for the transfer of prisoner to a correctional institution;

7. Informs the court of the names, cases and dates of detention of inmates who have not been arraigned yet.

8. Secures court clearances and photocopies of legal documents;

9. Records all documents received from courts, from prosecuting attorneys, and from the counsel/s of inmate/s;

10. Monitors and prepares a status report of pending and resolved cases of inmates.

VII. Liaison Officer

1. Coordinates and officially transacts business with courts, and other government agencies, NGOs and LGUs on jail programs, projects and activities as directed by the warden; and

2. Informs the chief of administration about the results daily transactions and liaison activities.

VIII. Property Custodian

1. Maintains inventory records of properties/equipment and supplies;

2. Installs markings, tags or symbols on equipment/properties to determine level of priority during evacuation phase;

3. Receives and records all equipment and supplies issued by the regional office and local government units and those donated by NGOs;
4. Issues firearms, equipment and supplies to personnel concerned;
5. Accounts properties received from the regional office, LGUs and NGOs;
6. Issues receipt for deposited FAs and issues the necessary certification as an employee applies for leave or retirement;
7. Updates documents and other issuances;
8. Takes custody of all confiscated/recovered contraband with corresponding markings necessary as material evidence in court;
9. Receives and issues corresponding receipt of deposited money and personal properties of detainee upon his admission in jail;
10. Check the inmate's belongings for presence of contraband upon his Commitment;
11. Takes all cash and other personal properties from the inmate, list them down on a receipt form with duplicate, duly signed by him/her and countersigned by the inmate. The original receipt should be given to the inmate and the duplicate kept by him or her;
12. Keeps all cash and other valuables of the inmate in a safety vault. Said cash and valuables may be turned over to any person authorized by the inmate; and
13. Provides all keys with tags, distinctly marked to avoid confusion during emergencies.

IX. **Paralegal Officer**

1. Verifies the authenticity of the court orders;
2. Coordinates with the custodial duty whenever there are paralegal activities;
3. Monitors the case status of inmates and acts appropriately on cases that qualify for early release of the inmate/s;
4. Assists inmates in availing themselves of any of the modes for early release;
5. Endorses to the provincial paralegal officers cases that need to be acted upon by a provincial agency or an agency within the territorial jurisdiction of the province, if the jail does not have the resources to coordinate with such an agency;
6. Coordinates with other sections in the jail in the conduct of paralegal activities;

7. Coordinates with the local justice and welfare sector agencies (e.g., PAO, Prosecutors, Courts, BPP, PPA, and LSWDO) to protect the rights of and to promote the development of inmates, especially CICL;

9. Organizes, coordinates and supervises paralegal volunteers, service providers, and other organizations that provide paralegal services;

10. Oversees the organization of a pool of paralegal aides among the inmates for the purpose of attaining the objectives of his/her office;

11. Supervises, trains, and leads paralegal coordinators in promoting awareness of inmates’ rights, relevant laws, and the modes of releases;

12. Enforces uniform guidelines for paralegal volunteers and NGOs providing paralegal services in harmony with the BJMP National Headquarters issuances;

13. Implements, develops, and plans short term and long term programs and activities to enhance paralegal services;

14. Recommends to the provincial paralegal officer the adoption of certain policies;

15. Submits paralegal reports to the Provincial Paralegal Officer not later than every 10th day of each month;

16. Submits an annual accomplishment report not later than the 10th day of January of each year; and

17. Submits confidential report on any person, regulation, policy.

X. **Inmates Welfare and Development (IWD) Unit Officer**

1. Coordinates with the custodial duty whenever there are activities;

2. Keeps records and reports of all IWD’s activities and accomplishments;

3. Establishes coordination with GOs, NGOs, LGU’s, other service providers, and the community through the jail warden on every IWD’s activity to be undertaken;

4. Coordinates with various religious sectors in the implementation in jail of religious activities/programs;

5. Supervises the use of tools and other potentially dangerous articles, such as bottles, acids, kitchen knives, etc. and keeps them out of inmates’ reach when not in use;
6. Supervises the orientation of inmates on all BJMP rules and regulations related only to their detention;

7. Supervises the issuance/s, safekeeping, accounting, and disposal of IWD materials and items;

8. Accounts and secures properly in a safe place kitchen utensils, knives, and other IWD materials making them inaccessible to inmates;

9. Provides inmates with education and skills training programs, and work programs to enhance their chances for employment upon release;

10. Provides opportunity for inmates to attend religious services, to avail themselves of guidance and counseling, and coordinates with other units/agencies/institutions concerned in conceptualizing, implementing and promoting inmates’ welfare program/s;

11. Promotes participation by inmates in civic programs and activities, values formation, group dynamics, etc;

12. Gives opportunity to inmates for active participation in a variety of recreation and sports activities in jail;

13. Assists in coordinating for the early release of inmates in line with an existing decongestion programs;

14. Briefs or orients inmates on jail policies and regulations;

15. Identifies inmates with potential or ability to undertake rehab education, training and work programs;

16. Initiates implementation of supplementary programs/activities to enhance the rehabilitation of individual inmates;

17. Conducts continuing study to determine the effectiveness of every IWD program/project/activity implemented and make appropriate recommendations;

18. Conducts periodic inventory of IWD supplies and materials, in order to prevent pilferage, loss or manufacture of improvised deadly weapons by inmates and submit report thereon;

19. Improves the productivity of viable livelihood projects through employment of cost-saving measures, search for better market, and increase in yield or production and quality enhancement;

20. Accounts for inmates who have been fully rehabilitated and recommend their possible employment upon release; and
21. Insures sustainability of TCMP in jails.

XI. **Medical Officers**

1. All offenders committed to district, city and municipal jails, and BJMP personnel are entitled to available health services;
2. Check on the authenticity of the entries in the medical certificate. Conduct thorough physical examination to assess the condition of the inmate, and ask searching questions to determine injury sustained after the conduct of medical examination or those injuries not diagnosed prior to commitment in jail;
3. Establish and maintain proper coordination with local executives, local health units and civic health organizations for seeking health-related assistance;
4. Shall coordinate and/or assist in the conduct of medical missions by benevolent groups, association and agencies;
5. Make referral of patients to a hospital/clinic;
6. Shall perform actively in the physical examination, diagnosis and treatment of medical and surgical cases affecting offenders and personnel;
7. Shall conduct daily progress records of all confined patients in BJMP health stations. Patients hospitalized in other health care institutions shall likewise be monitored and properly recorded;
8. Shall supervise and provide technical assistance to all health personnel in the conduct of health care delivery; and

XII. **Dental Officer**

1. All offenders committed to district, city and municipal jails, and BJMP personnel are entitled to available health services;
2. Newly-committed offender shall be thoroughly evaluated, examined, and the result of said evaluation/examination shall be properly recorded. Emphasis must be made on external signs of trauma like abrasions, contusions, hematomas, etc. Companions of offenders must be noted and recorded, including jail guards in attendance;
3. Establish and maintain proper coordination with local executives, local health units and civic health organizations for seeking health-related assistance; and
4. Shall coordinate and / or assist in the conduct of medical missions by benevolent groups, association and agencies.

XIII. Jail Nurse

1. All offenders committed to district, city and municipal jails, and BJMP personnel are entitled to available health services;

2. Newly-committed offenders shall be thoroughly evaluated, examined and properly recorded. Emphasis must be made on external signs of trauma like abrasions, contusions, hematomas, etc. Companions of offenders must be noted and recorded, including jail guards in attendance;

3. Establish and maintain proper coordination with local executives, local health units and civic health organizations for seeking health-related assistance;

4. Shall coordinate and / or assist in the conduct of medical missions by benevolent groups, association and agencies;

5. Shall properly document and report to higher authorities all kinds of donations given to offenders and / or office;

6. Conducts regular assessment of health situation of inmates;

7. Programs health activities in jail, such as medical mission, health education and other related health activities and acts as medical/health records clerk;

8. Administers medications of general prescription for common diseases in the absence of a medical officer;

9. Conducts frequent health education programs for inmates emphasizing on the importance of personal hygiene in the prevention of diseases;

10. Provides first aid or emergency assistance to inmates; and

11. Coordinates with the city/municipal health officer and other agencies, NGOs for assistance, medical check-up and treatment of inmates.

SECTION 46. SPECIAL TACTICS AND REPONSE (STAR) TEAM

It is an elite tactical unit trained to perform high-risk operations that falls outside the operational abilities of the regular BJMP personnel and is equipped with specialized skills and sophisticated firearms and equipment. A ready force is composed of highly trained BJMP personnel and experts in dealing with high risk, high profile inmates and VEO’s, as well as in controlling critical jail disturbance and incidents.
The Bureau shall maintain a STAR team in its national, regional and provincial offices; in big jails with high risk, high profile inmates and VEO's; in jails that are strategically located for the STAR team's immediate response, and in nearby jails to whom the STAR team could, during emergency cases, extend assistance to if the number of its members so warrants.

STAR trained personnel should **NEITHER** be assigned **individually** in jail **NOR** be given **custodial responsibility**. They should be assigned by teams only in places mentioned in the preceding paragraph in order not to defeat the primordial intent of its creation.

### A. Scope of Jurisdiction

1. The BJMP-NHQ STAR Team shall be under the direct command and supervision of the Director, Directorate for Operations.

2. The BJMP Regional STAR Team shall be under the direct command and supervision of the Regional Director.

3. Upon deployment of the STAR Team, commands/orders shall emanate from the Team Leader.

### B. Duties and Responsibilities

1. Shall serve as the last resort in addressing crisis in jail.

2. Shall augment the force during court hearings of high risk/high profile inmates and other similar tasks.

3. Escorts high ranking/key officers and other dignitaries of state.

4. Performs other task/functions as the Chief, BJMP/Regional Director may direct.

### C. Other Functions

1. To escort and secure dangerous inmates in high-risk situations;

2. To provide services for major jail operations;

3. To resolve siege and hostage situations, as well as armed offender situations;

4. To provide a negotiation service in high-risk and critical situations;

5. To undertake searches of jail premises in high-risk situations; and

6. To neutralize jail disturbances that may arise at any of the BJMP facilities, using the necessary force to maintain and restore peace, discipline and order inside jail premises.

### D. Team Composition and Basic Functions

1. **Team Leader**

   a. Must have the rank of inspector, at least;

   b. Must be a graduate of STAR Course, CQB or SWAT;
c. Oversees the general plans during tactical operation;
d. Promotes the morale and welfare of S.T.A.R team members; and
e. Performs other functions as the Chief, BJMP/Regional Director may direct.

2. **Assistant Team Leader**

   a. Must be the most senior JNCO;
b. Must be a graduate of STAR Course, CQB or SWAT;
c. Assists the team leader regarding plans for tactical operation;
d. Assumes the duties and responsibilities of the team leader during the latter's absence; and
e. Performs other functions as the Team Leader may direct.

3. **Communication JNCO**

   a. Must be a graduate of STAR Course, CQB or SWAT;
b. Responsible in command post operations, radio communications, communication codes and video recording (if available) between the team and the command post;
c. Responsible for coordination with other teams, units, media, and the National Headquarter/Regional Office; and
d. Performs other functions as the Team Leader may direct.

4. **Supply JNCO**

   a. Must be a graduate of STAR Course, CQB or SWAT;
b. Prepares request for logistical needs;
c. Ensures all equipment/gadgets are operational and accounted;
d. Ensures the availability of other supplies needed; and
e. Performs other functions as the Team Leader may direct.

5. **Other Members**

   a. Must be a graduate of STAR Course, CQB or SWAT; and
   b. Performs other functions as the team leader may direct.

**SECTION 47. QUICK RESPONSE TEAM (QRT)**

It is created purposely to respond immediately and efficiently and to contain, control, and solve in the shortest possible time any form of jail incidents/disturbance while waiting for the arrival of reinforcement from the National/Regional STAR team/s and friendly forces.

It is imperative that all jails nationwide have Quick Response Team/s (QRT). As first responders, members of the QRT must undergo trainings and seminars for them to be equipped with the knowledge and skills in jail incident management.

**A. Scope of Jurisdiction**
 Shall be under the command and control of the jail warden, or in his absence, the assistant warden or the most senior JCO/JNCO.

B. **Duties and Responsibilities**

Acts as first responder to any jail incidents.

1. **Alarm** - gives the alarm through siren, whistle, shouting, etc.
2. **Contain** - isolates/cordons the affected area.
3. **Report** - provides correct and precise information about the situation.
4. **Evaluate** - evaluates damage to equipment and facilities; evaluates personnel/inmates situations.

C. **Team Composition**

a. **Team Leader**

   A former STAR Team member or have undergone Quick Response Training.

b. **Assistant Team Leader**

   Have undergone Quick Response Training.

c. **Members**

   Have undergone Quick Response Training.

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**Section 48. NATIONAL INMATES’ MONITORING SYSTEM (NIMS)** – A dynamic stand-alone client application software is used in Bureau of Jail Management and Penology (BJMP) Jails nationwide in automating the inmates’ records.

A. **SCOPE**

NIMS is currently installed in all BJMP jails nationwide. Which includes, but not limited to:

1. 460+ Jails
2. Jail Provincial Administrator’s (JPA) Offices
3. BJMP Regional Offices

B. **PROCESS FLOW**

1. **Jail Level**

   a. Committed inmate will undergo a jail booking;
Inmates’ information will be encoded thru NIMS within jail level; 100% data within the jail; and will be submitted to provincial/regional Office for consolidation.

2. **Provincial/Regional Level**

- Consolidates and submits consolidated data from jail level for regional level consolidation.

3. **National Level**

- Submitted data from Provincial/Regional Level will be Consolidated for National Level Consolidation;
- Consolidation of database will be on the National Level; and
- BJMP National Headquarters having a nationwide database for inmates’ records.

**SECTION 49. GREYHOUND FORCE** - It aims to eliminate in all BJMP manned facilities any form of contrabands that could have adverse implications on overall administration of the facilities and to ultimately establish order in all jails, promote operational efficiency and encourage adherence to prescribed operating policies.

All regions should create a Greyhound Force whose composition shall be in accordance with BJMP Manual on Operation Greyhound and SOP on Control of Contraband and Physical Evidence. This way, surprise major greyhound operation in all jails to be spearheaded by the Regional Director or Assistant Regional Director for Operations may launched anytime.

A. **Duties and Responsibilities**

1. **Ground Commander** - All orders concerning troop movements will emanate from him. Irrespective of the hierarchy of command, no authority shall take precedence or overrule his directives until his relief as ground commander.

2. **Team Leaders** - Sub-groups or teams that make up every task group will each have its designated team leader. The team leader shall take direct hand in overseeing the movements of the elements of his team while simultaneously maintaining close coordination with the ground commander. He shall take responsibility in maintaining fluidity in the execution of his team’s designated functions. He shall regularly inform the ground commander about the status or progress of the operation.

3. **Assistant Team Leaders** - Sub-groups or teams that make up every task group will each have its designated assistant team leader. The assistant team leader shall, in aid of the team leader, be responsible in overseeing the movements of the elements of the team. He shall take custody of the personal belongings of the operatives.
B. OPERATIONS GROUP

1. Security Teams – They shall ensure the security of operatives throughout the span of the operation.
   
a. Perimeter Security Elements – They shall secure the perimeter of the facility.
   
b. Holding Area Security Elements – They shall secure the holding area of the inmates.

2. Contraband Search and Seizure Teams - They shall be responsible in thoroughly searching and checking the quarters of inmates and personnel for contraband and such other items that may pose hazards to the overall security of the facility.
   
a. Team Supervisor - Other than the team leader and the assistant team leader, a team supervisor will be designated to directly oversee the inspection of each cell. He shall be responsible in making sure that all items confiscated are properly documented, tagged and turned-over to the contraband custodian.
   
b. Searching Elements - They shall be primarily responsible in the search and seizure of contraband and the removal of unauthorized structures inside the facility.
   
c. Inmate Representative - An inmate made to witness the operation must come from the particular cell being searched. He will act as the representatives of his fellow inmates to validate the claims of ownership of the items seized.

3. Friskers
   
a. Friskers of Personnel - They shall have all operatives designated to frisk inmates and cell searchers frisked before the conduct of the search and seizure operations. They have to make sure those designated friskers of inmates and cell searchers do not bring any of their personal belongings with them in the conduct of their function to preclude malice that these possessions were ill-gotten; hence, they have to have their personal belongings turned-over to their designated assistant team leader for safekeeping. They will likewise ensure that personnel directly handling contraband do not furtively take any of the items they have confiscated.
   
b. Friskers of inmates - They shall have all inmates lined up and frisked before sending them to the holding area. Any contraband found to have been concealed by the inmate will be confiscated and turned over to the recorder for proper documentation.
c. **Strip Searching-in-Charge** - He shall primarily be responsible, when deemed necessary, to have inmates stripped in search for contraband. It will likewise be his primary responsibility to coordinate with the legal services group in executing legal procedures as not to infringe the rights of the inmate being subjected to strip search. In no manner will the person supervising the strip search be allowed to touch his subject in any part of his body during the searching process.

4. **Contraband Custodian** - He shall be primarily responsible in taking custody of all confiscated contraband before these are turned-over to the jail warden.

   a. **Contraband Inventory Control-in-Charge** - He shall be responsible in maintaining a theoretical and an actual inventory account of all confiscated contraband.

5. **Contraband Recorder** - He shall be responsible in the on-site recording of all contraband confiscated.

   a. **Facility Representative** - He shall act as the representative of the jail warden of the facility inspected. He shall maintain a separate record of all contraband confiscated to be reconciled with the theoretical inventory report being maintained by the contraband recorder. In the absence of the jail warden, he shall take part, in a representative capacity in the validation of inventory balances during the turn-over of custody of all contraband to the former.

   b. **Contraband Sorters** - They shall take primary responsibility in the sorting, labeling and confiscated contraband.

C. **Service Support Group**

1. **Medical Support Team** - A stand-by medical unit shall take responsibility in attending to medical cases, giving proper medical attention.

2. **Intelligence Support Services Team** - They shall gather information before and during the conduct of operations to enable the operating teams to accurately purge its targets. At the same time, they shall maintain coordination with the ground commander.

3. **Investigation and Legal Services Support Group** - They shall be responsible for information gathering and facility inspection after the conduct of Greyhound Operations to ensure that the items confiscated were not returned inside the facility. It is their prime responsibility to ensure that all legal requirements are met to support the legitimacy of the operations and as not to infringe the rights of the clientele or other personalities who will be affected by the operation.
4. **Administrative Support Team** - They shall be responsible in the detailed documentation of the progression of the operations. They shall likewise properly observe the hierarchy of events in their documentation before, during and until the termination of the operations.

E. **Crisis Management Group** - They shall be responsible in taking measures to abate the tension in the event of crisis situations until the intervention of crisis response authorities.

1. **Negotiations Team** - In crisis situations where negotiations are practicable it will be the role of the negotiations team to establish meeting points to neutralize the situation. In deteriorating crisis situations it will be their role to sustain making arrangements until the intervention of crisis response authorities.

2. **Liaison Team** - They shall be responsible in providing for tasks or errands incidental to the crisis situation/operations.

3. **Tactical Response team** - In the event that a crisis deteriorated beyond the capabilities of the BJMP to handle, the aid of an ally tactical response team will be sought.

F. **Communications and Media Control Group**

1. **Media Barricade** - They shall be responsible in controlling/regulating media access to the subject jail facility of the Greyhound Operation. In no way will members of the media barricade team entertain queries or give any information as to the status of the operation.

2. **Spokesperson** - He shall be responsible in making informative disclosures to media about the operations as directed by the ground commander. In no way shall he engage himself in making or giving a statement or statements to the media at his own volition. Every statement made and information disclosed must be limited only to what is authorized of him to convey.

**Section 50. MULTI-FUNCTIONS OF JAIL PERSONNEL** - Multi-functioning of jail personnel is encouraged considering the shortage of human resources. However, safekeeping functions have to be considered paramount.

**Section 51. SCHEDULE OF JAIL PERSONNEL** - The jail warden shall draw a plan or a schedule of leave of absence for his men and a plan or schedule of rotation/designation of jail designation of personnel within his/ her AOR to avoid depletion of manpower at any time of the day.

**Section 52. VISITATION SERVICES** - Visit of any immediate members of family or reputable and duly acknowledged friends of inmates shall always be under strict supervision. In this regard, the warden shall determine and prescribe the date, time and manner of facilitating visitation.
Section 53. MAIL SERVICES

a. Mail service shall be provided to all inmates provided that all outgoing and incoming mail matters shall pass through the designated censor officer in order to prevent the entry of contraband or illegal articles and entry or exit of information affecting the security of the jail.

b. The inmate sending out any mail matter shall open his mail/package and have it read and inspected by the designated censor officer. If the mail is cleared for dispatch, the inmate shall close and seal the mail and place the same in the outgoing mail box. He shall likewise receive incoming mail or mails that has or have been previously cleared by the Censor Officer. If the outgoing or incoming mail has contraband or harmful information, such matter shall be registered as violations of jail rules and regulations and shall be to the Disciplinary Board for immediate adjudication.

c. The designated jail staff shall collect the inmates’ mail matters on a daily basis, Monday through Friday.

d. Inmate’s letters or any other mail matter shall be sent as registered, certified, stamped or special delivery if they so desire at their expense. The letters will be processed in accordance with procedures for the handling of mail.

e. An inmate under disciplinary segregation shall be allowed full correspondence privileges, unless this misconduct involves a serious violation of correspondence regulations.

f. Inmates who receive or send money through the jail mail service shall be under the supervision of the Warden.

Section 54. OTHER SERVICES— Other services such as legal assistance or specialist services shall be provided subject to jail policies and guidelines as approved by the Chief, BJMP.

RULE VII
Use of Force and Weapons

Full blown crisis in BJMP-manned jails developed from improper application of force. Improper use of force may be attributed to three lapses: a) vague rules of engagement, b) inadequate standards and alternatives in the use of force, or c) misjudgment in the application of rules and standards. Therefore in the application of force or the use of weapons in confronting crises in jails shall be subservient to the principle of necessity and proportionality.
Section 55. GENERAL RULES - Regardless of the types of functions to be performed and/or jail operations to be conducted, all BJMP units and personnel shall comply with and apply the following rules:

a. Under all circumstances, use of force is justifiable only by virtue of the Doctrines of Self-Defense and Defense of a Stranger;

b. The use of force shall not be resorted to except when strictly necessary for the maintenance of security and order, or when personnel’s safety is threatened;

c. The use of force shall not be resorted to except in self-defense or in the defense of others against grave and imminent threat of death or serious injury, or when strictly necessary such as escape of an inmate;

d. As far as possible, non-violent means must be exhausted prior to use of deadly force;

e. Whenever the lawful use of force and firearms is unavoidable, jail officers shall:
   1. Exercise restraint in such use and act in proportion to the seriousness of the offense and the legitimate objective to be achieved;
   2. Minimize damage and injury, and respect human rights and preserve human life;
   3. Ensure that assistance and medical aid are rendered to the injured as soon as possible; and
   4. Ensure that relatives or close friends of the injured or affected person are immediately notified as early or as earliest possible.

f. Where injury or death is caused by the use of force and firearms, the jail officer shall immediately render a detailed narrative report on the incident to his superiors;

g. The personnel shall be trained on the use of force and firearms; and

h. If necessary, stress counseling should be provided to jail personnel who had been directly involved in incidents where force and, or firearms, were used.

Section 56. USE OF FORCE CONTINUUM - The use of force continuum is an escalating level of force commencing from no force, to non-deadly force and ultimately, to deadly force. In dealing with the use of force continuum, the following rules shall be observed:
A. The decision on the appropriateness of the level of force to be used in a given situation depends entirely on the judgment of the warden or his duly authorized representative or other jail personnel confronted with situation requiring the use of force.

B. **NO FORCE CONTINUUM**

1. **General Principles**
   
   Any Jail Officer in the performance of his duty shall:

   a. Display an authority figure tempered with patience to maximize efforts to listen and discern between institutional and personal issues, demands, and sentiments of the individual or group of individuals;
   
   b. Use tactful persuasive language to gain willing cooperation in discussing and addressing the various concerns that triggered the disturbance;
   
   c. Exhaust all persuasive efforts to settle the issues, demands, and sentiments without compromise to security matters pertaining to escape, attempt of escape, threat of harm or injury to the staff, other inmates, or visitors;
   
   d. Not, in any instance, use unacceptable language that would demean or antagonize the status of the inmate as a person;
   
   e. Not, in any instance, draw, un-holster or point any firearm to anyone that may cause reactions that will aggravate the situation or necessarily antagonize anyone; and
   
   f. Exercise maximum tolerance in dealing with hostile, arrogant taunting inmates.

2. **Specific Principles**

   a. **Riot**

      a.1 **Open Field**

      a.1.1 Use of negotiation, persuasion and verbalization to contain, pacify, subdue, and control incident.

      a.1.2 Assessing the danger of the situation by considering the number of inmates involved in the riot, whether or not inmates are armed, the violent reputation of apparent leaders, and external factors such as the weather, time, possibility of escalation, and other external threats.

      a.2 **Close Field**
a.2.1 Use of negotiation, persuasion and verbalization to contain, pacify, subdue and control incident.

b. **Noise Barrage**

b.1 Lock up inmates to ensure perimeter security.
b.2 Dialogue and negotiate with inmates. If inmates are compliant, gather all inmate leaders for further dialogue and open forum.

b.3 Never resort to any use of force as long as inmates are only doing noise barrage and the incident does not escalate into a more serious one.

c. **Hostage taking**

The warden or his duly authorized representative must consider the following factors before making any decision regardless of the demands of the hostage takers:

- Whether or not hostage taker/s is/are armed;
- Whether or not the victim is a fellow inmate, jail personnel or civilian;
- Number of inmates involved in the hostage taking;
- Number of hostages; and
- Length of time.

c.1 Maintain and establish communication with the hostage takers. It is imperative that an experienced hostage negotiator be designated as the primary negotiator. The first five (5) minutes is critical, hence the jail officer nearest the incident must apply verbal containment techniques by negotiating with the hostage-taker until an experienced negotiator arrives.

c.2 Evacuate inmates who are not involved with the incident into a more secured place to avoid taking advantage of the situation and to ensure their safety. Contain the scene of incident by putting up a security perimeter that will prevent other from entering the scene except the responder.

d. **Lockdown**

d.1 Immediately contain the controlled facility. If the inmates control only a portion of the facility, immediately evacuate non-participating inmates to the unaffected portion for their safety.

d.2 Immediately conduct a dialogue with the inmates. As much as possible, find out their demands and negotiate surrender of the controlled portion of the facility.
d.3 Ensure tight security of perimeter fence to avoid inmates taking advantage of the situation.

e. **Rescue**

   The warden or his duly authorized representative must consider the following factors in decision-making:
   
   - The firepower and number of rescuers; and
   - In rescue while in transit, presence of civilians and danger of cross-fire.

   e.1 Negotiation must be used to pacify, control, and subdue the situation. It is also used to ascertain the goal of the rescuers and may help the warden or his duly authorized representative arrive at a better decision.

   e.2 Secure the rest of the inmates who are not involved in the incident.

f. **Assault**

   The warden or his duly authorized representative shall consider the following factors in decision-making:
   
   - Whether or not inmates are armed; and
   - Whether or not the victim is a civilian, jail personnel or fellow inmate.

   f.1 Negotiation must be used to pacify, control, and subdue the situation. No use of force is authorized if, after the assault, the authorities have regained control of the situation and that there is no possibility that the assaulting inmate may attack again.

**SECTION 57. NON-DEADLY FORCE CONTINUUM**

1. **General Principles**

   The warden or his duly designated representative or the team leader of the custodial and security force or the team leader of a task force shall:

   a. Ascertain or recognize that there is indeed a need to assert authority over erring inmates after exhaustion of efforts to settle issues, demands and sentiments;
b. Evaluate the situation and decide on the degree of non-deadly force to be employed taking into consideration the following circumstances:

- The possibility that the incident could escalate into a more serious one;

- The skill and experience of the jail personnel who will administer the non-deadly force; and

- The compliance of inmates or their sincerity to negotiate for surrender.

c. Continue negotiation notwithstanding the use of non-deadly force. Resume negotiation if inmates show willingness to cooperate.

d. Resort to non-deadly force when the use of words does not control and the use of deadly weapon is inappropriate.

e. Authorize the use of non-deadly force in cases where inmates are non-compliant despite verbal containment or the gravity of the situation dictates that verbal containment is not appropriate.

f. Authorized use:

f.1 Physical contact

- **Jail Officers must be adequately and appropriately trained for the purpose.** The height, built and age of the inmate must also be taken into consideration in selecting the most appropriate jail officer.

- Inmates must not be armed.

- Blows must be directed to non-fatal parts of the body such as hands, legs etc.

f.2 Chemical/Electrical/Inflammatory (CEI) agents

- Resort to or use of this kind of weapon only when there are personnel trained for the purpose. Prior to use of CEI agents, a paramedic must be available to provide first aid.

- The use of CEI weapon should be exercised with due diligence since sparks from these weapons are capable of igniting flammable materials thus causing more serious harm (e.g. fire and explosion) and injury;
The health and physical condition of inmates must be taken into consideration in choosing this non-deadly force for this may be fatal to inmates with asthma, etc.;

The ventilation of the area should also be taken into consideration.

f.3 Impact weapons

- Only trained jail officers are authorized to use impact weapons.

- Fatal parts of the body must be avoided since these weapons are also capable of inflicting serious and even deadly harm.

g. The use of non-deadly force shall be authorized only to temporarily incapacitate inmate and bring him/her back the control of the authorities.

2. Specific Principles

   a. Riot

      a.1 Open Field

      a.1.1 With continued verbalization, ascertain whether inmates are armed or not to determine the appropriate force to be used.

      a.1.2 Isolate and secure non-participating inmates.

      a.1.3 If inmates are unarmed but resistant, use impact weapons.

      a.2 Close Field

      a.2.1 Carefully assess the situation to minimize the risk to inmates and responding personnel.

      a.2.2 Physical contact may be discouraged since this is a close field incident and it might endanger the life of the responding jail officer.

      a.2.3 Determine whether the use of chemical weapon is appropriate. Consider ventilation and amount of chemical weapon to be used as it may put the lives of the personnel or inmates at risk.

      a.2.4 Impact weapons shall only be applied by trained personnel.
a.2.5 Use other means of non-deadly force in a proper and considerate manner.

b. **Noise barrage**

b.1 At the first stage of violence, non-deadly force shall be considered.

b.2 CEI weapons may be used to pacify or subdue inmates only if incident is escalating to violence.

b.3 Non-deadly impact weapons shall be deployed only when there is apparent threat to life and property.

c. **Hostage**

c.1 If the hostage-taker is unarmed, use of non-deadly force may be authorized. However, try to minimize the risk of injury.

c.2 If the hostage-takers are armed, impact weapons might be utilized to subdue the inmates. Careful evaluation of the situation is needed to determine whether impact weapons are sufficient or not.

d. **Lock down**

d.1 Determine how long do the inmates have controlled the facility. Reasonable time is dependent on each situation and within the discretion of the authorities.

d.2 If inmates are unarmed, physical force is possible by individual restraint. It is also important to consider the number of inmates involved in the incident and the availability of manpower to individually restrain each inmate and eventually pull them out of the facility.

d.3 If inmates are armed, use chemical, electrical and other inflammatory agents to control inmates.

d.4 Notwithstanding the use of non-deadly force, negotiation should be continuous.

d.5 Non deadly force shall be immediately discontinued when it is apparent that the inmates are ready to give up the controlled facility.

e. **Rescue**

e.1 Immediately alert the proper authorities as regard the rescue.
e.2 In case of rescue inside the jail facility and the rescuers are heavily armed, use CEI weapon to incapacitate the rescuers and rescue inmates. The ventilation and the space must be taken into consideration when using chemical weapons.

e.3 Never use CEI weapon in case of rescue while on transit if there are innocent civilians who might be affected.

e.4 As much as possible, in cases of rescue while on transit, the nearest police station or the jail must be immediately informed of the incident for proper back up.

e.5 Physical force and impact weapons shall be used only when rescuers are armed.

f. **Assault**

f.1 CEI weapon may be used to temporarily incapacitate the assaulting inmate, and to rescue the victim. Authorities may also use this to control the situation.

f.2 Use physical restraint if the assaulting inmate is not armed.

f.3 Use impact weapons if inmates remain non-compliant after several hours of negotiation and if they are unarmed.

**SECTION 58. DEADLY FORCE CONTINUUM**

1. **General Principles**

   The warden or his superior shall:

   a. Notwithstanding the exercise of deadly force, exhaust efforts of verbalization and persuasion to contain, subdue and control incident;

   b. Resort to use of deadly force only after failure of negotiation or non-deadly force intervention;

   c. Use deadly force only to incapacitate inmates or restrict the mobility of inmates and the same should not be aimed at any fatal part of the body;

   d. Do authorize the use of deadly force or non-deadly force when no force is needed to resolve the situation and immediately order personnel concerned to discontinue the use of deadly force after the necessity of using it has ended;

   e. Include in his repertoire the threat to use of deadly force such as pointing a gun against an inmate;
f. Employ deadly force only in defense of life or if there is reasonable
ground to believe that there is grave and imminent danger to the life of
the jail officer himself, fellow jail officers, inmate/inmates and innocent
civilians; and

g. Exercise the use of deadly force with reasonable care and diligence to
justify its use.

2. Specific Principles

a. Riot

a.1 Open Field

a.1.1 Deadly force shall be used if inmates are armed and
 uncontrollable or;

a.1.2 When negotiation fails and lives are in grave and
 imminent danger.

a.1.3 Shall be used only after non-participating inmates are
properly isolated and secured.

a.2 Close Field

a.2.1 Deadly force may be used only if despite the use of non-
deadly force, inmates remain non-compliant.

a.2.2 Prior to use of deadly force, the authorities should have
properly identified the inmates involved in the riot.

b. Noise Barrage

Deadly force shall be employed if in case a situation escalates
into a serious condition or other inmates have resorted to violence
and have posed grave and imminent danger to the lives of inmates
and jail personnel.

c. Hostage taking

c.1 Deadly force may be used if there is total failure of negotiation
and the inmates remain non-compliant despite the use of non-
deadly force;

c.2 If the hostage takers are armed;

c.3 A hostage or hostages had been killed; and
c.4 Immediately discontinue use of deadly force if there are signs that the use of force is not already appropriate such as when hostage takers already show signs of surrender.

d. **Lockdown**

d.1 When the erring inmates have assaulted fellow inmates who refused to participate in the lockdown.

d.2 If there is a reasonable ground to believe that there is grave and imminent danger to the lives of inmates and personnel in the facility.

e. **Rescue**

e.1 In case of rescue by outside forces or in any situation during rescue where lives of inmates and personnel are on grave and imminent danger, or when it is established that the rescuers are determined to inflict harm or injury.

e.2 If part of the facility is destroyed or if the jail security is severely jeopardized by rescue attempt.

e.3 Never use firearms in case of rescue while on transit if it such would pose grave and imminent danger to the lives of the people living in the area.

f. **Assault**

f.1 When use of deadly force is authorized to incapacitate the assaulting party and prevent him from attacking other people.

**SECTION 59. WARNING SHOT**

1. **Disadvantages of warning shot**

   a. Warning shots may pose risks to innocent civilians, inmates and jail personnel.
   
   b. Warning shots may cause an armed fleeing inmate to fire back believing that the shot was intended to kill him.
   
   c. Jail personnel could inadvertently shoot the inmate on fatal part of the body resulting to his death.
   
   d. When exercised negligently, warning shots may cause injury to persons or damage to property.

2. **Advantages of warning shot**

   a. Warning shots when exercised properly are effective ways to stop a fleeing inmate or vehicle.
b. Firing warning shots would draw the attention of other people to the ongoing commotion or incident.
c. It would caution other jail officers about the ongoing commotion, thus making them respond immediately.

3. **Authorized situations**

a. The shot should not be aimed at the fatal parts of the body nor at a particular person.
b. Since they constitute deadly force, warning shots must be exercised with due diligence and only if the jail personnel reasonably believes that the inmate/inmates pose grave and imminent threat to the lives of innocent civilians, inmates and jail personnel in the area.
c. Warning shots are authorized in open field but not in close field. In giving a warning shot, extra prudence must be exercised to ensure that it will not cause any injury to any person or damage to property.

**SECTION 60. DEPRIVATION OF FOOD, WATER, AND ELECTRICITY DURING JAIL INCIDENTS**

1. **Advantages**

The provision of food, water, and electricity can be used by the jail personnel to negotiate with erring inmates and possibly to gain some concessions like release of a hostage in exchange of food.

2. **Disadvantages**

a. Food and water are objects of one's basic right, which he or she should not be deprived of in all cases and under any circumstances.

b. Deprivation of food and water is considered as deadly force since continuous lack of these necessities may result in weakening of the body and this condition, if made to last for a long time, may result in inmate's to death.

c. Human rights groups may question the deprivation, which may result in lawsuits against the personnel concerned.

3. **Authorized use**

a. The deprivation is authorized only when there is reasonable ground to believe that there is an imminent and grave danger to the lives of jail personnel who deliver the food, water or any other necessities.

b. It is authorized to cut the flow of electricity during use of CEI weapon. The cutting off, however, must be for a limited time only.
c. Authorized to reduce food and water but not to totally deprive inmates throughout the incident.

SECTION 61. POST ACTION ACTIVITIES

A. Debriefing

1. Debriefing of Personnel
   a. All personnel involved in the incident must undergo a thorough physical, medical and psychological checkup.
   b. After the critical jail incident, all personnel must be briefed on the event, must be made to present their evaluation and the lessons learned. In this way, personnel may not only learn from their experience but they can also participate in the investigation.

2. Debriefing of Inmates
   a. Within 24 hours after the critical jail incident is resolved and the situation normalized, the warden shall gather all inmates for a dialogue, thresh out important issues and settle possible sources of conflict.
   b. All inmates involved in the incident must be segregated from the rest.
   c. Inmates involved in the incident must undergo a thorough physical and medical check-up. Seriously wounded inmates must be immediately brought to the nearest hospital.

B. Record keeping of the Incident

1. Preserve the crime scene and make sure that all pieces of evidence are sealed and protected/not tampered.

2. Within 24 hours after the incident, a partial report should be submitted by the warden to the regional director who shall, in turn, make a report to the Chief, BJMP.

C. Evaluation of the applicability of the Use of Force

1. After an incident involving the use of force, a thorough investigation should be conducted to determine the appropriateness of the level of force used taking into consideration the following factors:
   a. The nature of the incident;
   b. The level of force used;
c. Number of inmates involved in the incident;
d. Number of personnel present in the incident;
e. Logistical capability of personnel including firearms and equipment; and
f. Damages/casualties caused.

2. Identify lessons learned from the incident.

Section 62. DECISION MAKING IN THE USE OF FORCE CONTINUUM - The decision on the appropriateness of the level of force to be used in a given situation depends entirely on the judgment of the incident commander, if any, or the warden or his duly authorized representative or other jail personnel confronted with the situation requiring the use of force.

RULE VIII

RIGHTS, PRIVILEGES AND MISCELLANEOUS PROVISIONS

In May 1984, the United Nations Economic and Social Council approved the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners. The UN Rules, containing 95 provisions that range from separation of inmate categories, medical services, education and to recreation, sought to set out “what is generally accepted as being good principle and practice in the treatment of prisoners and the management of institutions”. The Council acknowledges, however, that the application of the UN Rules may vary depending on the legal, social, economic and geographical conditions of each country. This Rule is derived from the letter and intent of the UN Rules.

Section 63. RIGHTS OF INMATES - Although the purpose for committing a person to jail is to deprive him/her of liberty in order to protect society against crime, such person is still entitled to certain rights even while in detention. These rights are:

1. The right to be treated as a human being, and not to be subjected to corporal punishment;

2. The right to be informed of the regulations governing the detention center;

3. The right to adequate food, space and ventilation, rest and recreation;

4. The right to avail himself/herself of medical, dental and other health services;

5. The right to be visited anytime by his/her counsel, immediate family members, medical doctor or priest or religious minister chosen by him or by his immediate family or by his counsel;
6. The right to practice his/her religious beliefs and moral precepts;

7. The right to vote unless disqualified by law;

8. The right to separate detention facilities or cells particularly for women inmates; and

9. If a foreigner, the right to communicate with his/her embassy or consulate.

Section 64. PRIVILEGES ALLOWED THE INMATES - Detainees may enjoy the following privileges:

A. To wear their own clothes while in confinement;

B. To write letters, subject to reasonable censorship, provided that expenses for such correspondence shall be borne by them;

C. To receive visitors during visiting hours. However, visiting privileges may be denied in accordance with the rules and whenever public safety so requires;

D. To receive books, letters, magazines, newspapers and other periodicals that the jail authorities may allow;

E. To be treated by their own doctor and dentist at their own expense upon proper request from and approval by appropriate authorities;

F. To be treated in a government or private hospital, provided it is deemed necessary and allowed by the rules;

G. To request free legal aid, if available;

H. To sport hair in their customary style, provided it is decent and allowed by the jail rules;

I. To receive fruits and prepared food, subject to inspection and approval by jail officials;

J. To read books and other reading materials available in the library, if any;

K. To maintain cleanliness in their cells and brigades or jail premises and perform other work as may be necessary for hygienic and sanitary purposes;

L. To be entitled to Good Conduct Time Allowance (GCTA) as provided by law; and
M. To be utilized as jail aides as designated by the warden himself, with the CONSENT OF THE INMATE/INMATES or upon the recommendation of the personnel.

1. **Scope of Work**

   They shall be help the jail personnel in performing certain tasks inside the jail such as, but not limited to cleaning the jail facility, cooking, washing kitchen utensils and other similar tasks. All activities of jail aides shall be under close monitoring and supervision by the jail personnel.

2. **Limitations**

   a. They must not be allowed to exercise supervision of any kind over fellow inmates.
   
   b. They shall be allowed to stay outside of their cells to perform certain tasks during daytime and until 1700H only.
   
   c. They shall not be allowed to do the following:

      c.1 open the jail gates;
      c.2 search visitors;
      c.3 go out without court order;
      c.4 have possession of jail keys;
      c.5 perform custodial duties;
      c.6 have access to/keep sensitive records;
      c.7 handling of and marking of entries in the carpeta; and
      c.8 Have access to information e.g. answering telephone calls, handheld radio and other means of communication.

   d. Only inmates charged with light offenses (crimes where the maximum imposable sentences are six (6) years imprisonment and below) or sentenced city prisoners who are due for release should be utilized as jail aides.
   
   e. No inmate charged with drug pushing shall be designated as jail aide.
   
   f. Designated jail aides shall wear T-shirts with the marking “Jail Aides” prominently printed at the back thereof for identification.
   
   g. They shall not be utilized as personal trustees of personnel.

**Section 65. LEAVE FROM JAIL** - Leave from jail shall be allowed in very meritorious cases, like the following:

1. Death or serious illness of spouse, father, mother, brother, sister, or children.

2. Inmates who are seriously ill or injured may, under proper escort, be allowed hospitalization leave or medical attendance. However, such leave shall require prior approval of the Courts having jurisdiction over them;
Provided, however, that in life and death cases where immediate medical attention is imperative, the warden, at his/her own discretion, may allow an inmate to be hospitalized or moved out of jail for medical treatment; Provided further, that when the emergency has ceased as certified by the attending physician, the warden shall cause the inmate’s immediate transfer back to the jail, except when there is a court order directing him to continue the inmate’s confinement in a hospital until his/her recovery or upon order of the Court for his/her immediate return to the jail.

Section 66. COORDINATION WITH OTHER AGENCY-MEMBERS OF THE CRIMINAL JUSTICE SYSTEM - The warden shall coordinate with the Public Attorney’s Office (PAO) and the Parole and Probation Administration (PPA) and request them to conduct periodic visits to the jail to enable the inmates thereat to avail themselves of the following services:

1. Public Attorney’s Office (PAO)
   a. Provide legal representation in the trial of inmates’ cases.
   b. Assist convicted inmates in filing applications for probation.
   c. Assist inmates, in coordination with the National Prosecution Service, in obtaining release on recognizance or temporary release pursuant to Batas Pambansa Bilang 85.

2. Parole and Probation Administration (PPA)
   a. Assist inmates qualified for probation.
   b. Conduct an evaluation of cases that may merit parole, commutation of sentence or conditional pardon, and submit a report thereon, together with the prison records, to the Board of Pardon and Parole.

RULE IX

FINAL PROVISIONS
EFFECTIVITY AND REPEALING CLAUSE

Section 67. REPEALING CLAUSE - All rules, policies, guidelines and memoranda inconsistent with the provisions of this Manual are hereby repealed, modified and amended accordingly.

Section 68. EFFECTIVITY - This Second Edition 2015 Comprehensive BJMP Comprehensive Operations shall take effect upon its approval by the Chief, BJMP.
REFERENCES

The UN Standard Minimum Rules for the Treatment of Prisoners
BJMP Manual Revised (2007)

BJMP SOP, Policies and Guidelines

a. SOP # 2010-05
   • Policy on the Conduct of Body Searches on Jail Visitors
     ➢ “Annex A” Strip Search/Visual Body Cavity Search Authorization (SSVBCSA)
     ➢ “Annex B” Waiver of Right on Strip/Visual Body Cavity Search
b. Procedures on Decongestion Programs
c. SOP # 2010-08
   • Use of Force and Weapons
d. Use of Rubber Bullets and Rubber-Coated Bullets
e. Reiteration Memorandum re: Proper Utilization of Jail Aides
f. Prohibition on Utilization of Jail Aides Beyond 1700H
g. Violation on the Policy re: Designation as Jail Aides
h. Reiteration on Deployment of STAR Team
i. Actual Number of STAR Team Personnel and Specific Assignment
j. SOP # 2012 - 01
   • Guidelines in Escorting High-Risk/High-Profile Inmates
k. Concerns on Security Augmentation
l. Coordination in the Transfer of Inmates
m. Guidelines Governing Transfer of Venue
n. Additional Guidelines re: Transfer of Insular Prisoners
o. Revised Policy on Visitation in BJMP-manned Jails
p. Supplemental Guidelines to the Revised Policy on Visitation in BJMP-manned Jails dated 02 March 2010
q. MC # 2006-02
   • BJMP Incident Management System (IMS)
r. Standard Minimum Rules for the Treatment of Prisoners
s. FIELD FORM
   • CS-Form 01 Control of Contraband and Physical Evidence
   • CS-Form 02 Inmate’s Property Receipt
   • CS-Form 03 Designation for Disposition of Property
   • CS-Form 03 Contraband/Evidence Tag Chain of Custody
      • Allowable Property for Female Inmates
      • Allowable Property for Male Inmates
   • Sample of Spot Report
   • Sample of Progress Report
   • Sample of Final Report
STATUTORY AND REGULATORY PROCEDURES/EXTERNAL DOCUMENTS

ANNEXES

A. Art 29 of the RPC as amended by RA 6127
   - An act amending article twenty-nine of the revised penal code to give full
time credit under certain conditions to offenders who have undergone
preventive imprisonment (detention prisoners) in the service of their
sentences.

B. Amendments to the BJMP Citizen’s Charter on Jail Visitation

C. Supreme Court Administrative Circular # 68-2005
   - Authorizing executive Judges of First and Second Courts to approve request
of the Bureau of Jail Management and Penology to transfer or change place
of detention of high risk or high-profile detainees.

D. OCA Circular # 08-2013
ANNEX “A”

REPUBLIC ACT No. 6127

AN ACT AMENDING ARTICLE TWENTY-NINE OF THE REVISED PENAL CODE TO GIVE FULL TIME CREDIT UNDER CERTAIN CONDITIONS TO OFFENDERS WHO HAVE UNDERGONE PREVENTIVE IMPRISONMENT (DETENTION PRISONERS) IN THE SERVICE OF THEIR SENTENCES.

Section 1. Article 29 of the Revised Penal Code is hereby amended to read as follows:

"Art. 29. Period of preventive imprisonment deducted from term of imprisonment. Offenders who have undergone preventive imprisonment shall be credited in the service of their sentence consisting of deprivation of liberty, with the full time during which they have undergone preventive imprisonment, if the detention prisoner agrees voluntarily in writing to abide by the same disciplinary rules imposed upon convicted prisoners, except in the following cases:

1. When they are recidivists, or have been convicted previously twice or more times of any crime; and

2. When upon being summoned for the execution of their sentence they have failed to surrender voluntarily.

If the detention prisoner does not agree to abide by the same disciplinary rules imposed upon convicted prisoners, he shall be credited in the service of his sentence with four-fifths of the time during which he has undergone preventive imprisonment."

Section 2. This Act shall take effect upon its approval.

Approved: June 17, 1970
MEMORANDUM

TO : All Regional Directors

SUBJECT : Amendments to BJMP Citizen’s Charter on Jail Visitation

DATE : 26 May 2010

1. References:
   a) BJMP Citizen’s Charter

2. The provisions of the Visitation Service contained on Page 109 of the BJMP Citizen’s Charter, had already been superseded by the memorandum on jail visitation dated 02 March 2010 and had accordingly been modified.

3. Quoted hereunder are portions of the above memo for your ready reference:

   1. Visiting days are from Tuesday to Sunday only. Monday is a non-visiting day and is reserved as inmate’s washday and for the maintenance and cleanup of the entire jail facility.

   2. Visiting hours will be from 1:00pm to 5:00pm from Tuesday to Friday. No visits shall be allowed in the morning to give way to IWD activities. During Saturday and Sunday, visiting hours is from 8:00am to 12:00 noon and from 1:00pm to 5:00pm but no visitors shall be allowed to visit in the afternoon if he/she already visited in the morning.

   3. Visitors for each inmate should be limited to five (5) persons while for those high-risk inmates should be limited to two (2) persons only, at any given time. The visiting time for high-risk inmates is from thirty (30) minutes to one (1) hour only, subject to the discretion of the Jail Warden.
4. Upon admission, the inmate should provide a list of his/her authorized visitors including the pertinent data for their identification.

4. Relative thereto, direct your Wardens to adhere to the above policy on jail visitation.

5. For guidance and strict compliance.

ROSENDO M DIAL, CESO III
Jail Director (DSC)
Chief, BJMP
ANNEX “C”

Republic of the Philippines
Supreme Court
Manila

ADMINISTRATIVE CIRCULAR NO. 68 - 2005

AUTHORIZING EXECUTIVE JUDGES OF FIRST AND SECOND COURTS TO APPROVE REQUEST OF THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY TO TRANSFER OR CHANGE PLACE OF DETENTION OF HIGH-RISK OR HIGH-PROFILE DETAINEES

WHEREAS, Section 61 and 63 of Republic Act No. 6975 entitled An Act Establishing the Philippine National Police and a Reorganized Department of Interior and Local Government, and for other purposes, provided that the Bureau of Jail Management and Penology (BJMP) which exercises supervision and control over all city and municipal jails, shall be under the supervision or the Department of Interior and Local Government (DILG).

WHEREAS, the BJMP is mandated to establish and maintain a secured, clean, adequately equipped and sanitary detention facility for the custody and safekeeping of city and municipal prisoners, any fugitives from justice, or person detained awaiting investigation, trial, or transfer to the national penitentiary;

WHEREAS, pursuant to and by virtue of its power of supervision and custody, the BJMP has the authority to direct the transfer or change of place of detention of detainees;

WHEREAS, the BJMP has issued various circulars directing assistant regional directors and jail wardens to work out for the transfer of high-risk or high-profile detainees should it be deemed that the jail which they are currently detained are no well secured against planned attempt for their rescue by fellow gang members, relatives or any other person;

WHEREAS, the BJMP, in its memorandum dated 12 September 2003, has directed that no transfer of inmates to another jail shall not be effected without court order or approval.

WHEREAS, the court order or approval of such transfer is administrative in nature and falls in the duty and function of the Executive Judge to visit and inspect local jails and the detained prisoner within the area of his or her administrative supervision.

NOW, THEREFORE, to ensure speedy and efficient administrative action by the court on the request of the BJMP through the city or the municipal jail
wardens relative to the transfer of high-risk or high-profile detainees to better secure jails, the Supreme courts hereby direct that:

1. All request for such transfer shall be submitted for appropriate action to the executive judge who has administrative supervision over the court in the place where the local jail in which the prisoner is currently detained; and

2. The Executive Judge shall act forthwith on the request with notice to the Presiding Judge of the court before which the case of the detained prisoner is pending.

This circular shall take effect immediately.

Issued this 27th day of October 2005.

HILARIO G. DAVIDE, JR.
Chief Justice
TO: All Judges and Court Personnel of the First and Second Level Courts.


In the wake of the recent shooting incident that occurred in the palace of justice, Cebu City, Memorandum Order No. 42-2007 providing for an interim security protocol for the first and second level court is hereby REITERATED. The pertinent provisions of Memorandum Order No. 42-2007 are as follows:

1) All court employees are required to wear and prominently display their identification cards (ID) at all times while on official duty. Only the judges are exempted from wearing their ID.

2) All law enforcement officers on official business should wear and display their official ID’s while inside the HOJ’s and building which house courtrooms.

3) During hearings, the court shall coordinate with the appropriate agency which has custody of detention prisoners, (e.g. Bureau of Jail Management and Penology, Philippine National Police, National Bureau of Investigation, etc.) on the trial calendar and schedule of criminal case involving these detention prisoners.
4) During trials of detention prisoners, the Executive Judge (EJ) shall request the PNP to assign or detail at least two (2) uniformed policemen to secure and patrol the hallways of the HOJ’s and court houses and their premises.

5) Where applicable, the HOJ shall have one (1) entry and exit point for visitors.

6) The EJ’s shall secure a holding area in the HOJs or in the court house where detention prisoners shall be temporarily detained while awaiting trial. When no holding area is available, the detention prisoners shall be detained in the bus, van, or vehicle that they used as transport, or any secure place outside the HOJ’s or court houses. The detention prisoners shall be brought to the courtroom only when their cases are heard.

7) Before leaving the holding area or temporary detention area, the custodian shall conduct a thorough body frisking of detention prisoners to ensure that they have no concealed weapon on them.

8) While in the court’s premises, detention prisoners shall always be handcuffed, unless the presiding judges (PJ) directs otherwise.

9) In HOJ’s, EJs shall ensure that the court security personnel (CSP) keep a logbook of the name, address, purpose of visit and signature of guests who enter the premises. All visitors including law enforcement officers shall be required to log-in before allowed entry. All visitors are required to present adequate identification documents which they shall leave with the CSP in exchange for a court ID to be worn at all times while inside the HOJ.

10) For courts not in the HOJs, the sheriff, process server, or other staff member shall be assigned by the PJ to provide security inside the courtroom.

11) All persons who wish to enter the courtroom shall be subjected to body frisking by the court’s sheriff, process server, or other court personnel, before entry. A female guest shall be frisked only by a female court employee. In addition, all bags and other things brought inside the room shall be thoroughly inspected.
12) All firearms and object which may be used as weapons, except, those belonging to law enforcement officers who are on official business shall be deposited with the guard-on-duty of the HOJ’s, or with the sheriff or in the latter’s absence, the branch clerk of the court, for courts not found in the HOJ’s.

13) Any illegal weapon or article, under the revised penal code or existing laws, shall be confiscated and surrendered to the police officers assigned to patrol the hallways. In their absence, these things shall be surrendered to the nearest police station.

14) Where applicable, the PJ shall specify an area in the courtroom for detention prisoners. No one, except lawyers, shall be allowed to talk to or go near the detention prisoners.

15) The PJ shall place the witness stand at least one and a half meter (1 1/2m) away from his seat. When the prisoners is on the witness stand, the custodian shall stand between the judge and the prisoner.

16) The PJ shall assign the sheriff, process server, or other court employee to be present during court hearings for orderly and safe proceedings in the courtroom.

17) Finally, PJs whose lives are endangered or threatened, shall immediately inform any of the following officials...

(HON. Jose Midas P. Marquez
Court administrator
Office of the court Administrator
G/f, Old supreme court building
Supreme Court
Taft avenue corner Padre Faurast.,
Ermita, Manila

Attention: Atty. Leah M.Enriquez
Telephone nos.
Office-5257143
Mobile-09178278872
Fax No.-523-2315
E-mail Address:
imenriquez@sc.judiciary.gov.ph

Atty. Nonnatus Caesar R. Rojas
Director
National Bureau of investigation
Taft Ave. Ermita, Manila

Attention: Atty. Reynaldo o. Esmeralda
Deputy Director
Telephone nos.
Office-523 8231 / 524 6232
E-mail Address:
oddis@nbi.gov.ph

This order shall take effect immediately upon its signing

24 January 2013

JOSE MIDAS P. MARQUEZ
Court Administrator
RELEVANT BJMP SOP’s, Policies and Guidelines

BJMP
STANDARD OPERATING PROCEDURES
NUMBER 2010 - 05

CONDUCT OF BODY SEARCHES ON JAIL VISITORS

I. REFERENCES

1. Memorandum dated 30 April 2002 re: Prohibiting Female Lesbian Jail guards to Perform Search and Custodial Functions on Female Inmates and Visitors;


3. Memorandum dated 11 January 2001 re: Conduct of Strip or Body Search;

4. Chapter 200, Section 2.29 of Pinal County Sheriff’s Office Adult Detention Center Facility Procedures re: Admission Searches;

5. Strip Searches and Pat Searches, Number 09-01-22, Boulder County Jail Policy Procedure Manual;

6. BJMP Revised Manual 2007;

7. BJMP SOP 2004-02 dated 14 November 2004 re: Control of Contraband and Physical Evidence;


9. Revised Rules of Court of the Philippines;

11. Republic Act no. 7438 - “An Act Defining Certain Rights of Person Arrested, Detained or Under Custodial Investigation as well as the Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties for Violations Thereof”; and

12. Dangerous Drugs Board Regulation No. 1, s. 2002 re: Guidelines on the Custody and Disposition of Seized Dangerous Drugs, Controlled Precursors and Essential Chemicals, and Laboratory Equipment.

13. Revised Penal Code

II. BACKGROUND/RATIONALE

The proliferation of contraband in jail facilities is a perennial problem that the BJMP is confronting since its inception. Contraband in the hands of inmates jeopardizes jail security and hampers rehabilitation programs.

The use of various types of searches shall be necessary to protect the safety of visitors, inmates and personnel. It shall be used to detect and secure contraband with the aim of safeguarding the security of the facility.

However, time and again, adverse claims and reports that visitors are sexually abused/harassed during the conduct of body searches have put the Bureau in the bad light.

While the conduct of various types of searches is indispensible in our campaign to prevent the entry of contraband, it should be reasonably implemented with utmost care and fairness to protect the rights of the subject as well as shield the jail personnel from harassment complaints.

III. PURPOSE AND SCOPE

This SOP aims to provide adequate safeguards against the introduction of contraband into jail facilities and to establish guidelines for different types of searches. All searches should be conducted in a professional manner, without violating the legal rights of visitors/inmates and with due respect and regard to human dignity.

IV. DEFINITION OF TERMS

**ARREST** - is the taking of a person into custody in order that he may be bound to answer for the commission of an offense.

**CONTRABAND** - any article, item, or thing prohibited by law and/or forbidden by jail rules that would pose as security hazards or endanger the lives of inmates. For this policy, contraband is further divided into the following categories:
- **Illegal contraband** - unlawful in itself and not because of some extraneous circumstance (i.e. dangerous drugs, weapons, potential weapons, explosives)

- **Merely prohibited and nuisance contraband** - are those that may not be classified as illegal under the law but are forbidden by jail rules. (i.e. cellphone, money or other commodities of exchange such as jewelry, appliances and gadgets, excessive wearing apparels and sleeping paraphernalia, intoxicating liquors, cigarettes, pornographic materials, gambling paraphernalia and other products that are considered vices).

**DANGEROUS DRUGS** - means dangerous drugs as defined in Article I Sec. 3(j), RA 9165. Such drugs include, but not limited to, heroin, morphine, opium, cocaine or cocaine hydrochloride, marijuana, marijuana resin, marijuana resin oil, methamphetamine hydrochloride or “shabu”, methylenedioxymethamphetamine (MDMA) or “ecstasy”, paramethoxyamphetamine (PMA), trimethoxyamphetamine (TMA), lysergic diethylamine (LSD) and gamma hydroxybutyrate (GHB).

**PHYSICAL EVIDENCE** - items with evidentiary value used in an administrative disciplinary proceeding or court proceeding.

**PAT/FRISK SEARCH** - is a search wherein the officer pats or squeezes the subject’s clothing to attempt to detect contraband. For same gender searches the Pat/Frisk search is normally accomplished in concert with Rub Search.

**RUB SEARCH** - is a search wherein the officer rubs and/or pats the subject’s body over the clothing, but in a more intense and thorough manner. In a rub search, the genital, buttocks, and breast (of females) areas are carefully rubbed-areas, which are not searched in a frisk/pat search. Rub searches shall not be conducted on cross-gender individuals.

**STRIP SEARCH** - is a search, which involves the visual inspection of disrobed or partially disrobed subject.

**VISUAL BODY CAVITY SEARCH** - is a search, which involves the inspection of the anus and/or vaginal area, generally requiring the subject to bend over and spread the cheeks of the buttocks; to squat and/or otherwise expose body cavity orifices.

**PROBABLE CAUSE** - is defined as facts sufficient to support a reasonable belief that criminal activity is probably taking place or knowledge of circumstances indicating a fair probability that evidence of crime will be found. It requires more than a mere “hunch,” but less than proof beyond reasonable doubt.
VISITOR - a person who enters a jail facility for a definite period of time to meet an inmate or personnel of the Bureau or conduct an official business or activity inside the jail. A visitor includes the relative, friend, lawyer, doctor, spiritual adviser, service provider or any person who enters the jail for the purpose of seeing or conferring with an inmate.

V. GENERAL POLICY

1. Searches are to be conducted in the least intrusive manner, while ensuring accomplishment of the intended purpose, yet maintaining respect for individual dignity and insuring the greatest level of privacy. Personnel performing searches shall not be allowed to talk/discuss the search they performed unless directed by the court or warden.

2. All visitors before being allowed entry into the jail must be requested to submit the things they carry to a thorough inspection and a thorough body search to prevent the entry of contraband in our jails.

3. Money, jewelry, gadgets and other commodities of exchange shall be duly turned over to the Property Custodian for receipting and eventual safekeeping in a safety vault or box. It shall be duly returned to the visitor upon his or her exit from the jail facility. All visitors who refuse to undergo search and inspection shall be refused entry into the jail.

4. All male visitors shall be searched by male jail officers while female visitors shall be searched by female jail officers only. At no instance that a female homosexual jail officer shall be allowed to conduct body search on female jail visitors while a male homosexual jail officer cannot body search a male jail visitor. Further, no person of the opposite sex shall be allowed to conduct or view strip searches.

5. In performing searches, sanitary gloves shall be worn by the jail officer.

6. The search should not be more extensive than necessary to determine the existence of contraband believed to be concealed on the subject.

7. Strip search and Visual Body Cavity Search shall only be conducted inside a searching room that is adequately lighted, safe and guarantees confidentiality.

VI. GUIDELINES IN THE CONDUCT OF PAT/FRISK/RUB SEARCH FOR VISITORS

1. All inmates’ visitors who want to enter the jail facility must be subjected to body search and inspection of their belongings.

2. To perform a pat/frisk/rub search, the jail officer shall accomplish the following:
   a. Instruct the subject to remove items from pockets, shoes, jackets, or any extra clothing.
   b. Search the subject top to bottom being systematic:
      1. Shake out his/her hair;
2. Grasp the collar and feel for any hidden items.

3. Search each of the arms separately.

4. Run hands down the shirtfront, checking the pocket and stopping at the beltline. Then check the back using the same process.

5. Once satisfied that all areas above the waist—the neck, arms, chest, and back are clear, check the waistline to feel for any small articles hidden.

6. From the waistline, run hands down the subject’s buttocks.

7. Then move both hands to one leg. Repeat process on the other leg.

8. Finally, run hands over the subject’s lower abdomen and crotch carefully, feeling for concealed articles that may be taped to these areas.

3. If during the pat/frisk/rub search the jail officer develops probable cause that contraband is being hidden by the subject, who is not likely to be discovered, the Jail Officer shall request for a conduct of strip search/visual body cavity search.

VII. GUIDELINES IN THE CONDUCT OF STRIP SEARCH FOR VISITORS

The conduct of strip search shall be done provided all the following conditions are met:

1. All strip search shall be conducted with the knowledge of and directed by the Jail Warden or in his absence by the Assistant warden / Jail Officer of the Day. The searcher shall accomplish a Strip Search/Visual Body Cavity Search Authorization (SSVBCSA) (Annex A) for this purpose. The SSVBCSA Form shall include information that there is probable cause that contraband is being hidden by the subject or subject to be strip-searched is suspected of bringing contraband inside the jail. It shall particularly state the source of information, if known, and the contraband to be brought in.

2. The visitor agrees to be strip-searched which shall be in writing to shield the jail officer performing the search from harassment complaints. For this purpose, the Waiver of Right on Strip Search / Visual Body Cavity Search Form (Annex B) shall be signed by the visitor. It shall be duly explained by the jail personnel performing the search and should be understood by the subject. If the subject refuses, he/she will not be allowed to visit.
3. All strip search must be done in the confidentiality of an enclosed space. This area must restrict the possibility of visual access by person(s) not involved in the search.

4. To perform a strip search the jail officer shall accomplish the following:
   a. Direct the subject to remove his/her clothing and hand the clothing to the searcher for inspection.
   b. Clothing shall be examined by touch, using the squeeze and rub method which crushes every part of the clothing.
   c. Articles should be scanned for bulges and signs of openings or freshly sewn areas. Linings should not be overlooked.
   d. The searcher shall have the subject perform the following measures:
      1. Hold his/her hands out in front of his/her body with fingers spread;
      2. Turn his/her hands over showing the officer each side;
      3. Raise his/her arms over head allowing the officer to view the subject’s underarms;
      4. Shake out his/her hair;
      5. Open his/her mouth with head tilted back. Lifting his/her tongue;
      6. Have the subject lift his/her feet so that the soles and spaces between the toes can be examined carefully.
   e. Inspection of any covered wounds, casts, false teeth, prosthesis, etc. shall be conducted with assistance of a jail doctor or nurse.
   f. After completion of the search, the officer shall return the clothing to the subject and allow the subject to redress.

5. If during the course of the strip search, the officer develops probable cause that contraband is concealed in an area not readily visible using the strip search; the officer shall proceed on conducting Visual Body Cavity Search.

VIII. GUIDELINES IN THE CONDUCT OF VISUAL BODY CAVITY SEARCH FOR VISITORS

1. To perform a visual body cavity search, the jail officer shall have the subject visitor perform the following measures:
a. Males: have them raise their scrotum allowing the officer to view underneath;

b. Females: have them raise their breast allowing the jail officer to view under the breasts.

If the subject is female, have her squat down and cough. This should dislodge anything hidden in the vaginal cavity.

c. Have the subject turn around with their back to the officer, bend over and/or squat, and use their hands to spread their buttocks allowing the officer to view the area of the anus or vagina. While the subject is in such position, the jail officer may further instruct him/her to cough to dislodge anything hidden in the anus/vaginal cavity.

IX. ACTIONS TO BE TAKEN UPON DISCOVERY OF CONTRABAND DURING SEARCH OF VISITORS

A. Merely Prohibited and Nuisance Contraband

1. On first offense, the visitor shall be warned that it is prohibited and that he/she is at risk of being considered delinquent visitor if he/she do the same again. Contraband shall be confiscated and turned over to the Property Custodian who shall dispose them accordingly.

2. If the same visitor committed the same or similar act, he/she shall be considered as delinquent visitor and shall be duly recorded by the searcher in a separate logbook exclusively for such visitors. It should be accessible to other searchers.

3. As disciplinary measure and for security reason, the warden may impose an order to ban the entry of delinquent visitor in accordance with the provision of Sec. 4 (b) of the RA 7438 which provides:

   “The provisions of the above Section notwithstanding, any security officer with custodial responsibility over any detainee or prisoner may undertake such reasonable measures as may be necessary to secure his safety and prevent his escape.”

4. Concerned inmate may also be subjected to disciplinary process under the Inmates’ Disciplinary Machinery if it is established that he/she has participated directly or indirectly in the commission of the offense.

B. Illegal Contraband except Dangerous Drugs

1. Possession of illegal contraband shall automatically result to denial of entry and immediate arrest of subject visitor. The provisions of RA
7438 shall apply. Section 2 of RA 7438 is hereunder provided for ready reference.

“Section 2. Rights of Persons Arrested, Detained or Under Custodial Investigation; Duties of Public Officers.

(a) Any person arrested, detained or under custodial investigation shall at all times be assisted by counsel.

(b) Any public officer or employee, or anyone acting under his order or his place, who arrests, detains or investigates any person for the commission of an offense shall inform the latter, in a language known to and understood by him, of his rights to remain silent and to have competent and independent counsel, preferably of his own choice, who shall at all times be allowed to confer privately with the person arrested, detained or under custodial investigation. If such person cannot afford the services of his own counsel, the investigating officer must provide him with a competent and independent counsel.

(c) The custodial investigation report shall be reduced to writing by the investigating officer, provided that before such report is signed, or thumb marked if the person arrested or detained does not know how to read and write, it shall be read and adequately explained to him by his counsel or by the assisting counsel provided by the investigating officer in the language or dialect known to such arrested or detained person, otherwise, such investigation report shall be null and void and of no effect whatsoever.

(d) Any extrajudicial confession made by a person arrested, detained or under custodial investigation shall be in writing and signed by such person in the presence of his counsel or in the latter's absence, upon a valid waiver, and in the presence of any of the parents, elder brothers and sisters, his spouse, the municipal mayor, the municipal judge, district school supervisor, or priest or minister of the gospel as chosen by him; otherwise, such extrajudicial confession shall be inadmissible as evidence in any proceeding.

(e) Any waiver by a person arrested or detained under the provisions of Article 125 of the Revised Penal Code, or under custodial investigation, shall be in writing and signed by such person in the presence of his counsel; otherwise the waiver shall be null and void and of no effect.

(f) Any person arrested or detained or under custodial investigation shall be allowed visits by or conferences with any member of his immediate family, or any medical doctor or priest or religious minister chosen by him or by any member of his immediate family or by his counsel, or by any national non-governmental organization.
duly accredited by the Commission on Human Rights or by any international non-governmental organization duly accredited by the Office of the President. The person's "immediate family" shall include his or her spouse, fiancé or fiancée, parent or child, brother or sister, grandparent or grandchild, uncle or aunt, nephew or niece, and guardian or ward.

As used in this Act, "custodial investigation" shall include the practice of issuing an "invitation" to a person who is investigated in connection with an offense he is suspected to have committed, without prejudice to the liability of the "inviting" officer for any violation of law."

2. The said contraband will be confiscated and may further be used as evidence against the jail visitor in criminal action/proceeding. Proper handling of evidence (i.e. inventory, labeling and receipting of physical evidence obtained) shall be observed.

3. Confiscated contraband shall be properly turned over to the jail property/contraband custodian who shall turn over it to the police station where the subject visitor shall also be referred.

4. Subject visitor shall be arrested based on Sections 5 and 8 of Rule 113 - Arrest of the Revised Rules of Court.

5. A jail visitor who was found in possession of the contraband must be coordinated and turned-over immediately to the nearest police station who shall be the one to file the appropriate case against him/her with the Prosecutor’s Office based on the report/complaint of the BJMP personnel who made the search. Detaining the subject without court order in the jail (BJMP manned jail) where he/she committed the said offense might constitute arbitrary detention.

6. No violence or unnecessary force shall be used in making an arrest. The person arrested shall not be subject to a greater restraint than is necessary for his detention.

7. Concerned inmate may also be subjected to disciplinary process under the Inmates’ Disciplinary Machinery if it is established that he/she has participated directly or indirectly in the commission of the offense.

C. Dangerous Drugs

1. Possession of dangerous drugs shall automatically result in denial of entry and immediate arrest of the subject visitor. Applicable procedures and/or provisions of RA 9165 otherwise known as the “Comprehensive Dangerous Drugs Act of 2002” shall apply.
2. A jail visitor who was found in possession of the contraband must be coordinated and turned over immediately to the Philippine Drug Enforcement Agency (PDEA). The jail warden shall make the necessary report to be the basis for filing of appropriate case against the subject.

3. For the custody and disposition of the confiscated/seized dangerous drugs, Section 21 of RA 9165 shall apply, to wit:

"Section 21. Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment. – The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

(1) The apprehending team having initial custody and control of the drugs shall, immediately after seizure and confiscation, physically inventory and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the Department of Justice (DOJ), and any elected public official who shall be required to sign the copies of the inventory and be given a copy thereof;

(2) Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination;

(3) A certification of the forensic laboratory examination results, which shall be done under oath by the forensic laboratory examiner, shall be issued within twenty-four (24) hours after the receipt of the subject item/s: Provided, That when the volume of the dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals does not allow the completion of testing within the time frame, a partial laboratory examination report shall be provisionally issued stating therein the quantities of dangerous drugs still to be examined by the forensic laboratory: Provided, however, That a final certification shall be issued on the completed forensic laboratory examination on the same within the next twenty-four (24) hours;
(4) After the filing of the criminal case, the Court shall, within seventy-two (72) hours, conduct an ocular inspection of the confiscated, seized and/or surrendered dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals, including the instruments/paraphernalia and/or laboratory equipment, and through the PDEA shall within twenty-four (24) hours thereafter proceed with the destruction or burning of the same, in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the DOJ, civil society groups and any elected public official. The Board shall draw up the guidelines on the manner of proper disposition and destruction of such item/s which shall be borne by the offender: Provided, That those item/s of lawful commerce, as determined by the Board, shall be donated, used or recycled for legitimate purposes: Provided, further, That a representative sample, duly weighed and recorded is retained;

(5) The Board shall then issue a sworn certification as to the fact of destruction or burning of the subject item/s, which, together with the representative sample/s in the custody of the PDEA, shall be submitted to the court having jurisdiction over the case. In all instances, the representative sample/s shall be kept to a minimum quantity as determined by the Board;

(6) The alleged offender or his/her representative or counsel shall be allowed to personally observe all of the above proceedings and his/her presence shall not constitute an admission of guilt. In case said offender or accused refuses or fails to appoint a representative after due notice in writing to the accused or his/her counsel within seventy-two (72) hours before the actual burning or destruction of the evidence in question, the Secretary of Justice shall appoint a member of the public attorney's office to represent the former;

(7) After the promulgation and judgment in the criminal case wherein the representative sample/s was presented as evidence in court, the trial prosecutor shall inform the Board of the final termination of the case and, in turn, shall request the court for leave to turn over the said representative sample/s to the PDEA for proper disposition and destruction within twenty-four (24) hours from receipt of the same....”

4. Concerned inmate may also be subjected to disciplinary process under the Inmates' Disciplinary Machinery if it is established that he/she has participated directly or indirectly in the commission of the offense.
X. SEPARABILITY CLAUSE

In the event that any provision or part of the policy be declared unauthorized or rendered invalid by a competent authority, those provisions not affected by such declaration shall remain valid and effective.

XI. REPEALING CLAUSE

All other existing issuances, which are inconsistent with this policy, are hereby rescinded or modified accordingly.

XII. EFFECTIVITY

This policy shall take effect immediately.

ROSENDO M DIAL, CESO III
Jail Director (DSC)
Chief, BJMP
Name of Jail

STRIP SEARCH/ VISUAL BODY CAVITY SEARCH AUTHORIZATION (SSVBCSA)

Date: ______________ /Time: _________________

Rank and Name of Searcher: _______________
Subject's Name: _______________ Inmate to be Visited: ___________

Probable cause to conduct Strip Search / Visual Body Cavity Search:
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
Source of information (if known): ______________________________________________________
____________________________________________________________________________________

Instruction to the Searcher: Searches are to be conducted in the least intrusive manner, while ensuring accomplishment of the intended purpose, yet maintaining respect for individual dignity and insuring the greatest level of privacy.

[ ] STRIP SEARCH:

[ ] HEAD: Check nose, ears and mouth. Have subject shake out his/her hair. Check under the tongue and around teeth.
[ ] ARMS & SHOULDERS: Instruct the subject to raise arms and check arm pits. Examine the subject with fingers spread and extended.
[ ] FEET: Check bottom of the feet and in between toes.
[ ] BANDAGES & CASTS: Examination of any prosthesis or false teeth will be accomplished with the assistance of facility medical personnel or qualified medical professional.

[ ] VISUAL BODY CAVITY SEARCH:

[ ] BREAST: Have the subject lift the breast, visually inspect.
[ ] GROIN: Inspect around penis, testicles or if female check the area of the vagina.
[ ] RECTAL: Instruct the subject to bend over/squat and spread the cheeks of the buttocks.

_____________________    _____________________
Signature of Searcher        Signature of Warden
WAIVER OF RIGHT ON STRIP/ VISUAL BODY CAVITY SEARCH
PAGPAPAUBAYA NG KARAPATAN SA KATAUHANG / MASUSING PAGHAHALUGHOG /
"VISUAL BODY CAVITY SEARCH"

I, ____________________, visitor of inmate/s ____________________
Akosi dalawni/nina
of ____________________ Jail hereby voluntarily submit myself for
ng dito'y kusang loob na ihain ang aking sarili sa strip search /visual body cavity search by authorized BJMP personnel.
Masusing paghahalughog / “visual body cavity search” ng otorisadong kagawad ng BJMP.

That any contraband found in my possession as a consequence
Anumang mga bagay na ipinagbabawal na matatagpuan sa aking pag-iingat may be used as evidence against me in criminal action/proceeding.
Ay Maaring gamitin laban sa akin sa anumang usapang kriminal/pamamaraan.

I therefore have understood the foregoing statements
Samakatuwid, aking naintindihan ang mga nasabing pahayag at
and affixed my signature to affirm my willingness to abide by the same.
ako ay lumagda upang ipagtibay ang aking kusang-loob na pagsang-ayon dito.

________________________________________
Signature of Visitor
LagdangDalaw

________________________________________
Name and Signature of Witness
Pangalan at LagdangSaksi

________________________________________
Date and Time of Search
Petsa at Oras ng Paghalughog
## PROCEDURES ON DECONGESTION

<table>
<thead>
<tr>
<th>Decongestion Programs</th>
<th>INMATE</th>
<th>WARDEN</th>
<th>COURT</th>
<th>PROBATION OFFICER</th>
<th>AUTHORITY TO RELEASE</th>
<th>AUTHORIZE TO RELEASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>RA 6036 RECOGNIZANCE</td>
<td>Inmate must be convicted for a term of one (1) year or less. Inmate applies for Release on Recognizance while his case is still pending in court. Inmate chooses responsible persons who are in good standing in the community for their recognizance. Inmate applies for release on ROR and stating that he recognizes the authority of the person where he is placed with custody.</td>
<td>To provide existing organization of NGOs involved in corrections, information, and education program on the coverage of ROR (Release on Recognizance)</td>
<td>Court grants recognizance applied by the inmate while his/her case are still pending. Issue order to release the inmate under the custodian granted/recognized by the court. Direct the probation officer to conduct close surveillance upon the inmate and submit his findings for further evaluation.</td>
<td>Keep the grantees always informed of the scheduled hearing and the development of the cases. CUSTODIAN To be notified of the hearing.</td>
<td>Court issues order directing the city/municipal district jail warden to release inmate through ROR. Warden - Receives court order. - Verifies authenticity of the court order. - Inmate will be subjected to usual releasing procedure. - Releases inmate if there is no other pending case. - Submits report - Return all deposited personal belongings of inmate.</td>
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<p>| RA 6127 FULL TIME CREDIT | Inmate should sign the detainee’s manifestation and abide by the rules and regulations of the jail (Full Time Credit) if not, only 4/5 of his preventive imprisonment will be given, to be signed in the presence of counsel or Inmate Welfare Officer Await decision of the court. | - Receives court order. - Verifies authenticity of court order. Warden, thru record Section computes corresponding computation of inmates’ preventive detention based on court order. - Inmates subjected to usual releasing procedure. - Submits report to court/Immediate superior upon compliance of release with CPI | Court decides on full time credit specified in the court order. Issues order either to credit or not his preventive imprisonment. | Prepares detainee’s manifestation to abide by the rules and regulations of the jail. Apprises the inmates of his right and privileges under detention. Assist offender in signing his detainee’s manifestation. (DM) Submits DM to the Jail Warden through record Section. | Court order (See column under Warden) |</p>
<table>
<thead>
<tr>
<th>Decongestion Programs</th>
<th>INMATE</th>
<th>ACTION TAKEN</th>
<th>COURT</th>
<th>PROBATION OFFICER</th>
<th>AUTHORITY TO RELEASE</th>
<th>AUTHORIZE TO RELEASE</th>
</tr>
</thead>
<tbody>
<tr>
<td>PD 603 CHILD AND YOUTH WELFARE CODE</td>
<td>Will request Social Action Center of religious sects for custody. Seeks assistance from DSWD for custody.</td>
<td>-Coordinates with religious parishes. -Provides case evaluation to the court. -Summon concerned parents for conference of the child’s case and recommend for possible solution. Provide youth offender special rehabilitation programs. Coordinates with local executives for sports activities for the youth.</td>
<td>Court will order confinement of youth offenders to NTSB, MARILAC HILLS, and RRYC.</td>
<td>Court Order</td>
<td>Warden Releases youth offenders to rehabilitation centers Releases youth offenders to the custodian as stipulated in the Court Order Submits report</td>
<td></td>
</tr>
<tr>
<td>PD 968 PROBATION</td>
<td>Inmates must be convicted with a prison term of 6 years and below</td>
<td>Upon commitment, Warden shall take note of crime charged, advice detainee of the provisions of PD 968 (as well as his possible sentence if convicted), as to whether he is qualified or not qualified to avail such provision, and indicate in the detainees’ index card a mark to denote possibility of provision. Upon conviction of the inmate, the Warden shall know whether inmate may be qualified of probation thru his/her counsel or PAO. Warden must prepare all prison records of the inmates and submit it to Board of Probation and Parole for evaluation. Warden must get certification from clerk of court that promulgation of said case is not appealed. He shall assist the inmate to apply for probation. He shall inform PPA office of the presence of an applicant for probation in the jail, much more if subject is illiterate, ignorant or indigent, and further assist PPA investigation so that investigation can be terminated with speed. Upon receipt of release order, Warden should conduct verification of order including its authenticity. If there’s no other pending case, release inmate in accordance with the usual procedure of release. Conduct information and education program on objectives and benefits of PD 968 to all inmates. Evaluate and determine whether the inmate met the criteria to place him/her on probation in coordination with PPO.</td>
<td>Court will evaluate the prison records submitted and direct probation officer to conduct background investigation of the inmate. Submits his findings and recommendation to the court and to the Board of Probation for approval.</td>
<td>Court issues order to Jail Warden directing him to release the inmate as his/her probation is granted.</td>
<td>Warden receives court order, verifies authenticity of the court order. Releases inmate subject to usual releasing procedure if there is no other pending case. Submits report. Return all deposited personal belongings of inmate.</td>
<td></td>
</tr>
</tbody>
</table>
## Inmate Applies for BP 85 thru his/her lawyer if his/her detention already being served is equivalent to the maximum possible penalty for the offense charge.

- **Request the court in writing for speedy trial.** Conduct monthly monitoring report on status of inmate’s cases. Conducts information drive on the mode of release of inmates.

## Transfer to BUCOR

- **Inmates must be convicted to 3 years, 1 day to reclusion perpetua or life imprisonment.**

  - Note: Insular prisoners must be transferred to BUCOR within 48 hours upon receipt of court order with other requirements duly complied with.

- **Warden receives/follow-up:**
  - Mitimus/commitment order
  - Court decision
  - Information
  - Issues Certification of Detention
  - Prepares Form 35
  - Returns all deposited belongings of inmate.

## Served Sentenced

- **Inmates should be credited his/her preventive imprisonment and the GCTA.**

  - Receives court order
  - Evaluates Records conviction
  - Makes computation of sentence
  - Return all deposited personal belongings of inmate. Maintain index card of the inmate. Make follow-up with the court for early disposition of pending resolution status of the inmates’ case. Prisoners who served the minimum sentence thru the warden submit reports to the Boards of Pardon and Parole for his application for Parole, whether it should be granted or not.

## Case Dismissed

- **Awaits court decision**

  - Warden receives court order
  - Verifies authenticity of court order
  - Release inmate subject to usual releasing procedure
  - Submits report to immediate superior.

## On Bail

- **Applies for bail**

  - Warden receives copy of court order
  - Verifies authenticity of court order
  - Releases inmate subject to usual releasing procedure
  - Submits report to immediate superior.

- **Follow-up calendar of cases for expeditious trial.** Facilitates communication systems to offender, counsel, and relatives.

- **Encourages application for bail bond to offender.** Facilitates communication services to offender, counsel, and relatives.

## Court Order

- **Warden**

  - Inmate will be subjected to usual releasing procedure: Return all deposited personal belongings of inmate.

  - Prepares all documents for transfer. Provides security escorts, lift capability and logistical requirements during transfer. Submits report Return all deposited personal belongings of inmate.

  - Verifies authenticity of the court order: Informs the court that convicted inmate has clearly served his/her sentence. The release of inmate will be subjected to usual releasing procedure. Return all deposited personal belongings of inmate. - Submits report.

  - (See column under Warden)
BJMP-NHQ

STANDARD OPERATING PROCEDURES
NUMBER 2010-08

Use of Force and Weapons

I. REFERENCES:

1. Basic Principles on the Use of Force and Firearms as Adopted by the Eighth
United Nations Congress on the Prevention of Crime and the Treatment of
Offenders, Havana, Cuba;

2. The Revised Penal Code of the Philippines;

3. The Civil Code of the Philippines;

4. BJMP Decided Cases with Implications on the Use of Force;

5. Memorandum Circular No. 2006-02 dated 28 May 2006 re BJMP Incident
Management System (IMS);

and


II. CONCEPT:

The willingness of jail officers to put their lives at risk is an invaluable trait
and it should not be taken for granted but should rather be protected against legal
suits that could arise from misuse of force. In most instances, jail officers are ready
to confront the hazards connected to their job but face the dilemma of what force is
necessary to subdue the threat and the legal repercussions that may follow. Thus,
the lack of existing convention and procedure in the use of force could either inhibit
the legal conscious jail officers to effectively control the situation, or induce its
excessive application due to ambiguous authorized model of unit of measurement to which actions can be referred.

More often than not, full-blown crisis developed from improper application of force. Improper use of force may be attributed to three lapses: a) vague rules of engagement, b) inadequate standards and alternatives in the use of force, or c) misjudgment in the application of rules and standards.

Indeed, the Bureau needs a prescribed specific sequence of levels of force or types of force equipment to be used in all situations. It needs bases in assessing risk or severity of the condition and a continuum of the proper level of force following the principles of necessity and proportionality.

III. PURPOSE:

In the absence of superseding guidance, the policy on the Use of Force establish fundamental procedures and guidelines governing the actions to be taken by BJMP personnel in case of disturbances that pose clear threat to the security of the personnel, visitors, and the jail facilities.

The Policy aims:

1. To prescribe the standards in the use of force in order to control or preempt the unnecessary escalation of any disturbance/incident into a crisis situation.

2. To provide guidelines for legal and ethical principles in the use of force.

3. To provide means to balance the two competing goals in any engagement, which are; (a) the need to use force effectively to accomplish the objectives and (b) the need to avoid unnecessary force.

4. To establish fundamental rules and procedures governing the actions to be taken by jail wardens or their representatives in the event of an attack from either external or internal enemy forces that will threaten the jail facility.

Nothing in this policy shall prevent further formulation of more detailed guidelines nor will it preclude the formulation of a uniform manual of operations to be promulgated by the Bureau.

IV. SCOPE:

The provision of this policy shall take effect nationwide.

V. DEFINITION OF TERMS:

Deadly Force - is force that a person uses, or that a person knows or should know would create a substantial risk of causing death or serious bodily harm such
as firearm. This includes the threatened use of deadly force such as drawing of firearm. Non-deadly force can also escalate into deadly force when directed towards fatal part of the body such as head. Since it is calculated to cause death, it is usually, the last resort in the use of force continuum.

Non-deadly Force - is the use of physical force towards an inmate with any device other than deadly force or firearm designed to temporarily incapacitate an inmate. Non-deadly force can be classified into three: physical contact, chemical/electrical and other inflammatory agents and impact weapons.

Physical contact or weaponless control - is non-deadly force generally used by jail officers to restrain inmates without the use of any weapon primarily designed to incapacitate or immobilize inmates. This includes restraining holds, come along holds, pain compliance holds and blows with feet and fists. Generally, this requires skill of the jail officer using it, such as martial arts.

Chemical /Electrical /Inflammatory agents (CEI) - are generally non-deadly force when used appropriately to restrain inmates such as Oleoresin Capsicum (OC) pepper spray, pepper gun, tear gas, aerosol, mace, stun gun, taser etc. They are designed to temporarily incapacitate inmates.

Impact weapons - are non-deadly force generally used to temporarily incapacitate an inmate such as pro-batons and nightsticks.

No Force - is a part of the use of force continuum where no force is used simply because the situation does not call for it. It includes the mere presence of the jail officers and verbalization and is usually effective when inmates are not violent.

Presence - is the authority figure of jail officers and their mere presence may be enough to cause compliance from the inmates.

Verbal Containment - act, which includes negotiation, persuasion and/or verbalization that is resorted to when the mere presence of jail officers is not enough to
contain the situation requiring him to give orders to ensure compliance by the inmates.

**Rescue**
- is the act of taking away of an inmate or inmates from the custody of jail officers through the use of force, threat or intimidation while said inmate is inside the jail facility or while on transit.

**Rescue of inmate inside the jail facility** - this means that the inmate to be rescued is within the jail premises or compound.

**Rescue of inmate/s in transit** - this means that the inmate to be rescued is outside the jail premises, while on foot or on board by any means of transportation either moving or stationary.

**Lockdown**
- is a situation where the inmates, whether in whole or in part, control the jail facility.

**Lockdown of the whole jail facility** - is a situation where the inmates control the whole facility.

**Lockdown of a portion of the jail facility** - is a situation where inmates control a portion of the jail facility.

**Noise Barrage**
- is a situation where inmates create loud, unpleasant sounds in order to express their demands and grievances over issues usually related to the management of jail such as low quality of food, demand for visitation privileges, poor leadership of the jail Warden etc.

**Hostile act**
- a hostile act is an attack or other use of force by an inmate or inmates against other inmate/s, visitor/s, jail personnel, jail properties and facilities, or an attack against jail security.

**Hostile intent**
- the threat of imminent use of force by an inmate or inmates against other inmate/s, visitor/s, jail personnel, jail properties and facilities, or the threat of imminent use of force against jail security.

**Immediate Danger**
- is a situation of high probability that a hazard, condition or activity caused by an inmate or group of inmates which will be injurious to themselves, to jail personnel, visitor/s, or other
inmate/s’ health and/or safety; or harmful to jail facilities and security is so likely to exist or occur almost immediately and without warning.

**Imminent Danger**
- any condition or practice in a place of employment where such a danger exist which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the procedures.

**Inmate**
- a person being held for confinement inside the jail either for an offense charged or for safekeeping purposes.

**Serious bodily injury**
- bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of bodily member or organ.

**Principle of Necessity**
- use of only such force as is, or reasonably appears to be, necessary to resist the harm and injury threatened or inflicted by inmate to fellow inmate, jail officer and civilian.

**Use of Proportional Force**
- is the force reasonably necessary in a given situation that is logical and proportionate to the gravity of danger, hostile act or assault.

**Riot**
- is a large scale disorganized brawl or combat between inmates usually due to long standing conflict.

**Assault**
- is a situation where violence, threat and intimidation by inmates is directed against fellow inmate, civilian or any jail personnel.

**Hostage/s**
- a person or persons, who may be an inmate, jail personnel or civilian, held by another inmate or inmates as a guarantee that certain actions or promises will or will not be carried out.

**Maximum Tolerance**
- highest degree of restraint that jail personnel shall observe in dealing with hostile inmate/s.

**Warning Shot**
- is the intentional discharge of a firearm with the purpose of causing a positive change in a person’s behavior. A warning shot could be fired to cause a person to stop fleeing, to cause a
person to drop a weapon, to gain the attention of a potentially violent crowd, etc.

VI. GENERAL RULES

Regardless of the types of functions to be performed and/or jail operations to be conducted, all BJMP units and personnel shall comply with and apply the following rules:

A. Under all circumstances, use of force is justifiable only by virtue of the Doctrines of Self-Defense and Defense of a Stranger.

B. The use of force shall not be resorted to except when strictly necessary for the maintenance of security and order, or when personnel’s safety is threatened.

C. The use of force shall not be resorted to except in self-defense or in the defense of others against grave and imminent threat of death or serious injury, or when strictly necessary such as escape of an inmate.

D. As far as possible, non-violent means must be exhausted prior to use of deadly force.

E. Whenever the lawful use of force and firearms is unavoidable, jail officers shall:

1. Exercise restraint in such use and act in proportion to the seriousness of the offence and the legitimate objective to be achieved;

2. Minimize damage and injury, and respect human rights and preserve human life;

3. Ensure that assistance and medical aid are rendered to the injured as soon as possible;

4. Ensure that relatives or close friends of the injured or affected person are immediately notified as early as earliest possible.

F. Where injury or death is caused by the use of force and firearms, the jail officer shall immediately render a detailed narrative report on the incident to his superiors.

G. The personnel shall be trained on the use of force and firearms.

H. If necessary, stress counseling should be provided to jail personnel who had been directly involved in incidents where force and/or firearms were used.
VII. USE OF FORCE CONTINUUM

The use of force continuum is an escalating level of force commencing from no force, to non-deadly force and ultimately, to deadly force. In dealing with the use of force continuum, the following rules shall be observed:

A. The decision on the appropriateness of the level of force to be used in a given situation depends entirely on the judgment of the Warden or his duly authorized representative or other jail personnel confronted with situation requiring the use of force.

B. NO FORCE CONTINUUM

1. General Principles:

Any Jail Officer in the performance of his duty shall:

a. Display an authority figure tempered with patience to maximize efforts to listen and discern between institutional and personal issues, demands, and sentiments of the individual or group of individuals;

b. Use tactful persuasive language to gain willing cooperation to discuss and address the various concerns which triggered the disturbance;

c. Exhaust all persuasive efforts to settle the issues, demands, and sentiments without compromise to security matters pertaining to escape, attempt of escape, threat of harm or injury to the staff, other inmates, or visitors;

d. Not, in any instance, use unacceptable language that would demean or antagonize the status of the inmate as a person;

e. Not, in any instance, draw, un-holster or point any firearm to anyone that may cause reactions that will aggravate the situation or necessarily antagonize anyone; and

f. Exercise maximum tolerance in dealing with hostile, arrogant taunting inmates.

2. Specific Principles

a. Riot

a. 1 Open Field

a.1.1 Use of negotiation, persuasion and verbalization to contain, pacify, subdue, and control incident.

a.1.2 Assess the danger of the situation by considering the number of inmates involved in the riot, whether or not inmates are armed, the violent reputation of apparent leaders, and
external factors such as the weather, time, possibility of escalation, and other external threats.

a. 2 **Close Field**

a.2.1 Use of negotiation, persuasion and verbalization to contain, pacify, subdue and control incident.

b. **Noise Barrage**

b.1 Lock up inmates to ensure perimeter security.

b.2 Dialogue and negotiate with inmates. If inmates are compliant, gather all inmate leaders for further dialogue and open forum.

b.3 Never resort to any use of force as long as inmates are only doing noise barrage and the incident does not escalate into a more serious one.

c. **Hostage taking**

The Warden or his duly authorized representative must consider the following factors before decision-making, and regardless of the demands of the hostage takers:

- Whether or not hostage taker/s is/are armed;
- Whether or not the victim is a fellow inmate, jail personnel or civilian;
- Number of inmates involved in the hostage taking;
- Number of hostages; and
- Length of time.

c.1 Maintain and establish communication with the hostage takers. It is imperative that an experienced hostage negotiator be designated as the primary negotiator. The first five (5) minutes is critical, hence the jail officer nearest the incident must apply verbal containment techniques by negotiating with the hostage-taker until an experienced negotiator arrives.

c.2 Evacuate inmates who are not involved with the incident into a more secured place to avoid taking advantage of the situation and to ensure their safety. Contain the scene of incident by putting up a security perimeter that will prevent other from entering the scene except the responder.
d. **Lockdown**

d.1 Immediately contain the controlled facility. If the inmates control only a portion of the facility, immediately evacuate non-participating inmates to the unaffected portion for their safety.

d.2 Immediately conduct a dialogue with the inmates. As much as possible, find out their demands and negotiate surrender of the controlled portion of the facility.

d.3 Ensure tight security of perimeter fence to avoid inmates taking advantage of the situation.

e. **Rescue**

The Warden or his duly authorized representative must consider the following factors in decision-making:

- the firepower and number of rescuers; and
- in rescue while in transit, presence of civilians and danger of cross-fire.

e.1 Negotiation must be used to pacify, control, and subdue the situation. It is also used to ascertain the goal of the rescuers and may help the Warden or his duly authorized representative into arriving at a better decision.

e.2 Secure the rest of the inmates who are not involved in the incident.

f. **Assault**

The Warden or his duly authorized representative shall consider the following factors in decision-making:

- Whether or not inmates are armed; and
  - The victim, whether a civilian, jail personnel or fellow inmate.

f.1 Negotiation must be used to pacify, control, and subdue the situation. No use of force is authorized if, after the assault, the authorities have regained control of the situation and that there is no possibility that the assaulting inmate may attack again.
C. NON-DEADLY FORCE CONTINUUM

1. General Principles:

   The Warden or his duly designated representative or the Team Leader of the Custodial and Security Force or the Team Leader of a task force shall:

   a. Ascertain or recognize that there is indeed a need to assert authority over erring inmates after exhaustion of efforts to settle issues, demands and sentiments.

   b. Evaluate the situation and decide on the degree of non-deadly force to be employed taking into consideration the following circumstances:

      - the possibility that the incident could escalate into a more serious one;
      - the skill and experience of the jail personnel who will administer the non-deadly force; and
      - the compliance of inmates or their sincerity to negotiate surrender.

   c. Continue negotiation notwithstanding the use of non-deadly force. Resume negotiation if inmates show willingness to cooperate.

   d. Resort to non-deadly force when the use of words does not control and the use of deadly weapon is inappropriate.

   e. Authorize the use of non-deadly force in cases where inmates are non-compliant despite verbal containment or the gravity of the situation dictates that verbal containment is not appropriate.

   f. Authorized use:

      f.1 Physical contact

         • **Jail Officers must be adequately and appropriately trained for the purpose.** The height, built and age of the inmate must also be taken into consideration to select the most appropriate jail officer.
         • Inmates must not be armed.
         • Blows must be directed to non-fatal parts of the body such as hands, legs etc.
f.2 Chemical/Electrical/Inflammatory (CEI) agents

- Resort to use of this kind of weapon only when there are personnel trained for the purpose. Prior to use of CEI agents, a paramedic must be available to provide first aid.
- The use of CEI weapon should be exercised with due diligence since sparks from these weapons are capable of igniting flammable materials likely to cause more serious harm and injury like fire and explosion.
- The health and physical condition of inmates must be taken into consideration in choosing this non-deadly force for this may be fatal for other inmates such as asthmatic and other sick inmates.
- The ventilation of the area should also be taken into consideration.

f.3 Impact weapons

- Only trained jail officers are authorized to use impact weapons.
- Fatal parts of the body must be avoided since these weapons are also capable of inflicting serious and even deadly harm.

g. Authorized use of non-deadly force shall be used only to temporarily incapacitate inmate and bring back the control to the authorities.

2. Specific Principles

a. Riot

a.1 Open Field

a.1.1 With continued use of verbalization. Ascertain whether inmates are armed or not to determine the appropriate force to use.

a.1.2 Isolate and secure non-participating inmates.

a.1.3 If inmates are unarmed but resistant, use impact weapons.

a.2 Close Field

a.2.1 Carefully assess the situation to minimize the risk to inmates and responding personnel.

a.2.2 Physical contact may be discouraged since this is a close field incident and it might endanger the life of the responding jail officer.

a.2.3 Determine whether the use of chemical weapon is appropriate. Consider ventilation and amount of chemical weapon...
to be used as it may put the lives of the personnel or inmates at risk.

a.2.4 Impact weapons shall only be applied by trained personnel.

a.2.5 Use other means of non-deadly force in a proper and considerate manner.

b. **Noise barrage**

b.1 At the first stage of violence, non-deadly force shall be considered.

b.2 CEI weapons may be used to pacify or subdue inmates only if incident is escalating to violence.

b.3 Non-deadly impact weapons shall be deployed only when there is apparent threat to life and property.

c. **Hostage**

c.1 If the hostage-taker is unarmed, use of non-deadly force may be authorized. However, try to minimize the risk of injury.

c.2 If the hostage-takers are armed, impact weapons might be utilized to subdue the inmates. Careful evaluation of the situation is needed to determine whether impact weapons are sufficient or not.

d. **Lock down**

d.1 Determine how long do the inmates have controlled the facility. Reasonable time is dependent on each situation and within the discretion of the authorities.

d.2 If inmates are unarmed, physical force is possible by individual restraint. It is also important to consider the number of inmates involved in the incident and the availability of manpower to individually restrain each inmate and eventually pull them out of the facility.

d.3 If inmates are armed, use chemical, electrical and other inflammatory agents to control inmates.

d.4 Notwithstanding the use of non-deadly force, negotiation should be continuous.

d.5 Non deadly force shall be immediately discontinued when it is apparent that the inmates are ready to give up the controlled facility.
e. **Rescue**

   e.1 Immediately alert the proper authorities as regards the rescue.

   e.2 In case of rescue inside the jail facility and the rescuers are heavily armed, use CEI weapon to incapacitate the rescuers and rescue inmates. The ventilation and the space must be taken into consideration when using chemical weapons.

   e.3 Never use CEI weapon in case of rescue while on transit if there are innocent civilians who might be affected.

   e.4 As much as possible in case of rescue while on transit, the nearest police station or the jail must be immediately informed of the incident for proper back up.

   e.5 Physical force and impact weapons shall be used only when rescuers are armed.

f. **Assault**

   f.1 Use of CEI weapon in order to temporarily incapacitate the assaulting inmate and at the same time, rescue the victim. Authorities to control the situation may also use this.

   f.2 Use physical restraint if the assaulting inmate is not armed.

   f.3 Use impact weapons if inmates remain non-compliant after several hours of negotiation and only if inmates are unarmed.

D. **DEADLY FORCE CONTINUUM**

1. **General Principles:**

   The Warden or his superior shall:

   a. Notwithstanding the exercise of deadly force, exhaust efforts of verbalization and persuasion to contain, subdue and control incident;

   b. Resort to use of deadly force only after failure of negotiation or non-deadly force intervention;

   c. Use deadly force only to incapacitate inmates or restrict the mobility of inmates and should not be aimed at any fatal part of the body;

   d. Not authorize the use of deadly force or non-deadly force when no force is needed to resolve the situation and shall immediately order to discontinue the use of deadly force after the necessity of using it has ended;
e. Include in his repertoire the threat to use of deadly force such as pointing a gun against an inmate;

f. Employ deadly force only in defense of life or if there is reasonable ground to believe that there is grave and imminent danger to the life of the jail officer himself, fellow jail officers, inmate/inmates and innocent civilians; and

g. Exercise the use of deadly force with reasonable care and diligence to justify its use.

2. Specific Principles:

a. Riot

a.1 Open Field

a.1.1 Deadly force shall be used if inmates are armed and uncontrollable or;

a.1.2 When negotiation fails and lives are in grave and imminent danger.

a.1.3 Shall be used only after non-participating inmates are properly isolated and secured.

a.2 Close Field

a.2.1 Deadly force may be used only if despite the use of non-deadly force, inmates remain non-compliant.

a.2.2 Prior to use of deadly force, the authorities should have properly identified the inmates involved in the riot.

b. Noise Barrage

Deadly force shall be employed if in case a situation escalates into a serious condition or other inmates resort to violence and pose grave and imminent danger to the lives of inmates and jail personnel.

c. Hostage taking

c.1 Deadly force may be used if there is total failure of negotiation and the inmates remain non-compliant despite the use of non-deadly force;

c.2 If the hostage takers are armed;

c.3 A hostage or hostages had been killed;
c.4 Immediately discontinue use of deadly force if there are signs that the use of force is not already appropriate such as when hostage takers already show signs of surrender.

d. **Lockdown**

d.1 When the erring inmates have assaulted fellow inmates who refused to participate in the lockdown.

d.2 If there is a reasonable ground to believe that there is grave and imminent danger to the lives of inmates and personnel in the facility.

e. **Rescue**

e.1 In case of rescue by outside forces or in any situation during rescue where lives of inmates and personnel are on grave and imminent danger, or when it is established that the rescuers are determined to inflict harm or injury.

e.2 If part of the facility is destroyed or if the jail security is severely jeopardized by rescue attempt.

e.3 Never use firearms in case of rescue while on transit if it possesses a grave and imminent danger to the lives of the people living in the area.

f. **Assault**

f.1 When use of deadly force is authorized to incapacitate the assaulting party and prevent him from attacking other people.

E. **WARNING SHOT**

1. *Disadvantages of warning shot*

   a. Warning shots may pose risks to innocent civilians, inmates and jail personnel.
   b. Warning shots may cause an armed fleeing inmate to fire back believing that the shot was intended to kill him.
   c. Jail personnel could inadvertently shoot the inmate on fatal part of the body resulting to his death.
   d. When exercised negligently, warning shots may cause injury to persons or damage to property.

2. *Advantages of warning shot*

   a. Warning shots when exercised properly are effective ways to stop a fleeing inmate or vehicle.
b. It enables to get the attention of other people of the ongoing commotion or incident.
c. It enables to give caution to other jail officers of the ongoing commotion and to respond immediately.

3. **Authorized situations**

   a. The shot should not be aimed at fatal parts of the body nor in a particular person.
   b. Since they constitute deadly force, warning shots must be exercised with due diligence and only if the jail personnel reasonably believes that the inmate/inmates pose grave and imminent threat into the lives of innocent civilians, inmates and jail personnel in the area.
   c. Warning shots are authorized in open field but not in close field. In giving a warning shot, extra prudence must be exercised to ensure that it will not cause any injury to any person or damage to property.

F. **DEPRIVATION OF FOOD, WATER, AND ELECTRICITY DURING JAIL INCIDENTS**

1. **Advantages**

   The provision of food, water, and electricity can be used by the jail personnel to negotiate with erring inmates and possibly to gain some concessions like release of a hostage in exchange of food.

2. **Disadvantages**

   a. Food and water are basic rights, which cannot be deprived in all cases and under any circumstances. To deprive inmates of these rights is a violation of their human rights.

   b. Deprivation of food and water is considered as deadly force since continuous lack of these necessities may result in weakening of the body and if for a longer period may result to death.

   c. Human rights groups may question the deprivation, which may result in unnecessary lawsuit.

3. **Authorized use**

   a. The deprivation is authorized only when there is reasonable ground to believe that there is an imminent and grave danger to the lives of jail personnel who will deliver the food, water or any necessities.

   b. It is authorized to cut off electricity during use of CEI weapon since sparks from chemical weapon are capable of igniting flammable
materials, which may result in fire and explosion. The cutting off, however, must be for a limited time only.

c. Authorized to reduce food and water but not to totally deprive inmates throughout the incident.

VIII. POST ACTION ACTIVITIES:

A. Debriefing

1. Debriefing of Personnel

a. All personnel involved in the incident must undergo a thorough physical, medical and psychological checkup.

b. After the critical jail incident, all personnel must be briefed on the event, present the evaluation and recognized lessons learned. In this way, personnel may not only learn from the experience but also participate in the investigation.

2. Debriefing of Inmates

a. Within 24 hours after the critical jail incident is resolved and the situation is back to normal, the Warden shall gather all inmates for a dialogue, thresh out important issues and settle possible sources of conflict.

b. All inmates involved in the incident must be segregated from the rest.

c. Inmates involved in the incident must undergo a thorough physical and medical check-up. Seriously wounded inmates must be immediately brought to the nearest hospital.

B. Record keeping of the Incident

1. Preserve the crime scene and make sure that all pieces of evidence are sealed and protected/not tampered.

2. Within 24 hours after the incident, a partial report should be submitted by the Warden to the Regional Director who shall, in turn, make a report to the Chief, BJMP.

C. Evaluation of the applicability of the Use of Force

1. After an incident involving the use of force, a thorough investigation should be conducted to determine the appropriateness of the level of force used taking into consideration the following factors:

a. The nature of the incident;
b. The level of force used;
c. Number of inmates involved in the incident;
d. Number of personnel present in the incident; and
e. Logistical capability of personnel including firearms and equipment.
f. Damages/casualties caused.

2. Identify lessons learned from the incident.

IX. **REPEALING CLAUSE:**

All circulars or issuances inconsistent with this directive are hereby rescinded or modified accordingly.

X. **EFFECTIVITY:**

This policy shall take effect immediately.

ROSENDO M DIAL, CESO III  
Jail Director (DSC)  
Chief, BJMP
MEMORANDUM

TO : Directors of Directorates
     Heads of Offices
     Regional Directors
     JNTI Director

SUBJECT : Use of Rubber Bullets and Rubber-Coated Bullets
          (Addendum to SOP on Use of Force and Weapons)

DATE : 08 November 2010


2. In connection with the above reference, rubber bullets and rubber-coated bullets are considered lethal munitions and not non-lethal or less-lethal weapons as they are commercially labeled. These bullets can cause same damage and injury as the regular bullets. Hence, the use of these bullets should only be resorted to on incidents requiring deadly force mentioned in the Standard Operating Procedures on the Use of Force and Weapons. They can also be used as better alternative to regular bullets in cases of self-defense or defense of stranger.

3. The official safe range for firing the rubber and rubber-coated bullets is at least 40 meters. This minimum range must be diligently observed when these bullets should be necessarily used.

4. For guidance and information.

ROSENDO M DIAL, CESO III
Jail Director (DSC)
Chief, BJMP
MEMORANDUM

TO : All Regional Directors

SUBJECT : Reiteration Memorandum re: Proper Utilization of Jail Aides

DATE : 11 July 2011

1. References:
   a) Memorandum from RD, BJMPRO-V re: Escape Incident at Palanas District Jail, Masbate dated 06 July 2011; and

2. An unfortunate incident happened last Tuesday, 05 July 2011 at Palanas District Jail in Palanas, Masbate, where inmates were able to escape by attacking the personnel with a hammer which caused the death of the Assistant Warden, a custodial personnel and an inmate.

3. To pre-empt the same from happening, the prohibition on the designation of inmates charged with heinous crimes is hereby reiterated. Only those inmates charged with light offenses (crimes where the maximum imposable sentences are six (6) years imprisonment and (below) or sentenced city prisoners who are due for release should be utilized as jail aides.

4. To properly monitor their compliance with this directive, Inspecting Teams from the Regional Office and the Jail Provincial Administrators should look into the Wardens’/Wardresses’ adherence to this memorandum during jail visits or inspections.

5. Further, require them to submit to your office every fifth (5th) day of the month the list of jail aides in their respective jails to include the crime/offense they had been charged with to monitor their compliance.

6. Wardens/Wardresses who fail to abide by this directive shall be sanctioned accordingly.

7. For guidance, widest dissemination and strict compliance.
MEMORANDUM

TO : ALL REGIONAL DIRECTORS

SUBJECT : Prohibition on Utilization of Jail Aides Beyond 1700H

DATE : 28 December 2010

1. In order to prevent escapes perpetrated by jail aides, the policy on the prohibition on their utilization is hereby reiterated with a modification on its time scheme. They must only be allowed to stay out of their cells during day time and until 1700H only. After which, no jail aide shall be allowed to be roaming within the jail facility and they must be locked-up inside cells together with the rest of the inmates.

2. ITCON, direct the Wardens to have the jail aides constantly monitored and their activities supervised to ensure proper compliance with this directive.

3. For widest dissemination and strict compliance.

ROSENGO M DIAL, CESO III
Jail Director (DSC)
Chief, BJMP
MEMORANDUM

TO : All Assistant Regional Directors

SUBJECT : Violation on the Policy re: Designation as Jail Aides

DATES : 28 July 2008

1. References:
   a. Memo to all ARDs, dated 16 January 2003, re: Designation of JAIL AIDES.
   b. Jail Inspection Reports.

2. It has been observed that inspire of very clear provisions of the policy regarding designation of inmates as jail aides, some wardens wittingly continue to disregard the policy by utilizing inmates to open the jail gates; search visitors; go out without court order; have possession of jail keys; perform custodial duties; perform sensitive records keeping duties such as making entries in the carpeta, handling of carpeta, handling of carpeta and the like; and receive and transmit commo and/or information by answering telephone calls, radio and other means of communications.

3. These tasks should not be performed by inmates designated as jail aides because these are violations of the policy. ITCON, you are hereby directed to advise all wardens in your respective AORs to refrain utilizing inmates to perform the above-mentioned tasks.

4. Violation of this policy will be dealt with accordingly including the RELIEF of the jail Warden concerned and being charged administratively with insubordination. You will be held answerable if any Jail Warden in your AOR does not know this policy.

5. For widest dissemination and strict compliance.

ARTURO W ALIT, CESO IV
Chief Superintendent (DPA Officer-in Charge, BJMP

Bureau of Jail Management and Penology
MEMORANDUM

TO: All Regional Directors

SUBJECT: Reiteration on Deployment of STAR Team

DATE: 14 October 2014

1. Reference: Memorandum issued by the Directorate for Operations dated 05 July 2010 re: Deployment of STAR Team.

2. Reiterated hereby the compliance on policy of the deployment of the STAR Team in the Regional Office. For the regions with two or more STAR Team composition, other team/s should be deployed in big jails strategically located nearby other jails for immediate response in case of emergencies.

3. For strict compliance.

BY AUTHORITY OF THE OFFICER-IN-CHARGE:

PIO B CAPISTRANO
Jail Chief Superintendent
Directorate for Operations
MEMORANDUM

TO : ALL REGIONAL DIRECTORS

SUBJECT : Actual Number of STAR Team Personnel and Specific Assignment

DATE : 05 January 2015

1. It has come to the attention of this Office that some STAR Team personnel were assigned as custodial personnel in jail, defeating the purpose of their creation as reaction and augment unit in any jail disturbances in your respective AOR. Their trainings are specialized and designed not as custodial personnel.

2. ITCON, in order to maximize manpower and capabilities of STAR Team personnel in your respective AOR, you are directed to submit ASAP their complete names and specific places of assignment.

3. STAR Team members assigned as custodial personnel in jail units must be recalled back and re-assigned to mother unit or at the Regional Office and further utilized for office functions.

4. For your guidance and strict compliance.

BY AUTHORITY OF THE C, BJMP:

PIO B CAPISTRANO
JCSUPT DSC
Director for Operations
BJMP – OPNS
STANDARD OPERATING PROCEDURES
NUMBERS 2012 – 01

GUIDELINES IN ESCORTING HIGH-RISK/HIGH-PROFILE INMATES

I. REFERENCES

A. Memorandum from the HONORABLE SECRETARY, DILG to review the protocols in escorting high-risk inmates dated 14 March 2012;
B. Book II – Operations, BJMP Manual (Revised 2007); and

II. BACKGROUND/RATIONALE

The escorting of high-risk/high-profile inmates to Court is one of the critical jobs of the BJMP custodial personnel and during the discharge of said duties, incidents are sometimes encountered which require immediate response in order to avoid injuries, casualties or damage to or loss of government properties. There is therefore a need to come up with a uniform procedure in escorting high-risk/high-profile inmates.

III. PURPOSE AND SCOPE

This SOP aims to guide the members of the escort teams in securing high-risk/high-profile inmates when attending Court hearing, especially in case of incidents such as attack or ambush on the way to or from the Courts. High-risk/high-profile inmates need maximum security as they are known personalities and may be targets for rescue by their associates or even assassination attempts as some of them may have made ardent enemies prior to their incarceration who would stop at nothing to get back at them.

Although primarily developed for high-risk/high-profile inmates, some of the guidelines enumerated herein are applicable in escorting other inmates not similarly classified.
IV. GENERAL PRINCIPLES

Being a critical task for escorts, the escorting of high-risk/high-profile inmates should be given priority security considerations by the Warden since it is when these inmates are escorted outside the jail when they are most vulnerable to attacks or rescue by their cohorts. All possible support for this endeavor must be given by the Regional Office and/or the NHQ in order to fulfill our mandate of safekeeping the inmates and avoiding unnecessary loss of life and property.

Proper coordination with the police and the military must be made prior to transporting high-risk/high-profile inmates and augmentation personnel and equipment may be requested from them if necessary.

V. GUIDELINES IN ESCORTING HIGH-RISK/HIGH-PROFILE INMATES

DELINEATION OF COMMAND/RESPONSIBILITIES

1. In case there are augmentation personnel from other units, the same are considered as additional escorts and are jointly responsible in securing the safety of the inmates. The escorts from the jail are the ones who should act as close-in security for the inmates.

2. Before leaving for the Court, the Team Leaders of the Augmentation Team may give their guidance to compliment the briefing by the Team leader of the Jail’s escorts.

3. While in the Court, the primary task of the Augmentation Teams is to secure the entry/exit points, the prisoners vans at the parking area and as perimeter guards.

- ESCORTING PROCEDURES

A. BEFORE LEAVING FOR THE COURT

Personnel and Inmates

1. A jail Officer with the rank of at least J/INSP or in the absence, the most ranking JNCO from the jail having custody over the inmates, should act as Team Leader.

2. He must conduct briefing, personnel and inmate accounting, vehicle and equipment check.

3. The escort must be given their specific designations such as entrance/exit guard, inmate guard, perimeter guard, etc.

4. When using Prisoners Van, the lead van must at least have four (4) escorts including the Team Leader and driver.
5. Inspect the vehicles for potential weapons which may be used by the inmates.
6. The inmates must be searched for contraband before boarding the van.
7. Inmates must wear the prescribed yellow T-shirt.
8. Restrain inmates with double-locked handcuffs.
9. Inmates must be handcuffed at the back as an added precaution.
10. There must be no more than eight (8) inmates per prisoners van.
11. Inmates must be first to board the van the back door of which must be locked once they are in.
12. As much as possible, the inmates’ movement should be kept confidential, especially the time of departure.

Vehicle, firearms, communications and other equipment

13. At least two (2) vehicles must be used in escorting HR/HP inmates.
14. An inmate’s private vehicle shall not be used in transporting them.
15. Ensure that the vehicles are in good condition and have extra tires and basic repair equipment or tools.
16. Escorts must have long and short firearms which must be loaded and locked.
17. Must have extra ammunitions aside from the basic load.
18. Must have the following equipment:

- Two-way radios
- Pro-batons
- Flashlights
- First aid kits
- Cellphones
- Video cameras
- Raincoats
- First aid brochures
- Extra handcuffs
- Maps
- Umbrellas

19. The Team Leader must have contact numbers of PNP Stations, Military Camps/detachments and BJMP along the way.

B. DURING TRANSIT

1. The Team leader from the jail should be strategically seated on the vehicle.
2. To properly monitor their movement, the Team leaders must give track of their movement to the designated personnel in the jail, the Directorate for Operations or the Regional Operations Division, respectively, as often as necessary.
3. The escorts must always be on guard for possible attacks or ambush.
4. No deviation shall be allowed except when security considerations require otherwise.
5. Movement shall be made during daytime only.
6. The convoy must not make unnecessary stops, especially along the highway to avoid incidents.
7. As much as possible, the inmates must be concealed from public view.

C. AT THE COURT

1. The Team leader must conduct prior coordination with the Court security.
2. Each escort must occupy a strategic position upon arrival at the court.
3. All entry and exit points must be secured.
4. Suspicious-looking persons inside the Court must be monitored and identified.
5. No unauthorized persons must be allowed to get near the inmates.
6. Inmates must not be allowed to talk with anyone except their lawyer, escorts and court personnel.
7. They shall not be allowed to go to the toilet or washroom alone.
8. No media interview shall be allowed for both the escorts and the inmates.
9. The close-in escorts shall not lose sight of the inmates at all times.
10. They shall not sit next to the inmate to prevent their firearms from being grabbed by the former, unless ordered by the Judge.
11. The vehicles must be parked in strategic locations.
12. The Team leader must give a clear and concise instruction in case there is a change of the route in going back to the jail.

D. UPON RETURN TO THE JAIL

1. Conduct debriefing.
2. The Team Leader should report to the Records Officer the outcome of the hearing.
3. Render report to higher office.

• IN CASE OF ASSAULT OR AMBUSH

During an assault or ambush, the jail escorts team shall secure the inmates while the augmentation team shall engage the attackers and perform other necessary actions.

A. During the assault
1. Take cover and assess the situation.

2. Return fire to repel or neutralize the attackers.

3. Immediately contact the nearest PNP Station, Military Camp/Detachment or Jail Facility.

4. Evacuate the inmates to a safe area.

5. If vehicle or motorcycles are involved, take note of their descriptions and plate numbers.

6. Take photographs or videos of the suspects or perpetrators including their firearms and vehicles or motorcycles.

B. After the encounter and the attackers have been neutralized or have fled

7. Administer First aid to the wounded or injured and bring them to the nearest hospital if necessary.

8. If the attackers flee, do not pursue them if doing so would jeopardize your security.

9. Preserve the crime scene and contact the PNP/law enforcement authorities.

10. If arrests would have to be made, read to them the Miranda Rights and observe standard arrest procedures. Restrain the attackers and turn them over to the police.

11. Conduct debriefing and submit the incident report to proper authorities.

12. Inform the Court regarding incident.

VI. EFFECTIVITY

This SOP shall take effect immediately.

DIONY D. MAMARIL, CES (E)
Jail Chief Superintendent
Officer-in-Charge, BJMP
MEMORANDUM

TO : Regional Director, BJMP-NCR

SUBJECT : Concerns on Security Augmentation

DATE : 06 October 2004


2. It has been noted that jail personnel detailed as escorts no longer perform their functions once they see the presence of augmentation teams from the National Office. In this connection, direct all jails within your Area of Responsibility (AOR) to include in their request the following information:

   a.) Schedule of court hearings of high-risk and high-profile inmates.

   b.) Number of jail personnel detailed as inmates’ escorts for a particular court hearing schedule.

   c.) Name of the team leader in a particular duty detail of escorts.

   d.) Number manpower requirement to augment jail personnel.

   e.) Pertinent information about particular personalities to be brought to court and imminent threats identified.

3. In reference to paragraph #2, letter c. be advised that no member of the augmentation team from the National Office must be directed to sign the jail’s logbook purposely to take custody of inmates being brought to court. Be further advised to correct what happened on 04 October 2004 (Refer to MMDJ logbook entry dated 04 October 2004 signed by JO2 Richard Laurio of the HRRM-NO), considering that it is the function of the detailed team leader of the jail’s escorting team and that the function of teams from the National Office is only of reinforce security.

4. Further, be advised to make your request a week before schedule and inform the National Office of any changes thereof to avoid confusion as what happened on 06 October 2004.
5. It has also been noted that the MMDJ misconstrue their requests as they asked for an augmentation team only to find out that all they need is a vehicle. Be specific with the requirements as not to hamper operations at the National office.

6. For information.

ARTURO W ALIT, CESO IV
Director (DPA)
Chief, BJMP
MEMORANDUM

TO : ALL REGIONAL DIRECTORS
    ALL WARDENS

SUBJECT: Coordination in the Transfer of Inmates

DATE : 14 July 2014

1. These guidelines will not cover transfer of inmates initiated by the courts at their own instance, but only transfers initiated by the jails, provincial and regional offices of the BJMP.

2. The usual reasons cited for inmate transfer is either the inmate is troublesome or incorrigible, a serious security risk or the jail is over congested. It is noted with concern though that transfers are initiated with the courts without proper and prior coordination with the receiving jail, provincial or regional offices. This results to an undue transfer of burden from one unit to another regard to the capacity of the receiving unit to absorb without sacrificing its operational integrity or due consideration of its capability to accommodate an inmate especially if classified a high profile/risk.

3. To rationalize such transfer the following guidelines should be followed:

   3.1 Transferring of inmate from one jail to another jail within the same region;

       a. The jail initiating transfer should have prior lateral coordination and consultation with the prospect recipient jail to determine its peculiar circumstances such as availability of manpower and other resources, congestion rate, vulnerability to attack or escape and other surrounding circumstances vis-à-vis the classification of inmate sought to be transferred before requesting the regional office and the court for the transfer.

       b. The initiating jail must request and secure petition for transfer of Place of Detention only, from the proper court in case that the prospect recipient jail is adjacent or located within a safe distance
from the court hearing the case of the inmate. In case that the prospect recipient jail is too far from the court hearing the case, a petition for Transfer of venue must be filed with the Supreme Court along with the petition for Transfer of Place of Detention, following the guidelines set forth in Memorandum dated 31 July 2008 re: Transfer of Provincial, City and Municipal Prisoners to Vacant Or Not Crowded Jails and with reference to Memorandum re: Guidelines of Reporting of Overstaying Inmates pursuant to Article 29 of the Revised Penal Code, Insular Prisoners and Children in Conflict with the Law (CICL) under BJMP Custody dated 03 October 2013.

c. The releasing jail should also take into consideration the jail population of the recipient jail in order to avoid jail congestion.

d. In case the initiating jail had a prior approval of the Regional Office regarding such transfer without coordinating and consulting with the prospect recipient jail, the Regional Office concerned shall ensure that the jail where the inmate is sought to be transferred is not over congested, and that it would be able to adequately meet the security requirements. The Regional office should immediately inform the receiving jail of the impending transfer.

e. In case of disagreement between the concerned jail units and or refusal of the prospect recipient jail for any reason, the issue shall be resolved by the Regional Office which has jurisdiction over the two jails.

3.2 Transferring of inmate from one region to another region:

a. When transferring an inmate from one region to another, the initiating jail thru its regional office should make a prior lateral coordination and consultation with the prospect recipient jail thru the regional office having jurisdiction over it, to determine its peculiar circumstances such as availability of manpower and other resources, congestion rate, vulnerability to attack or escape and other surrounding circumstances vis-à-vis the classification of inmate sought to be transferred before requesting the National Headquarters and the Supreme court for the transfer.

b. The initiating jail must request and secure approval of petition for Transfer of Place of Detention and petition for Transfer of Venue from the proper court.

c. The initiating jail thru its regional office should also take into consideration the jail population of the prospect recipient jail in order to avoid jail congestion.
d. In case that the initiating jail thru its regional office had a prior approval of the National Headquarters regarding such transfer without coordinating and consulting the prospect recipient jail and regional office having jurisdiction over it, the concerned national Headquarters Office shall ensure that the jail where the inmate is sought to be transferred is not over congested, and that it would be able to adequately meet the security requirements. The concerned office of the National Headquarters should immediately inform the receiving jail of the impending transfer.

e. In case of disagreement between the concerned regions and or refusal of the prospect recipient region for any reason, the issue shall be resolved by the BJMP National headquarters.

4. Transfers of inmates may only be effected on the basis of court orders except as provided under the Rules of Court and pertinent laws.

5. The initiating unit must, as much as possible, work out its best efforts so that the transfer of place of detention will coincide with the transfer of venue of the case

6. For guidance and strict compliance.

**DIONY D MAMARIL, CES (E)**
Jail Chief Superintendent
Officer-in-Charge, BJMP
MEMORANDUM

TO : All Regional directors
     Wardens and Wardresses

SUBJECT : Guidelines Governing Transfer of Venue

DATE : 10 March 2014

1. It has been keenly observed that in several instances, some Regional
   Offices had made a request purposely for the BJMP-NHQ to intercede and make the
   necessary representation before the Supreme Court for a change of venue involving
   a case of inmates who have been detained with the BJMP. The underlying reason
   for the requests were shrouded, within the context of serious security threats and
   safety concerns of the inmates as well as the escorting personnel, which threats,
   may be dealt with by transferring the venue of trial.

2. Taking full cognizance of the authority of the Supreme Court to
   change the place of trial under Section 5 (4) Article VIII of the 1987
   Constitution, it is imperative to adopt and formulate the following guidelines that
   will govern requests for transfer of the place of trial involving inmate under BJMP
   custody.

   a. The requesting party/region may directly channel its request for change
      of venue to the Supreme Court if there are weighty reasons to believe that
      serious security threat exists provided that prior coordination with the
      Prosecutor shall be done and his/her written comment must be secured
duly cognizant of the latter’s authority and control in the prosecution of the
      case;

   b. The requesting party/region may endorse its request to the BJMP-NHQ
      for the latter to make the necessary representation provided that prior
      coordination with the prosecutor has already been made and the necessary
      written comment shall be obtained by the requesting party, provided
      further that a claim of serious security threat must be factually
      substantiated. Upon receipt of the request, the same shall be evaluated and
      if warranted, additional documents or information may be required from the
      requesting party/region;
c. In sensational cases and High-risk/High profile prisoners, the BJMP-NHQ may, on its own, take initiative for the request of change of venue if warranted under the obtaining circumstances so as to prevent the needless loss of life, but guided by the requirements of the immediately preceding paragraph.

3. In pursuance thereof, any request forwarded to the BJMP-NHQ for representation but does not comply with the foregoing requirements shall be a ground to return such request back to the requesting party/region without prejudice to have it filed directly by the latter as it sees fit.

4. For guidance and strict compliance.

**DIONY D MAMARIL, CES (E)**
Jail Chief Superintendent
Officer-in-Charge, BJMP
MEMORANDUM

TO : All Regional Directors

SUBJECT : Additional Guidelines re: Transfer of Insular Prisoners

DATE : 23 July 2014

1. Reference:
   a. Presidential Decree No. 29 otherwise known as an act “Amending Subparagraph (D) of Section 1739 and Subparagraph (B) of Section 1740 of the Revised Administrative Code dated October 25, 1972
   b. SC Administrative Circular No. 2 dated December 2, 1976
   c. OCA Circular No. 4-92-A dated 20 April 1992
   d. OCA Circular No. 26-2000 dated 23 March 2000
   e. OCA Circular No. 40-2013 dated 13 March 2013

2. Considering our experience in the transfer of insular prisoners, particularly; a) the refusal of some judges to issue mittimus order if an inmate has other pending cases with the local courts, b) verbal comment of BuCor Director that transfer to BuCor of inmates with pending cases will unnecessarily constrain their resources; there is a felt need in the exigency of the service to provide additional guidelines in the transfer of insular prisoners with pending cases.

3. In OCA Circular No. 4-92-A, the SC directed the transfer of inmates to BuCor even if on appeal if the penalty or the aggregate of inmate’s penalties are more than three (3) years.

4. Moreover, in OCA Circular No. 40-2013, the SC directed the judges to issue appropriate document required for the transfer of insular inmates such as mittimus or commitment order, decision, certificate of non-appeal or notice of appeal, certificate of non-pending case, certificate of detention and detainee’s manifestation.

5. It is noted however, that both circulars are silent concerning the treatment of those who are sentenced with imprisonment of more than three (3) years but are facing other pending cases before the local courts. Verily, the
previous position of transferring such inmates appear to be working against the interest of public service particularly public safety and runs counter to cost-effective governance as it entail more resources to be spent to escort inmates from BuCor to local courts and vice versa for trial.

6. It bears stressing though that inmates sentenced with the penalties of either reclusion perpetua or life imprisonment should be transferred immediately regardless of the pendency of other cases considering their high-risk status and on account of the express provision of the Rules of Court requiring the permission by the Supreme Court for every movement or transfer of such convict. Also, the court in SC Administrative Circular No. 2 dated December 2, 1976 directed the hearing of cases so situated, to be conducted within the confines of BuCor facilities to preclude escape.

7. Considering the foregoing, this office finds it imperative to issue the following guidelines:

   a. All insular prisoners except those exempted under this guidelines shall be transferred within a non-extendible period of thirty (30) days from the date of promulgation of sentence.
   b. Insular Prisoners with pending cases except those penalized with Reclusion Perpetua or Life Imprisonment are not required to be transferred to the BuCor until the termination of all their pending cases.
   c. Insular Prisoners penalized with reclusion Perpetua or Life Imprisonment shall be immediately transferred regardless of the pendency of other cases before the local courts.
   d. Insular Prisoners who applied for probation may not be transferred for a period not exceeding six months from date of application for probation. However, the inmates should be assisted in availing release on recognizance pending the approval of his application for probation.
   e. Insular Prisoners with cases on appeal but with no other pending cases before the local court should be transferred within a non-extendible period of 30 days from the date of Promulgation of sentence.
   f. Insular Prisoners who files Motion for Reconsideration may not be transferred to the BuCor until after the termination of the required proceedings. However, the succeeding Appeal cannot be used as a ground for the delay of his transfer.
   g. An Insular Prisoner with pending case/s or Motion for Reconsideration with the local courts or has a pending application for Probation may still be transferred immediately if he poses considerable risk to the security of local jail or if the transfer is necessary to promote good order and discipline in the jail or the transfer is beneficial to the insular prisoner.

8. For guidance and strict compliance.
MEMORANDUM

TO: All Regional Directors

SUBJECT: Revised Policy on Visitation in BJMP-manned Jails

DATE: 02 March 2010

1. Reference:
   a) Previous Memoranda on Jail Visitation.
   c) RA 7438 “Rights of Persons Arrested, Detained or Under Custodial investigation”, promulgated on April 27, 1992.

2. To come up with a uniform rules on visitation our district, city and municipal jails, this Revised Policy on Visitation in BJMP-manned jails is hereby visitation but to strengthen the security of our jail facilities for the safety of both the visitors and the inmates.

3. Visiting days are from Tuesday to Sunday only. Monday is a non-visiting day and is reserved as inmates’ wash day and for the maintenance and clean-up of the entire jail facility.

4. Visiting hours will be from 1:00 p.m. to 5:00 p.m. from Tuesday to Friday. No visits shall be allowed in the morning to give way to IWD activities. During Saturday and Sunday, visiting hours is from 8:00 a.m. to 12:00 noon and from 1:00 p.m. to 5:00 p.m. but no visitor shall be allowed to visit in the afternoon if he/she has already visited in the morning.

5. Exempted from the provisions on the limitations on days and visiting hours are lawyers or medical doctors especially when the inmate needs immediate medical attention.

6. Who may be allowed visits:

   An inmate shall be allowed visits by or conferences with the following:
a) any member of his immediate family, which shall include his or her spouse, fiancé or fiancée, parent or child, brother or sister, grandparent or grandchild, uncle or aunt, nephew or niece, guardian or ward, and friends, if it can be ascertained that the association or friendship is a genuinely constructive one;

b) any medical doctor or priest or religious minister chosen by him or by any member of his immediate family;

c) his counsel (lawyer);

d) any national non-governmental organization duly accredited by the Commission on Human Rights or by any international non-governmental organization duly accredited by the Office of the President; and

e) personnel from the Commission on Human Rights (CHR) upon presentation of a valid I.D. and Mission Order from their Regional Director or the Commission proper, without the need for a prior clearance from higher authorities.

7. Visitors for each inmate should be limited to five (5) persons while those for high-risk inmates should be limited to two (2) persons only, at any given time. The visiting time for high-risk inmates is from thirty (30) minutes to one (1) hour only, subject to the discretion of the Jail Warden.

8. Upon admission, the inmate should provide a list of his/her authorized visitors including the pertinent data for their identification.

9. A visitors Logbook where the visitors’ name, age, sex, address, name of the inmate to be visited, their relationship, and time-in/time-out are indicated must be maintained. There should be a separate logbook for visitors of inmates charged with drugs cases. Likewise, a separate Visitors Logbook for high-risk inmates must also be maintained. From these logbooks, a visitors’ database including the visitors’ I.D. pictures must be compiled for future reference.

10. Visitors must present a valid I.D. card for their proper identification otherwise, they should be denied entry.

11. In big jails where there are many visitors who fall in line, waiting for their turn to be searched at the jail’s main gate, senior citizens or elderly visitors, including those who accompany them, must be given priority in entering the jail facility.
12. Inmates to be visited must wear the prescribed yellow t-shirts printed with the name of the jail and the words “DETAINEE” at the front and “BJMP” at the back.

13. All memoranda, directives or orders, or parts thereof, which are contrary or inconsistent with this Memorandum are hereby repealed or modified accordingly.

14. For guidance, widest dissemination and strict compliance.

ROSENDO M DIAL, CESO III
Jail Director (DSC)
Chief, BJMP
MEMORANDUM

TO : All Regional Directors

SUBJECT : Supplemental Guidelines to the Revised Policy on Visitation in BJMP-manned Jails dated 02 March 2010

DATE : 30 May 2011

1. References:
   a) Revised Policy on Visitation in BJMP-manned Jails dated 02 March 2010;
   b) BJMP Manual (Revised 2007); and

2. To have a more definite policy on jail visitation, the following supplemental guidelines are issued:
   a) In urgent cases, a physician, or religious minister or the inmate’s counsel or members of his immediate family may be allowed visits for up to two (2) hours in the morning from Monday to Friday upon certification in writing by the visiting party that the visit is truly urgent;
   b) Cases which may be considered urgent are when the inmate must be immediately attended to such as during medical emergencies, where the services of a lawyer is urgently needed, when an inmate needs to be visited or cared for while sick, and under any other analogous circumstances;
c) During night time, an urgent visit may only be allowed if the security of the jail facility would not be compromised by such visit. Said visit shall also not exceed two (2) hours and a certification as to the urgency of the visit must be executed by the concerned visitor;

d) A private nurse or Medical Doctor for an inmate with a special medical condition as certified by a BJMP physician, requiring a continuing or round-the-clock services may be allowed to stay inside the jail but only at the jail’s Infirmary under close supervision of jail personnel. An inmate thus situated shall be treated or cared for by the nurse or doctor at the jail’s infirmary only, but immediately afterward, he must be returned to his cell;

e) Delivery of prepared foods by the inmate’s relatives during regular meal time is allowed, subject to inspection and approval by jail officials. No personal or private cook shall be allowed to prepare or cook food inside the jail facility; and

f) Inmates’ visitors shall at all times stay at the Visiting Area only. In no case shall they be allowed to enter the jail’s cells.

3. All provisions of the Memorandum, re: Revised Policy on Visitation in BJMP-manned Jails dated 02 March 2010 not affected by this guidelines shall remain effective.

4. For guidance and strict compliance.

DORIS REMEDIOUS-DORIGO, CESO V  
Jail Chief Superintendent       DSC  
OIC, BJMP
MEMORANDUM
CIRCULAR NO. 2006-02

TO : All Regional Directors
SUBJECT : BJMP Incident Management System (IMS)
DATE : 28 May 2006

I. REFERENCES:

1. BJMP Manual;
2. Presidential Decree No. 1566: Strengthening of the Philippine Disaster Control Capabilities and the establishment of the national program on community disaster preparedness;

II. Concept:

This is a comprehensive policy which prescribes the minimum standard that must be met for managing critical incidents. This provides the necessary structure, as well as determines the chain-of-command for an organized response to a critical incident.

III. PURPOSES:

This Policy aims to:

1. Establish a command system that will allow incident commander to effectively apply standard management principles of planning, organizing, delegating, coordinating, staffing and evaluate the control of crisis situations.
2. Ensure appropriate response to any critical incidents by instituting a pre-planned set of actions that will be taken as necessary in response to a crisis situation.

IV. SCOPE:
The provision of this policy shall take effect nationwide

IV. CONCEPT OF OPERATION:

A. Incident Command Post

1. The primary function of the Incident Command Post is the management of the critical incident.
2. The Incident Commander shall activate the contingency plan, which includes actions as documented on the checklist(s) for specific incidents. All necessary checklists are located in the attached appendices.

B. Incident Commander Responsibilities

1. The Incident Commander shall respond according to five (5) level of responses:

   Level A - Initial Response

   a.1 designate an employee to oversee the deployment of the inner perimeter. The inner perimeter leader shall be the team “A” leader. The inner perimeter shall monitor the perimeter of the incident to the extent possible to keep the incident contained and provide the incident commander with information; and

   a.2 designate an employee to oversee the deployment of the outer perimeter. The outer perimeter leader shall be the team "B" leader and shall deploy the group outside the inner perimeter to limit access of the unauthorized staff and inmates in order to create a buffer zone between the affected area and rest of the facility. The outer perimeter may assist in the evacuation of staff and uninvolved inmates or the detaining of involved inmates.

   a.3 the size of the teams shall be determined by the incident commander during the development of the contingency Plans.

   Level B - Activation of the Quick Response Team (QRT)

   The Incident Commander has the authority and discretion to respond appropriately to a critical incident this includes decisions to authorize weapons into the facility, initiate mutual aid call-up, and the use of force, including the use of lethal force to control a disturbance and/ or a hostage situation. After an evaluation of the critical incident, the Incident Commander may activate the Quick Response Team (QRT).

   Level C - Request Augmentation from the adjacent jail’s QRT
Whenever necessary, contact and request augmentation from Neighboring jail Quick Response Team (QRT) shall be made.

Level D - Activation of the BJMP STAR Team

The Incident Commander has the authority to activate the Regional Office Special Tactics and Response Team (STAR Team). Contact should be made to the Regional Office Operation Section for activation of STAR team.

Level E - Request Augmentation from other Law Enforcement Agencies.

When the BJMP has exhausted all its effort and resources, request for augmentation from the other Law Enforcement Agencies must be made. Responding Law Enforcement Agencies shall respond according to its duties and responsibilities provided in the inter-agency agreement during crisis situation.

Law Enforcement Agencies shall be furnished with an update copy of the jail Contingency Plans subject to the approval of the Regional Office.

2. The Incident Commander shall designate an employee to assume specific duties during a critical incident. If necessary, the following staff assignments are members of the Command Staff:

   a. the liaison Officer serves as the point of contact for other agencies;

   b. the Jail manager is responsible for directing the operations of the non-affected areas of the jail;

   c. the Safety Officer’s Function is to develop and recommend measures for assuring personnel safety, and to assess and/or anticipate hazardous and unsafe situations;

   d. the recorder will develop and maintain an accurate and complete written record of the actions and activities of the incident Commander;

   e. the Public Information Officer (PIO) shall be responsible for entertaining the media personalities and shall release information only upon the approval of the Incident Commander.

3. The Incident Commander may designate an employee to assume the duties of the General Staff, if necessary; the following staff assignments are members of the General Staff:
a. the Operations Section Chief is responsible for development and management of the Operation Section. He/She ensures the implementation of the incident Action plan.
b. the Planning Section Chief is responsible for development and management of the Planning section. He/she is responsible for the development of the incident Action Plan.
c. the Logistics Section Chief is responsible for development and management of the Logistics section; and
d. the Finance/ Administration Section Chief is responsible for development and management of the finance/ administration section.

4. In addition, the Incident Commander shall:

a. manage the critical incident and determine the immediate priorities;
b. establish the incident objectives and approve the incident action plan;
c. activate and collapse the Command Staff and General Staff to meet the needs of the incident. (General Staff section Chiefs’, in turn, has the authority to expand and collapse internally to meet the needs of the situation;
d. be responsible for any position and responsibilities not activated in the Command Staff and General Staff section;
e. authorize all media release;
f. release resources and approve requests for additional resources;
g. ensure safety measures are in place; and
h. order demobilization.

C. Chain of Command

1. The Highest-ranking jail officer present at the facility at the time of an incident shall be the Incident Commander.

2. The Chain of Command in a critical incident at a jail facility shall be:

   a. Jail Warden
   b. Deputy Jail Warden
   c. Duty OD

3. When necessary, the Regional Office may designate a trained incident Commander to ensure effective control over the crisis situation.

4. A transfer of command shall not occur until a thorough briefing has been done and all operation areas of the facility are notified of the transfer.

D. Notifications
1. After the confirmation of a critical incident, the Incident Commander shall ensure that the Regional Office is notified immediately.

2. The appropriate friendly forces shall also be notified. Depending on the circumstances, this may include:
   a. PNP;
   b. BFP;
   c. Neighboring communities via the Communication Alert Network (CAN).

E. The National Headquarters Office Responsibilities

The National Headquarters Office shall monitor all critical incidents and may, if appropriate and necessary, provide direction, assistance and resource management to the jail experiencing a critical incident.

F. The Regional Office Responsibilities

The Regional Office shall:
   a. provide notification and periodic updates to the BJMP National Headquarters Office.
   b. notify and/or activate the Regional Special tactics and Response (STAR) Team, when necessary;
   c. maintain communication with the affected family;
   d. maintain and continuously log of information;
   e. coordinate the release of information to the media at the National Headquarters Office level through the Office of the Chief BJMP.
   f. assess the need for staff and other logistical support from unaffected neighboring jails;
   g. ensure any necessary staff recalls are conducted;
   h. develop/implement work and relief schedules for Regional Office staff involved in assisting with critical incident;
   i. if necessary, deploy management staff from adjacent jails to provide relief to the Incident Commander and other specialized function personnel of the jail;
   j. assign personnel from Regional Office and/or unaffected jail to assist in managing the demobilization of the affected jail;
   k. provide legal advice through the Regional Office Chief Legal Service;
   l. provide additional logistical Support, when necessary, monitor deployment of resources and personnel and monitor associated costs;
   m. review and approve demobilization plans; and
n. ensure critical Incident stress debriefings for involved staff are schedule/conducted immediately after the resolution of the incident.

V. Specialized Teams

1. Special Tactics and Response (STAR) Team
   a. Each BJMP Regional Office shall organize and maintain in at least one (1) 20-man STAR team, consisting of a weapons unit and a negotiations unit.
   b. STAR-Weapons Unit shall be composed of 15 staff and a weapons unit commander.
   c. STAR-Negotiations unit shall be composed of primary negotiator, secondary negotiator, intelligence negotiator and the negotiation unit commander.
   d. The STAR team shall be equipped with the necessary gears and trainings for any critical incidents.
   e. Within the scope of the Incident Management System, STAR team members shall be designated as part of the D Level response.

2. Quick Response Team (QRT)
   a. Each jail shall establish a full-strength QRT with ten members, consisting of a Weapons Unit and Negotiations Unit.
   b. Weapons Unit shall be composed of 6 staff and weapons unit commander.
   c. Negotiations Unit shall be composed of primary negotiator, secondary/intelligence negotiator and the negotiations unit commander.
   d. The Warden shall ensure that all QRT members have complete QRT training prior to assignment and are qualified with all team weapons.
   e. QRT members shall be re-qualified on all team weaponry annually.
   f. Staff assigned to QRT must be drawn from on duty-personnel. Consistent with desired response time and available staff, the warden may designate adjacent jails QRT teams support each other, but only where such designation is done consistently to avoid any confusion as to assignment and response requirements.
   g. At a minimum, the QRT commanders shall be familiarized with the physical environment of the adjacent jails to which the team may provide support.
   h. A QRT who deploys from one jail to re-enforce an adjacent jail’s QRT, shall draw their own weapons, ammunitions and equipment prior to departing for the jail they are supporting. Positive controls shall be in
place to ensure accountability of these items while re-enforcing the other jails.

i. The QRT shall arm themselves with only the authorized weapons, munitions and necessary equipment.

j. QRT members shall be designated as part of the B Level response at the beginning of each appropriate shift. QRT members from unaffected jail may provide augmentation to other jails as part of the C Level response.

k. QRT members initially deployed as part of a spontaneous A Level response should be relieved as soon as practical anticipation of a B Level commitment.

l. The QRT-weapons unit commander shall be designated as QRT-armorer who shall ensure accountability of all weapons and equipment and be familiar with accessing the armory(s) and all areas where security and Critical Incident Management equipment is stored.

m. Jails that do not have enough personnel to compose a 10-man QRT may create a 5-man QRT consisting of 3-man weapon unit, 1 negotiator and a QRT commander.

VI. Development of Contingency Plans

1. The Regional Office shall:

   a. act as a resource/advisor to jail contingency plans. Conduct meetings as necessary to ensure the dissemination of current information;
   b. conduct one (1) major exercise and two (2) drills annually (at a minimum);
   c. monitor, coordinate and evaluate jail facility exercise and drills; and
   d. conduct unannounced drills at jail facilities.

2. Each Jail shall

   a. develop and maintain critical incident management plans and must be updated as necessary in accordance with the policy;
   b. develop a notification and call-up system;
   c. develop exercise and drill scenarios;
   d. ensure the Facility Incident Command Post is properly equipped and all critical incident plans stored there are accounted for and/or updated;
   e. maintain the checklist and post orders which outline procedures of the various support functions. Additional post orders may be developed to assist staff as necessary.
   f. include mobile phones and telephone numbers in the Command notifications section;
   g. predetermine sites for parking vehicles and mustering support staff.
h. predetermine an area (outside the facility perimeter) large enough to accommodate the Special Teams, as well as staging of the emergency support service area (i.e., inmate family service, staff family service area, media relations, etc...).

3. Each jail must follow a single tactical approach, which is applicable to all or most critical incident situations. The 5-steps tactical plan must be integrated as part of the jail contingency plans. The 5-step tactical plan phases are reporting, containment, mobilization, response, and recovery.

3.1 Reporting

a. An employee who encounters a critical incident situation shall report incident to the warden or in his absence, to the next higher ranking officer present in the facility prior to attempting to respond to the situation. The reporting employee shall include the following information, if possible:

1. his/her name and location;
2. location of the incident;
3. nature of the incident;
4. number of inmates/ staff involved;
5. weapons involved; and
6. any other necessary information.

b. If the report is received from an identifiable staff member and sufficiently detailed, the facility critical incident plan can be immediately implemented. If however, verification is needed, the following can be done:

1. contact staff in close proximity to the area; or
2. the Warden/Incident Commander can dispatch immediately Response Team A to scout or probe the area. The Warden/Incident Commander shall not personally verify.

c. Staff shall use extreme caution when entering a potentially dangerous area/situation to guard against an inmate setup; backup staff shall always accompany the response team.

d. Once the critical incident is verified, the Incident Commander shall mobilize the critical incident plan, initiate a log, announce command, and restrict communication.

3.2 Containment
a. Once verified, isolation and containment of the critical incident are essential in reducing the possibility of involvement of other areas or additional inmates.
b. The Incident Commander shall activate the Immediate Response Teams (teams A, B, etc...). When an incident is reported and assistance is needed, these teams will be the initial response teams.
c. Every inmate shall be secured in his/her cell/housing unit. Those not in a housing unit shall be placed in the nearest area providing adequate security. All internal security posts shall be double-manned to the extent possible.
d. A headcount of staff, visitors, volunteers and inmates shall be initiated.

3.3 Mobilization

a. Notifications shall be made to Jail Administrative Staff, Regional Office, National Headquarters Office, initiate staff callbacks and possible support agencies.
b. Activate notifications of special teams and recall jail personnel, as applicable.
c. Contingency plan shall be activated to deal with the critical incident.
d. Staff shall not fail to evacuate an inmate from a life threatening condition.
e. In a hostage situation or other kind of inmate disturbance, evacuation of the area with the outer perimeter shall begin as soon as possible. However, caution must be taken not to unjustifiably compromise the containment security during this process.

(1) Every inmate and non-involved staff be moved behind the lines of the outer perimeter.
(2) Every individual in danger shall be evacuated:

   (a) First priority shall be given to any individual inside the inner perimeter;
   (b) Second, every individual in exposed areas to threats of any sort shall be evacuated; then
   (c) Individual(s) in more exposed areas but within the outer perimeter shall be evacuated.

(3) An evacuee shall be held at a designated location for identification and debriefing purposes. The intelligence Officer/designee shall debrief every evacuee. An inmate evacuee shall be considered as a suspect until proven otherwise.
f. Man-Made (Outside Assaults, fire, etc...) or natural Disasters (Earthquake, Floods, etc...) may require the total or partial evacuation of a facility. To address the needs, the Jail Operation Section shall develop evacuation Plans to address on-site gradual, off-site immediate and off-site gradual evacuation plans. Evacuation plans shall identify predetermined travel routes to off-site locations, which shall be approved by the Regional Office Operations section. Should the evacuation site not be the property of the bureau, written agreements shall be secured, included in the facility critical incident plans and be updated annually.

g. Defend in place tactics shall be employed in those critical incidents when an imminent danger exists and evacuation is not possible or logistical support cannot arrive in time to safely transport staff and inmates to a safer environment. The Jail Operation section shall inspect the facility and identify those areas suited to safely house inmates and protect staff.

3.4 Response

a. Response to every critical incident involves two different tactics and strategies. However, during all critical incidents, staff actions shall be directed from the Incident Command Post.

b. Special Critical Incidents Checklist, which may contain possible response options for each specific type of critical incident, are attached in appendices.

c. The primary goal of the response step is to:

(1) Respond to violent or potentially violent critical incidents with minimal necessary force;
(2) Continue to isolate and contain the incident operations;
(3) Establish control and restore order as quickly as possible;
(4) Prevent escapes during critical incident operations;
(5) Maintain the personal safety of staff, innocent bystanders (visitors, volunteers, the public, inmates, etc...), inmates who may be involved in or creating the critical incident; and
(6) Minimize the impact of the critical incident on the rest of the facility and the surrounding community.

3.5 Recovery

Once the critical incident is contained, a demobilization plan shall be drafted and forwarded to the Regional Office for review/approval. The regional office shall determine whether a sufficient number of management staff is present to properly
manage the demobilization process. The plan shall be activated when it has been approved by the regional Director. The plan shall include, but not be limited to:

a. monitor staff and inmate interaction by specific management personnel, including:

   (1) Account for all staff, visitors and inmates, keys, tools, equipment;
   (2) Restrain inmates;
   (3) Search inmates, all areas, inmate property, preserve areas of crime scene for and the collection and preservation of evidence;
   (4) Escort inmates to a secure area;
   (5) Separate inmates-involved versus non-involved;
   (6) Place inmates in a secure areas with the security measures in place;
   (7) Transport involved inmates to other facilities; and
   (8) Request PNP-SOCO assistance in the conduct of a crime scene investigation.

b. evaluate the medical condition of staff and inmates;
c. inspect the physical plant, primarily security barriers, locking device and safety issues;
d. debrief/defuse involved staff, reports, videotapes collected prior to being relieved from critical incident;
e. interview/interrogate the inmates based on his/her known level of involvement;
f. monitor the critical incident stress management plan for staff, ensure mental health practitioners are available and provided an assessment of involved staff;
g. record and videotape the demobilization process. Once the demobilization phase is over, collect and submit all applicable documentation to the Regional Office;
h. develop a step-down plan to assist with the returning of the facility to normal conditions;
i. ensure the accountability of those inmates transported to local hospitals for treatment and those transferred to other facilities; and
j. demobilize the Incident Command Post.
VII. Frequency of training for the various Emergency Responders

A. All personnel involved in Incident Management System (IMS) training are required to conduct “A” and “B” Level response monthly on all shifts.
B. Quick Response Team (QRT) members are required to respond on a monthly basis on each shift.
C. “C” Level response must be rehearsed on a quarterly basis
D. All STAR team members are required to practice eight (8) hours each month in addition to their regular work schedule.
E. A “D” Level response is to be practiced on a semi-annual basis, or twice per year.
F. Lastly, an “E” Level response is to be practiced on an annual basis, involving multiple agencies.

VIII. REPEALING CLAUSE:

All circulars which are inconsistent with this directive are hereby rescinded or modified accordingly.

IX. EFFECTIVELY:

This policy shall take effect upon approval.

Approved and signed this 28th day of June 2006 in Quezon City, Philippines.

ANTONIO CABIL CRUZ, Ed.D.
Chief Superintendent (DSC)
Officer-in-charge, BJMP

Bureau of Jail Management and Penology
**Critical Incident Check List**  
**Inmate Disturbances (IMS Appendix A)**  
The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REPORT:</strong></td>
</tr>
</tbody>
</table>
| 1. Verify the facts  
  A. Location of the incident  
  B. Nature of incident  
  C. Identify staff involvement  
  D. Identify inmate involvement  
  E. Identify any injuries  
  2. Assess the situation to determine if the IMS should be activated.  
  3. Assess the situation to determine if the CAN (Community Alert Network) should be activated  
  4. Sound alarm  
  5. Announcement of Command  
  6. Restriction of Communication  
  7. Establish a log of the events  
  8. Lock down the facility  
  9. Conduct emergency count  
  10. Command notifications (Regional Office)  
  11. Medical department  
  12. Notify on duty staff of situation  
  13. Recall QRT  
| **CONTAIN:** |
| 14. Secure entrance and exits  
  15. Ensure inner perimeter is in place _____, assign a leader _____, adequately staffed and equipped _____, and communications established ____.  
  16. Ensure Outer Perimeter is in place _____, assign a leader _____, Adequately staffed and equipped ____ and Communications Established _____.  
  17. Activate Command Center  
  18. Account for Staff, visitors and inmates  
| **MOBILIZE:** |
| 19. Assign appropriate Command staffs and General Staffs  
  20. Gather information and evaluate situations  
  21. Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)  
  22. Develop plan to regain control  
  23. Recall necessary staff  
  24. assemble equipment, vehicles and weapons  
  25. Conduct facility operations assessments |
## Critical Incident Check List

### Inmate Disturbances (IMS Appendix A)

The Commander's actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

### RESPOND:

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>26.</td>
<td>Deploy staff to affected area</td>
</tr>
<tr>
<td>27.</td>
<td>Ensure following for area evacuation</td>
</tr>
<tr>
<td>A.</td>
<td>Inner Perimeter</td>
</tr>
<tr>
<td>1.</td>
<td>Route(s) of evacuation</td>
</tr>
<tr>
<td>2.</td>
<td>Safety</td>
</tr>
<tr>
<td>3.</td>
<td>Secure holding area(s)</td>
</tr>
<tr>
<td>4.</td>
<td>Number of evacuees at a time</td>
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<tr>
<td>B.</td>
<td>Outer Perimeter</td>
</tr>
<tr>
<td>1.</td>
<td>Routes(s) of evacuation</td>
</tr>
<tr>
<td>2.</td>
<td>Safety</td>
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</tr>
<tr>
<td>4.</td>
<td>Number of evacuees at a time</td>
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<tr>
<td>5.</td>
<td>Staff for escort/containment/book up</td>
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<tr>
<td>28.</td>
<td>Issue order for inmate to evacuate area specified routes and numbers.</td>
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<tr>
<td>29.</td>
<td>Debrief evacuees</td>
</tr>
<tr>
<td>30.</td>
<td>Re-evaluate situation</td>
</tr>
<tr>
<td>A.</td>
<td>Is Assault necessary</td>
</tr>
<tr>
<td>B.</td>
<td>Determine degree of force necessary to resolve</td>
</tr>
<tr>
<td>C.</td>
<td>Ensure sufficient man power and equipment are present</td>
</tr>
<tr>
<td>31.</td>
<td>Initiate resolutions actions</td>
</tr>
<tr>
<td>A.</td>
<td>Order involved inmates to disperse (Interrogate and debrief)</td>
</tr>
<tr>
<td>B.</td>
<td>If order is ignored, assaults on Commander's orders</td>
</tr>
<tr>
<td>C.</td>
<td>Ensure documentation of when use of force commenced and ended</td>
</tr>
<tr>
<td>D.</td>
<td>Refer to mass casualties checklist</td>
</tr>
<tr>
<td>32.</td>
<td>Contact Emergency Family Notifications (Staff)</td>
</tr>
</tbody>
</table>

### RECOVER:

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<tr>
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<tbody>
<tr>
<td>33.</td>
<td>Announce to all Command Notifications of resolutions actions</td>
</tr>
<tr>
<td>34.</td>
<td>Conduct medical review</td>
</tr>
<tr>
<td>35.</td>
<td>Account for all staff, visitors and inmates</td>
</tr>
<tr>
<td>36.</td>
<td>Secure scene/area for investigation</td>
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<td>37.</td>
<td>Preserve all evidence</td>
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<tr>
<td>38.</td>
<td>Conduct damage assessment</td>
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<td>39.</td>
<td>Repair/replace property</td>
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<tr>
<td>40.</td>
<td>Debrief staff and others involved</td>
</tr>
<tr>
<td>41.</td>
<td>Conduct Operation Greyhound</td>
</tr>
<tr>
<td>42.</td>
<td>Return to update operations plan</td>
</tr>
<tr>
<td>43.</td>
<td>Complete all documentation and reports</td>
</tr>
<tr>
<td>44.</td>
<td>Deactivate Command Posts</td>
</tr>
</tbody>
</table>
Critical Incident Check List
Hostage Situation (IMS Appendix B)

The Commanders Actions are not restricted or limited by the contents of this Checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN</th>
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<tbody>
<tr>
<td>REPORT:</td>
</tr>
<tr>
<td>1. Verify the facts</td>
</tr>
<tr>
<td>A. Location of the incident</td>
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<tr>
<td>B. Nature of incident</td>
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<tr>
<td>C. Identify staff involvement</td>
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<tr>
<td>D. Identify inmate involvement</td>
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<tr>
<td>E. Identify weapons involved</td>
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<tr>
<td>F. Establish/identify initial negotiator</td>
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<tr>
<td>2. Assess the situation to determine if the IMS should be activated.</td>
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<tr>
<td>3. Assess the situation to determine if the CAN (Community Alert Network) should be activated.</td>
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<tr>
<td>4. Sound alarm</td>
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<tr>
<td>5. Announcement of Command</td>
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<tr>
<td>6. Restriction of Communication</td>
</tr>
<tr>
<td>7. Establish a log of the events</td>
</tr>
<tr>
<td>8. Lock down the facility</td>
</tr>
<tr>
<td>9. Conduct emergency count</td>
</tr>
<tr>
<td>10. Command notifications (Regional Office)</td>
</tr>
<tr>
<td>11. Medical department</td>
</tr>
<tr>
<td>12. Notify on duty staff of situation</td>
</tr>
<tr>
<td>13. Recall QRT</td>
</tr>
<tr>
<td>CONTAIN:</td>
</tr>
<tr>
<td>14. Secure entrance and exits and utilities</td>
</tr>
<tr>
<td>15. Ensure inner perimeter is in place _____, assign a leader _____, adequately staffed and equipped _____, and communications established ____.</td>
</tr>
<tr>
<td>16. Ensure Outer Perimeter is in place _____, assign a leader _____, adequately staffed and equipped ____, and Communications Established ____.</td>
</tr>
<tr>
<td>17. Activate Command Center assign command and general staff as required</td>
</tr>
<tr>
<td>18. Account for Staff, visitors and inmates</td>
</tr>
<tr>
<td>MOBILIZE:</td>
</tr>
<tr>
<td>19. Gather information and evaluate situations</td>
</tr>
<tr>
<td>20. Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)</td>
</tr>
<tr>
<td>21. Identify primary negotiator (QRT-Negotiators unit)</td>
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<tr>
<td>22. Identify negotiation site</td>
</tr>
<tr>
<td>23. Relocate all non-involved staff, visitors and inmates</td>
</tr>
<tr>
<td>24. Evacuate location/facility</td>
</tr>
</tbody>
</table>
**Critical Incident Check List**

**Hostage Situation (IMS Appendix B)**

The Commanders Actions are not restricted or limited by the contents of this Checklist. The situation will determine the priority of actions taken.

25. Develop response Options
26. Identify needed resources
   - **A. Equipment**
   - **B. Supplies**
   - **C. Medical services**
   - **D. Local support agencies**
   - **E. Recall staff as needed**
27. Conduct facility operations assessment

**RESPOND:**

28. Deploy staff to affected area
29. Ensure following for area evacuation
   - **A. Inner Perimeter**
     1. Route(s) of evacuation
     2. Safety
     3. Secure holding area(s)
     5. Number of evacuees at a time
   - **B. Outer Perimeter**
     1. Routes(s) of evacuation
     2. Safety
     3. Secure holding area(s)
     4. Number of evacuees at a time
     5. Staff for escort/containment/book up
30. Issue order for inmate to evacuate area specified routes and numbers.
31. Debrief evacuees, initial negotiator and other for direct information
32. Re-evaluate situation
   - **A. Is Assault necessary**
   - **B. Determine degree of force necessary to resolve**
   - **C. Ensure sufficient man power and equipment are present**
33. Initiate resolutions actions
   - **A. Order involved inmates to disperse (Interrogate and debrief)**
   - **B. If order is ignored, assaults on Commander’s orders**
   - **C. Ensure documentation of when use of force commenced and ended**
   - **D. Refer to mass casualties checklist (if necessary)**
34. Contact Emergency Family Notifications (Staff)

**RECOVER:**

35. Announce to all Command Notifications of resolutions actions
36. Conduct medical review of participants
37. Account for all staff, visitors and inmates
38. Assess the need to relocate participants
The Commanders Actions are not restricted or limited by the contents of this Checklist. The situation will determine the priority of actions taken.

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<table>
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<tbody>
<tr>
<td>39. Secure scene/area for investigation</td>
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<tr>
<td>40. Preserve all evidence</td>
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<tr>
<td>41. Investigate and debrief staff and others involved</td>
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<tr>
<td>42. Conduct Operation Greyhound</td>
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<tr>
<td>43. Conduct damage assessment</td>
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<td>44. Repair/replace property</td>
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<tr>
<td>45. return to update operations plan</td>
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<tr>
<td>46. Complete all documentation and reports</td>
<td></td>
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<tr>
<td>47. Deactivate Command Post Volume 1 Section 10</td>
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</tr>
</tbody>
</table>
Hostage Situation (IMS Appendix B-1)
STANDARD OPERATING PROCEDURE

1. Wardens and ultimate decision makers will not be negotiators.
2. A public information officer will be used to interact directly with the media after consultation with the incident commander.
3. General procedure will be contain and isolate the subject, evaluate the situation and negotiate as long as practical to assure a safe outcome for all concerned.
4. Barricade subjects will be negotiated and handled as crisis victims to the fullest possible extent.
5. Only properly trained personnel will be used as negotiators.
6. Officers who may be taken hostage will be treated in the same manner as all other hostages regarding negotiations, surrender and debriefing.
7. Negotiations will be instituted at the point that it is clear that a hostage situation is in progress, and will continue until the incident is resolved. Deaths surrounding the incidents occurring prior to the begging of negotiations will generally not be sufficient indication for tactical intervention; generally, deaths occurring after the advent of negotiations will provide sufficient indication for tactical intervention. Such decision is not made by the hostage negotiation team or tactical commander but by the incident commander.
8. The negotiations unit will be activated at the same time as the weapons unit is activated unless deemed inappropriate, or unless it is deemed appropriate to activate only the negotiations unit. Notifications procedures for the hostage negotiations unit will be the same as the notification procedure for the weapons unit.
9. Face-to-face negotiations will not be considered in the most instances unless deemed tactically necessary by the negotiations unit commander with concurrence of the weapon commander and incident commander.
10. All surrenders will be coordinated between the negotiations unit and the weapons unit.
11. The negotiations unit will debrief all situations, regardless of outcome, either immediate after resolutions of the incident or at a time and date designated by the negotiations unit commander.
12. All hostages released during or after the hostage incident will be debriefed immediately by the members of the negotiations unit for the purpose of (1) attending to their emotional needs, and (2) gathering additional intelligence.
13. The following are generally negotiable items:
   - Food
   - Beverages
14. The following are generally considered nonnegotiable items:

- Weapons
- Exchange of hostages for other hostages
- Exchange of jail officers for hostages
- Drugs
- Transportation
- Freedom
- Currency
- Choice of negotiators

15. Discontinuation of all utilities, including telephone, used by the hostage taker will be considered only after all members of weapons unit are in position and the negotiations unit has become operational. This provides for possibility of uninterrupted contact with the hostage taker by use of a secured line in the case of the telephone, and for additional items to be negotiated in the case of the utilities.

16. Emergency medical services, fire services, and all related emergency services will be contacted in accordance with the general orders.

17. Anything given to the hostage taker usually will be given only in return for something of value given by him or her. Such give and take is necessary for the continuation of success negotiation. Exception can be made at the discretion of the hostage negotiation unit commander with concurrence of the incident commander. Non hostage crisis situation will not fall under this rule.

18. Access will be restricted during hostage incident both the command post and to the hostage negotiation center. Guards will be posted, as necessary, to ensure compliance.

19. Tactical use of the negotiator will be considered and accomplished as necessary for the satisfactory resolution of the incident.

20. Rank or titles of the negotiators will not be used during negotiations.

21. Time will be regarded and used to the advantage of the negotiator.

22. Once it has been established, by whatever means that the hostages are safe only minimal attention will be given to them until their release.

23. Generally, members of the negotiation unit will not encourage hostages to attempt escape.

24. Incident logs will be maintained on all situations.
25. Selection of the primary and secondary negotiator in a particular incident will be accomplished by the negotiations unit commander after considering all of the attendant factors:

- Who is on the scene
- Who is likely to arrive on the scene
- Who is available
- Who made initial contact
- Who would be most effective under this particular circumstance
- The desire of the incident commander when considered with all other factors
- Time
### Critical Incident Check List
#### Escapes (IMS Appendix C)

The Commander’s actions are not restricted or limited by the content of this Checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REPORT:</strong></td>
</tr>
<tr>
<td>1. Verify the facts</td>
</tr>
<tr>
<td>a. Location of the incident</td>
</tr>
<tr>
<td>b. Nature of incident</td>
</tr>
<tr>
<td>c. Identify staff involvement</td>
</tr>
<tr>
<td>d. Identify inmate involvement</td>
</tr>
<tr>
<td>e. Identify weapons involved</td>
</tr>
<tr>
<td>f. Identify any injuries</td>
</tr>
<tr>
<td>2. Assess the situation to determine if the ICS should be activated.</td>
</tr>
<tr>
<td>3. Assess the situation to determine if the CAN (Community Alert Network) should be activated</td>
</tr>
<tr>
<td>4. Sound alarm</td>
</tr>
<tr>
<td>5. Announcement of Command</td>
</tr>
<tr>
<td>6. Restriction of Communication</td>
</tr>
<tr>
<td>7. Establish a log of the events</td>
</tr>
<tr>
<td>8. Lock down the facility</td>
</tr>
<tr>
<td>9. Conduct emergency count</td>
</tr>
<tr>
<td>10. Command notifications (Regional Office)</td>
</tr>
<tr>
<td>11. Medical department</td>
</tr>
<tr>
<td>12. Notify on duty staff of situation</td>
</tr>
<tr>
<td>13. Provide description of inmate(s) to agencies requiring information (Escape packets) to include:</td>
</tr>
<tr>
<td>A. Full name</td>
</tr>
<tr>
<td>B. Race</td>
</tr>
<tr>
<td>C. DOB</td>
</tr>
<tr>
<td>D. Height/ Weight</td>
</tr>
<tr>
<td>E. Color Eyes/ Hair</td>
</tr>
<tr>
<td>F. Tattoos/ Scars</td>
</tr>
<tr>
<td>G. Type of dress</td>
</tr>
<tr>
<td>H. Crime/ Sentence</td>
</tr>
<tr>
<td>14. Recall QRT</td>
</tr>
<tr>
<td>15. Notify Office of Victims Service</td>
</tr>
<tr>
<td><strong>CONTAIN:</strong></td>
</tr>
<tr>
<td>16. Secure entrance and exits</td>
</tr>
<tr>
<td>17. Post armed staff at any sites where damage exists to a security feature (fence, wall, tunnel, sally port, etc...)</td>
</tr>
<tr>
<td>18. Initiate pursuit</td>
</tr>
</tbody>
</table>
The Commander’s actions are not restricted or limited by the content of this Checklist. The situation will determine the priority of actions taken.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>19.</td>
<td>Activate Command Center assign command and general stuff as required</td>
</tr>
<tr>
<td>20.</td>
<td>Account for Staff, visitors and inmates</td>
</tr>
</tbody>
</table>

**MOBILIZE:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>21.</td>
<td>Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)</td>
</tr>
<tr>
<td>22.</td>
<td>Assemble equipment, vehicles and weapons</td>
</tr>
<tr>
<td>23.</td>
<td>Collect property, records and files to escapee(s)</td>
</tr>
<tr>
<td>24.</td>
<td>Identify needed resources</td>
</tr>
<tr>
<td>A.</td>
<td>Equipment</td>
</tr>
<tr>
<td>B.</td>
<td>Supplies</td>
</tr>
<tr>
<td>C.</td>
<td>Medical services</td>
</tr>
<tr>
<td>D.</td>
<td>Local agencies support</td>
</tr>
<tr>
<td>E.</td>
<td>Recall staff as needed</td>
</tr>
<tr>
<td>25.</td>
<td>Conduct Facility operation assessment</td>
</tr>
</tbody>
</table>

**RESPOND:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>26.</td>
<td>Deploy staff to affected area escape posts</td>
</tr>
<tr>
<td>27.</td>
<td>Continue pursuit of escapee(s)</td>
</tr>
<tr>
<td>28.</td>
<td>Distribute escape packets</td>
</tr>
<tr>
<td>29.</td>
<td>Initiate repair of damages security features</td>
</tr>
<tr>
<td>30.</td>
<td>Initiate facility operations plan</td>
</tr>
<tr>
<td>31.</td>
<td>Develop intelligence resources</td>
</tr>
<tr>
<td>32.</td>
<td>Apprehend escapee(s)</td>
</tr>
</tbody>
</table>

**RECOVER:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>33.</td>
<td>Announce to all Command Notifications of apprehension</td>
</tr>
<tr>
<td>34.</td>
<td>Conduct medical review of participants</td>
</tr>
<tr>
<td>35.</td>
<td>Account for all staff, visitors and inmates</td>
</tr>
<tr>
<td>36.</td>
<td>Assess the need to relocate participants</td>
</tr>
<tr>
<td>37.</td>
<td>Secure scene/area for investigation</td>
</tr>
<tr>
<td>38.</td>
<td>Preserve all evidence</td>
</tr>
<tr>
<td>39.</td>
<td>Investigate and debrief staff and others involved</td>
</tr>
<tr>
<td>40.</td>
<td>Conduct Operation Greyhound</td>
</tr>
<tr>
<td>41.</td>
<td>Conduct damage assessment</td>
</tr>
<tr>
<td>42.</td>
<td>Repair/replace property</td>
</tr>
<tr>
<td>43.</td>
<td>Return to update operations plan</td>
</tr>
<tr>
<td>44.</td>
<td>Complete all documentation and reports</td>
</tr>
<tr>
<td>45.</td>
<td>Deactivate Command Post</td>
</tr>
</tbody>
</table>
Critical incident Check List
Fire (IMS Appendix D)
The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

**ACTION TO BE TAKEN**

### REPORT:
1. Verify the facts
   - A. Location of the incident/ area(s) affected
   - B. Nature of incident
   - C. Identify any injuries
   - D. Damage to facility
   - E. Identify staff involved
   - F. Identify inmates involved
2. Assess the situation to determine if the IMS should be activated.
3. Assess the situation to determine if the CAN (Community Alert Network) should be activated
4. Call 117 or local emergency numbers
5. Announcement of Command
6. Restriction of Communication
7. Establish a log of the events
8. Lock down unaffected areas of the facility
9. Conduct emergency count
10. Command notifications (Regional Office)
11. Medical department
12. Notify on duty staff of situation

### CONTAIN:
13. Secure entrance and exits
14. Ensure inner perimeter is in place ____
   - assign a leader ____
   - adequately staffed and equipped ____
   - communications established ____
15. Ensure Outer Perimeter is in place ____
   - assign a leader ____
   - Adequately staffed and equipped ____
   - Communications Established ____
16. Initiate fire team to attempt to extinguish the fire
17. Post armed staff at any site where damage exists to a security feature (fence, wall, tunnel, sally, port, etc...)
18. Activate Command Center assign command and general staff as required
19. Account for staff, visitors and inmates

### MOBILIZE:
20. Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)
21. Assemble equipment, vehicles and weapons
22. Post additional staff at Sally Port for Support Agency escort purposes
23. Identify needed resources
Critical incident Check List
Fire (IMS Appendix D)
The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>A.</th>
<th>Equipment</th>
</tr>
</thead>
<tbody>
<tr>
<td>B.</td>
<td>Supplies</td>
</tr>
<tr>
<td>C.</td>
<td>Medical Services</td>
</tr>
<tr>
<td>D.</td>
<td>Local Support Agencies</td>
</tr>
<tr>
<td>E.</td>
<td>Recall staff as needed</td>
</tr>
<tr>
<td>24.</td>
<td>Conduct facility operation assessment</td>
</tr>
</tbody>
</table>

RESPOND:
25. Initiate a response plan
26. Initiate a facility operations plan
27. Provide medical assistance
28. Initiate repair of damaged security features
29. Evaluate off site evacuation needs and evacuated, if necessary.
30. Develop intelligence resources
31. Apprehend escapee(s), if any.

RECOVER:
32. Announce to all command notifications of resolution plan
33. Conduct medical review of all staff and inmates involved
34. Account for all staff, visitors and inmates involved
35. Assess the need to relocate evacuees if needed
36. Secure scene/area for investigation
37. Preserve all evidence
38. Investigate and debrief staff and others involved
39. Conduct Operation Greyhound
40. Conduct damage assessment
41. Repair/replace property
42. Develop and implement updated operations plan
43. Complete all documentation and reports
44. Deactivate Command Posts
Critical incident Check List  
Natural Disaster (IMS Appendix E)  
The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REPORT:</strong></td>
</tr>
<tr>
<td>1. Verify the facts</td>
</tr>
<tr>
<td>A. Type and status of natural disaster</td>
</tr>
<tr>
<td>B. Identify potential impact on facility</td>
</tr>
<tr>
<td>C. Identify potential impact on staff and inmate population</td>
</tr>
<tr>
<td>D. Assign staff to monitor weather radio updates</td>
</tr>
<tr>
<td>2. Assess the situation to determine if the IMS should be activated.</td>
</tr>
<tr>
<td>3. Assess the situation to determine if the CAN (Community Alert Network) should be activated</td>
</tr>
<tr>
<td>4. Commander will take appropriate action based on the evaluation of the situation reports from the National Weather Service.</td>
</tr>
<tr>
<td>5. Announcement of Command</td>
</tr>
<tr>
<td>6. Restriction of Communication</td>
</tr>
<tr>
<td>7. Establish a log of the events</td>
</tr>
<tr>
<td>8. Lock down the facility</td>
</tr>
<tr>
<td>9. Recall all outside and escorted leaves and conduct emergency count</td>
</tr>
<tr>
<td>10. Command notifications (Regional Office)</td>
</tr>
<tr>
<td>11. Medical department</td>
</tr>
<tr>
<td>12. Notify on duty staff of situation</td>
</tr>
<tr>
<td>13. Recall QRT</td>
</tr>
<tr>
<td><strong>CONTAIN:</strong></td>
</tr>
<tr>
<td>14. Secure entrance and exits</td>
</tr>
<tr>
<td>15. Initiate initial Response Team A</td>
</tr>
<tr>
<td>16. Activate Command Center</td>
</tr>
<tr>
<td>17. Account for staff, visitors and inmates</td>
</tr>
<tr>
<td><strong>MOBILIZE:</strong></td>
</tr>
<tr>
<td>18. Assign appropriate IMS function</td>
</tr>
<tr>
<td>19. Gather information and evaluate situations</td>
</tr>
<tr>
<td>20. Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)</td>
</tr>
<tr>
<td>21. Develop plan to defend in place</td>
</tr>
<tr>
<td>22. Recall necessary staff</td>
</tr>
<tr>
<td>23. Assemble equipment, vehicles and supplies</td>
</tr>
<tr>
<td>24. Conduct facility operations assessments</td>
</tr>
<tr>
<td><strong>RESPOND:</strong></td>
</tr>
<tr>
<td>25. Deploy staff where necessary</td>
</tr>
<tr>
<td>26. Prepare for possible area evacuation</td>
</tr>
</tbody>
</table>
Critical incident Check List
Natural Disaster (IMS Appendix E)

The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

| 27. Move all staff and inmates away from windows and take cover |
| 28. Secure all lose objects (wherever possible) |
| 29. Cover all windows (time permitting) |
| 30. Ensure maintenance staff is on site to: |
| A. Stand by emergency generators |
| B. Move vehicles under shelter |
| C. Secure power and water as needed |

RECOVER:

| 33. Announce to all Command Notifications of resolutions actions |
| 34. Conduct medical assessment |
| 35. Account for all staff, visitors and inmates |
| 36. Conduct damage assessment |
| 37. Conduct Operation Greyhound |
| 38. Repair/replace property |
| 39. Return to update operations plan |
| 40. Complete all documentation and reports |
| 41. Deactivate Command Posts |
Critical incident Check List
Epidemic (IMS Appendix G)

The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td>REPORT:</td>
</tr>
<tr>
<td>1. Verify the facts</td>
</tr>
<tr>
<td>A. Location of the incident</td>
</tr>
<tr>
<td>B. Nature of incident</td>
</tr>
<tr>
<td>C. Identify staff involvement</td>
</tr>
<tr>
<td>D. Identify inmate(s) involvement</td>
</tr>
<tr>
<td>E. Identify weapons involved</td>
</tr>
<tr>
<td>F. Identify any injuries</td>
</tr>
<tr>
<td>2. Verify that an epidemic has been declared by the Department of Health.</td>
</tr>
<tr>
<td>3. Assess the situation to determine if the IMS should be activated.</td>
</tr>
<tr>
<td>4. Assess the situation to determine if the CAN (Community Alert Network) should be activated</td>
</tr>
<tr>
<td>5. Announcement of Command/ Location</td>
</tr>
<tr>
<td>6. Restriction of non-emergency Communication</td>
</tr>
<tr>
<td>7. Establish a log and tape recording of the events is initiated and continued</td>
</tr>
<tr>
<td>8. Lock down the facility</td>
</tr>
<tr>
<td>9. Conduct emergency count</td>
</tr>
<tr>
<td>10. Notify on duty staff of situation</td>
</tr>
<tr>
<td>11. Conduct emergency mobilization including</td>
</tr>
<tr>
<td>Command Notification (Central office/ Duty Officer)</td>
</tr>
<tr>
<td>Command Notification facility (to level of lieutenant)</td>
</tr>
<tr>
<td>Staff Call-backs</td>
</tr>
<tr>
<td>External agencies</td>
</tr>
<tr>
<td>QRT</td>
</tr>
<tr>
<td>Specialized Functions</td>
</tr>
<tr>
<td>Medical Department</td>
</tr>
</tbody>
</table>

CONTAIN:

12. Conduct an assessment of the situation with BJMP Health Service
   Nature of epidemics:
   - Health Hazards:
   - Recommended emergency actions:
     - First aid recommendations:
       - possible
   13. Isolation of infected inmates
     - Location based on number infected
   14. Protective clothing and equipment needed
### Critical incident Check List
#### Epidemic (IMS Appendix G)
The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

| 15. Clearing count                          |
| 16. Account for staff                       |
| 17. Account for visitors                    |
| **MOBILIZE:**                               |
| 18. Assign appropriate IMS function         |
| 19. Arrange gate clearance for arriving Department of Health Officials |
| 20. Ensure all staff involved with epidemics receives training on precautionary measures to follow, protective clothing to wear and equipment to use. |
| 21. Ensure unaffected infirmary inmates who require constant medical care are housed in an alternate area that is not infected |
| 22. Assign officers to isolation unit appropriate to number of inmates housed there. arrange transfer of infected inmates from their cells to the jail infirmary (No inmate may refuse move) |
| **RESPOND:**                                |
| 23. If necessary, assist Medical Department in establishing a temporary satellite treatment area. (Ensure secure area is available for staff and supplies). |
| 24. Ensure food service Department provides disposable food containers to affected inmates. |
| 25. Ensure laundry from affected area is placed in identifiable isolation bags and processed properly |
| 26. In conjunction with medical department ensure all medical waste is disposed of properly |
| 27. Ensure proper disinfections procedure are followed in isolation areas, Medical will provide instruction |
| 28. Discharge from the isolation unit will be by Doctor's order only |
| 29. Provide frequent information updates to staff and inmates through public information Officer |
| **RECOVER:**                                |
| 30. After epidemic is declared over by the Medical Department and confirmed by the Department of Health, Return to update operation plans |
| 31. Complete all documentation and reports |
| 32. Deactivate Command Posts |
### Critical incident Check List

**Loss of utilities (Water, Electric, communication, etc)**

(IMS Appendix H)

The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>ACTION TO BE TAKEN</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REPORT:</strong></td>
</tr>
<tr>
<td>1. Verify the facts</td>
</tr>
<tr>
<td>A. Location of the incident</td>
</tr>
<tr>
<td>B. Nature of incident</td>
</tr>
<tr>
<td>C. Identify staff involvement</td>
</tr>
<tr>
<td>D. Identify inmate involvement</td>
</tr>
<tr>
<td>E. Identify any injuries</td>
</tr>
<tr>
<td>F. Identify what utilities are lost/ Deliberate or Accident</td>
</tr>
<tr>
<td>2. Assess the situation to determine if the IMS should be activated.</td>
</tr>
<tr>
<td>3. Assess the situation to determine if the CAN (Community Alert Network) should be activated</td>
</tr>
<tr>
<td>4. Notify effected Utility company to respond</td>
</tr>
<tr>
<td>5. Sound alarm</td>
</tr>
<tr>
<td>6. Announcement of Command</td>
</tr>
<tr>
<td>7. Restriction of Communication</td>
</tr>
<tr>
<td>8. Establish a log of the events</td>
</tr>
<tr>
<td>9. Lock down the facility</td>
</tr>
<tr>
<td>10. Conduct emergency count</td>
</tr>
<tr>
<td>11. Command notifications (Regional Office)</td>
</tr>
<tr>
<td>12. Health service notifications</td>
</tr>
<tr>
<td>13. Notify on duty staff of situation</td>
</tr>
<tr>
<td>14. Recall QRT</td>
</tr>
<tr>
<td><strong>CONTAIN:</strong></td>
</tr>
<tr>
<td>15. Secure entrance and exits</td>
</tr>
<tr>
<td>16. Initiate initial responders Team A</td>
</tr>
<tr>
<td>17. Ensure inner perimeter is in place ____, assign a leader ____ , adequately staffed and equipped ____ , and communications established ____ .</td>
</tr>
<tr>
<td>18. Ensure Outer Perimeter is in place ____ , assign a leader ____ , Adequately staffed and equipped ___ , and Communications Established ____ .</td>
</tr>
<tr>
<td>19. Activate Command Center</td>
</tr>
<tr>
<td>20. Account for Staff, visitors and inmates</td>
</tr>
<tr>
<td><strong>MOBILIZE:</strong></td>
</tr>
<tr>
<td>21. Assign appropriate IMS functions</td>
</tr>
<tr>
<td>22. Gather information and evaluate situations</td>
</tr>
<tr>
<td>23. Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)</td>
</tr>
</tbody>
</table>
Critical incident Check List

Loss of utilities (Water, Electric, communication, etc)
(IMS Appendix H)

The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>24.</th>
<th>Develop plan to restore affected utilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.</td>
<td>Recall necessary staff</td>
</tr>
<tr>
<td>26.</td>
<td>Assemble equipment, vehicles and weapons</td>
</tr>
<tr>
<td>27.</td>
<td>Conduct facility operations assessments</td>
</tr>
</tbody>
</table>

**RESPOND:**

<table>
<thead>
<tr>
<th>28.</th>
<th>Deploy staff to affected area</th>
</tr>
</thead>
<tbody>
<tr>
<td>29.</td>
<td>Ensure following for area evacuation</td>
</tr>
<tr>
<td>A.</td>
<td>Inner Perimeter</td>
</tr>
<tr>
<td>1.</td>
<td>Route(s) of evacuation</td>
</tr>
<tr>
<td>2.</td>
<td>Safety</td>
</tr>
<tr>
<td>3.</td>
<td>Secure holding area(s)</td>
</tr>
<tr>
<td>4.</td>
<td>Number of evacuees at a time</td>
</tr>
<tr>
<td>B.</td>
<td>Outer Perimeter</td>
</tr>
<tr>
<td>1.</td>
<td>Routes(s) of evacuation</td>
</tr>
<tr>
<td>2.</td>
<td>Safety</td>
</tr>
<tr>
<td>3.</td>
<td>Secure holding area(s)</td>
</tr>
<tr>
<td>4.</td>
<td>Number of evacuees at a time</td>
</tr>
<tr>
<td>5.</td>
<td>Staff for escort/containment/book up</td>
</tr>
<tr>
<td>30.</td>
<td>Issue order for inmate to evacuate area specified routes and numbers.</td>
</tr>
<tr>
<td>31.</td>
<td>Debrief evacuees</td>
</tr>
<tr>
<td>32.</td>
<td>Re-evaluate situation</td>
</tr>
<tr>
<td>A.</td>
<td>Extent of damage or problem with utility</td>
</tr>
<tr>
<td>B.</td>
<td>Estimate time frame to restore utility to normal</td>
</tr>
<tr>
<td>C.</td>
<td>Evaluate need for evacuation plans</td>
</tr>
<tr>
<td>33.</td>
<td>Initiate resolutions actions</td>
</tr>
<tr>
<td>A.</td>
<td>Utilize emergency resources until normal utility has been restored</td>
</tr>
<tr>
<td>B.</td>
<td>If a water emergency determine the approximate amount needed for food service, medical, sanitary needs, and personal usage</td>
</tr>
<tr>
<td>C.</td>
<td>Activate evacuation plans/onsite/offsite</td>
</tr>
<tr>
<td>34.</td>
<td>Update and Evaluate Assessment of situation with effected utility company</td>
</tr>
</tbody>
</table>

**RECOVER:**

<table>
<thead>
<tr>
<th>35.</th>
<th>Announce to all Command Notifications of resolutions actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>36.</td>
<td>Conduct medical review</td>
</tr>
<tr>
<td>37.</td>
<td>Account for all staff, visitors and inmates</td>
</tr>
<tr>
<td>38.</td>
<td>Secure scene/area for investigation</td>
</tr>
<tr>
<td>39.</td>
<td>Preserve all evidence</td>
</tr>
<tr>
<td>40.</td>
<td>Conduct damage assessment</td>
</tr>
<tr>
<td>41.</td>
<td>Repair/replace property</td>
</tr>
</tbody>
</table>
Critical incident Check List
Loss of utilities (Water, Electric, communication, etc)
(IMS Appendix H)
The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>42.</td>
<td>Debrief staff and others involved</td>
</tr>
<tr>
<td>43.</td>
<td>Return to update operations plan</td>
</tr>
<tr>
<td>44.</td>
<td>Complete all documentation and reports</td>
</tr>
<tr>
<td>45.</td>
<td>Deactivate Command Posts</td>
</tr>
</tbody>
</table>
### ACTION TO BE TAKEN

**REPORT:**

1. Verify the facts
   - A. Location of the incident
   - B. Nature of incident
   - C. Identify staff involvement
   - D. Identify inmate involvement
   - E. Identify any injuries
2. Assess the situation to determine if the IMS should be activated.
3. Assess the situation to determine if the CAN (Community Alert Network) should be activated
4. Sound alarm
5. Announcement of Command
6. Restriction of Communication
7. Establish a log of the events
8. Lock down the facility
9. Conduct emergency count
10. Command notifications (Regional Office)
11. Medical Department
12. Notify on duty staff of situation
13. Recall QRT

**CONTAIN:**

14. Secure entrance and exits
15. Initiate initial responders Team “A”
16. Ensure inner perimeter is in place _____, assign a leader _____, adequately staffed and equipped _____, and communications established ____.
17. Ensure Outer Perimeter is in place _____, assign a leader _____. Adequately staffed and equipped ____, and Communications Established ____.
18. Activate Command Center
19. Account for Staff, visitors and inmates

**MOBILIZE:**

20. Assign appropriate ICS functions
21. Gather information and evaluate situations
22. Notify local agencies as deemed necessary by the Incident Commander. External Notifications (Emergency Support)
23. Develop plan to regain control
**Critical incident Check List**  
**Outside Assault/Civil Disorder**  
**(IMS Appendix I)**

The Commander’s actions are not restricted or limited by the contents of this checklist. The situation will determine the priority of actions taken.

<table>
<thead>
<tr>
<th>24. Recall necessary staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>25. assemble equipment, vehicles and weapons</td>
</tr>
<tr>
<td>26. Conduct facility operations assessments</td>
</tr>
</tbody>
</table>

**RESPOND:**

| 27. Deploy staff to affected area |
| 28. Re-evaluate situation |
| A. Is it a violent situation or peaceful civil protest? |
| B. Determine if force is necessary to resolve |
| C. Ensure sufficient manpower and equipment are present |
| 29. Initiate resolutions actions |
| A. If a threat to the security of the institution order those involved to disperse |
| B. If order is ignored, coordinate plan of action with state and Local Law Enforcement |

**RECOVER:**

| 30. Announce to all Command Notifications of resolutions actions |
| 31. Conduct medical review |
| 32. Account for all staff, visitors and inmates |
| 33. Secure scene/area for investigation |
| 34. Preserve all evidence |
| 35. Conduct damage assessment |
| 36. Repair/replace property |
| 37. Debrief staff and others involved |
| 38. Return to update operations plan |
| 39. Complete all documentation and reports |
| 40. Deactivate Command Posts |
STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS

Approved by the Economic and Social Council, 31 July 1957 (resolution 663 C I (XXIV)), on the recommendation of the First Congress

PART 1: RULES OF GENERAL APPLICATION

Basic principle

The following rules are to be applied without discrimination on the grounds of race, color, sex, language, religion, political opinions, national or social origin, property, birth or other status.

It is necessary, however, to respect religious beliefs of prisoners.

Register

A bound registration book shall be maintained with the identity, reasons for commitment and day and hour of admission and release of prisoners.

Separation of Categories

Men and women in detention are to be held in separate facilities; likewise, untried and convicted prisoners, those imprisoned for civil offences and criminal offenders, and youths and adults shall be housed separately.

Accommodation

Cells for individuals should not be used to accommodate two or more persons overnight; dormitory facilities are to be supervised at night.

Cells and prison dormitories should provide adequate space, ventilation, lighting and sanitary facilities and are to be kept clean at all times.

Personal hygiene

Prisoners shall be provided with adequate water and toilet articles and required to keep themselves clean.

Clothing and bedding

Prisoners not allowed to wear their own clothing are to be provided with an adequate and suitable outfit, with provisions for laundry and changes of clothes.

Prisoners outside an institution for an authorized purpose are to be allowed to wear their own clothing.

Every prisoner shall be provided with a separate bed and clean, separate and sufficient bedding.
Food

Wholesome, well-prepared food is to be provided prisoners at usual hours.

Drinking water shall be available whenever needed.

Exercise and sport

If not employed in outdoor work, every prisoner shall have at least one hour of exercise in the open air, weather permitting.

Young prisoners and other of suitable age and physique are to receive physical and recreational training.

Medical services

A medical officer with some knowledge of psychiatry is to be available to every institution.

Prisoners requiring specialized treatment are to be transferred to a civil hospital or appropriate facility.

A qualified dental officer shall be available to every prisoner.

Prenatal and post-natal care and treatment are to be provided by women’s institutions; where nursing infants are allowed to remain with their mothers, a nursery staffed by qualified persons is needed.

Every prisoner shall be examined by the medical officer shortly after admission; prisoners suspected of contagious diseases are to be segregated.

The medical officer shall see all sick prisoners daily, along with those who complain of illness or are referred to his attention.

The medical officer is to report to the director on prisoners whose health is jeopardized by continued imprisonment and on the quality of the food, hygiene, bedding, clothing and physical regimen of the prisoners.

Discipline and punishment

Discipline shall be no more restrictive than what is necessary to ensure custody and order.

No prisoners shall be employed in a disciplinary capacity.

The types of conduct to be considered offences and punishment for them shall be set by law or regulation and prisoners are to be allowed to defend themselves against charges.
Cruel, inhuman and/or degrading punishments, including corporal punishment and restriction to a dark cell, shall be prohibited.

The medical officer is to be consulted before implementing any punishment that may prejudicial to the physical or mental health of a prisoner.

**Instruments of restraint**

Handcuffs, strait-jackets and other instruments of restraint are never to be applied as a punishment and irons and chains are not to be used as means of restraint.

**Information to and complaints by prisoners**

Upon admission, prisoners shall be informed of the regulations they are to live by and of authorized channels for seeking information and making complaints.

Prisoners are to have the right to make complaints to the director of the institution, as well as to the central prison administration and the judicial authority, in the proper form but without censorship as to substance and they are to have the opportunity to speak directly to an inspector of prisons outside the presence of institutional staff members.

Unless evidently frivolous, each complaint shall be replied to promptly.

**Contact with the outside world**

Prisoners are to be allowed regular contact with family and friends, by both correspondence and personal visits.

Prisoners who are foreign nationals shall be allowed communication with diplomatic and consular representatives of their State, or a State or international authority that has taken charge of their interests.

Prisoners are to be kept informed of current events and important items of news.

**Books**

Every institution shall maintain for the use of prisoners a library with recreational and instructional books.

**Religion**

If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of each religion shall be appointed to hold services and pay pastoral visits.

No prisoner shall be refused access to a qualified representative of a religion, nor shall he be required to entertain a religious visit he objects to.
As far as is practicable, every prisoner is to be allowed to satisfy religious needs by attending services and possessing books of observance and instruction.

**Retention of prisoners’ property**

Money, valuables and personal effects which prisoners are not allowed to keep in their possession are to be kept in safe custody until the prisoner’s release.

Money or effects received by a prisoner from outside shall be treated the same way.

The medical officer is to decide what uses shall be made of drugs or medicine a prisoner brings with him.

**Notification of death, illness, transfer, etc.**

The spouse or nearest relative shall be informed of the death, serious illness, injury or transfer of a prisoner to an institution for treatment of afflictions.

A prisoner is to be informed at once of the death or serious illness of any near relative. In cases of critical illness, the prisoner is to be allowed to visit that relative.

Every prisoner shall have the right to inform his family at once of his imprisonment or transfer.

**Removal of prisoners**

Prisoners being transferred are to be protected from insult, curiosity or publicity.

Conveyances which subject prisoners being transferred to unnecessary hardship shall be prohibited.

Transport is to be at the expense of the prison administration and equal conditions shall obtain for all prisoners.

**Institution personnel**

The administration shall carefully select every grade of personnel and maintain in their minds and the public’s the important social service they provide.

To these ends, pay, conditions and benefits shall be suitable to professional and exacting service.

Personnel are to be sufficiently educated and to receive on going courses and training.

As far as possible, personnel should include psychiatric, social work and education professionals.
The director shall be a qualified administrator, retained on a full time basis and residing on the premises or in the immediate vicinity.

Staff personnel are to be able to speak the language of the greatest number of prisoners and to retain the services of an interpreter when necessary.

In larger institutions, at least one medical officer should reside on the premises or in the immediate vicinity.

In others, a medical officer shall visit daily and reside near enough be available for emergencies.

In an institution for both men and women, the part set aside for women shall be under the authority of a woman officer, who shall have custody of the keys that section.

Male officers shall enter the section for women only in the presence of a woman officer and women prisoners shall be attended and treated only by women officers, without precluding male doctors and teachers from carrying out their duties.

Officers shall not use force except in self-defense, cases of attempted escape or resistance to an order based on law or regulation. Officers who have recourse to force must use no more than is strictly necessary and must report the incident immediately.

Prison officers are to receive physical training in the use of force. As a general rule, they should not carry weapons in the presence of prisoners.

**Inspection**

There shall be regular inspection of penal institutions.

**PART 2: RULES APPLICABLE TO SPECIAL CATEGORIES**

**PRISONERS UNDER SENTENCE**

**Guiding principles**

The prison system must not aggravate unnecessarily the suffering inherent in a prisoner's loss of self-determination and liberty.

Prisons should utilize all remedial, educational, medical and spiritual forms of assistance to treat the prisoner's needs and facilitate his return to society as a law-abiding member.

It is desirable to provide varying degrees of security according to the needs of different groups of prisoners. Open prisons that rely on self-discipline as opposed to physical restraint are preferable whenever possible.
Government or private agencies should be available for the after care of released prisoners.

**Treatment**

Treatment of prisoners under sentence shall be directed to achieve the capacity for law-abiding and self-supporting lives, utilizing professional services whenever possible.

The director shall receive full reports on the mental, social and physical status of prisoners under sentence of a suitable length directly after admission, keeping and updating this information in individual files.

**Classification and individualization**

To separate from others those prisoners who are likely to exercise a negative influence and to facilitate specialized treatment, prisoners are to be classified and kept so far as possible in separate instructions or sections.

**Privileges**

Systems of privileges appropriate to different classes of prisoners shall be established to encourage proper conduct and secure the cooperation of prisoners in their treatment.

**Work**

Prison labor must not be of an afflictive nature.

All prisoners under sentence shall be required to work, unless determined to be physically or medically unfit.

So far as possible, the work should be of a full-time nature, conducive to vocational training and aligned with the choice of prisoners.

The interests and vocational training of prisoners are of greater importance than making a financial profit from their labor.

Institutional labor preferably will be directed by prison administrators rather than private contractors. When prisoners are employed in work not controlled by the administration, they should be under the supervision of the institution's personnel and the administration should be paid the normal wages for such work, unless the contractor is another government agency.

Precautions laid down to protect the safety and health of free workmen shall likewise be respected for prison laborers.
Maximum days and hours of work shall be fixed by law or regulation, taking into account local rules or customs regarding the employment of free workmen and to leave one rest day a week and sufficient time for educational treatment.

Prisoners are to be remunerated equitably, allowed to spend part of their earnings on approved articles for their own use, send a part to their families and set aside some in a savings fund.

**Education and creation**

The ongoing education of prisoners is to be facilitated and schooling of illiterates and youthful prisoners is to be considered compulsory.

Recreational and cultural activities are to be made available.

**Social relations and after-care**

Special attention shall be paid to maintaining and improving relations between a prisoner and his family.

The prisoner should be encouraged and assisted in cultivating relations with persons or extra-institutional agencies conducive to his rehabilitation and best interests after release.

Upon release, prisoners shall be provided with appropriate documents and identification papers, be suitably clothed and have sufficient means to reach their immediate destinations. They are to be assisted by services or agencies in locating suitable homes and work.

Representatives of such agencies shall have access to prisoners during their term of incarceration and be taken into consultation as to the future of each prisoner from the beginning of his sentence.

**Insane and Mentally Abnormal Prisoners**

Persons found to be insane are not to be detained in prisons.

Prisoners suffering from other mental abnormalities shall be observed and treated in specialized institutions under medical management and steps shall be taken to ensure the continuation of care after release.

**Prisoners under arrest or awaiting trial**

Unconvicted prisoners are presumed to be innocent and shall be treated as such.

They shall be held separately from convicted prisoners and the young kept separate from adults. Prisoners awaiting trial are to sleep singly in separate rooms.
They may have food procured at their own expense; otherwise, the administration shall provide food.

An untried prisoner may procure at his own expense or that of a third party books, publications and writing materials.

Treatment by an untried prisoner’s own doctor or dentist is to be allowed under reasonable grounds and if the prisoner is willing to pay for the expenses incurred.

An untried prisoner shall be allowed to inform his family of his detention immediately after arrest and communicate with and receive visits from family and friends.

He shall be allowed to apply for free legal aid where such aid is available and to consult with his legal adviser regarding his defense. Such interviews may be within sight but not within the hearing of a police or institution official.

Civil prisoners

Where law permits imprisonment for debt or by order of a non-criminal court, those so imprisoned shall be subjected to no greater restriction or severity than necessary for safe custody and good order. Their treatment shall be no less favorable than that accorded untried prisoners, with the reservation that they may be required to work.

Persons arrested or imprisoned without charge

Persons arrested or imprisoned without charge shall be accorded the same protection as other prisoners, without prejudice to the provisions of Article 9 of the International Covenant on Civil and Political Rights.
CS-Form 01

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

(Region)

(Name of Jail)

INMATE'S PROPERTY RECEIPT # ____________

(Date)

Received from _____________________________________________________________

(Last)        (First)            (Middle Name)

Inmate No. _______________, who is charged with _______________________________, the following property/ies:

<table>
<thead>
<tr>
<th>Unit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Signature of Receiving Officer)

______________  ________________
Rank / Designation (Signature of Witness)

ATTESTED: WITNESSED:

_________________________  _____________________________
(Signature of Inmate) (Signature of Witness)

_________________________
(Name of Witness)

Right Hand Thumbmark of Inmate

* To be prepared in duplicate, typewritten or written in ink.
* Property to be returned to the Inmate upon his release.
CS-Form 02

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

(Region)

(Jail)

DESIGNATION FOR DISPOSITION OF PROPERTY

I, ________________________________, being of sound mind, hereby designate the following person(s) to receive all of my money and other personal (authorized) property in the event of my death while incarcerated. I understand that I have the right to change the designee named below at any time during my incarceration with the __________________________________________. This instrument addresses monies and my personal property directly under control of the __________________ __________________ and becomes invalid upon my release from the custody of the BJMP.

I also authorize the costs of shipping my property to be withdrawn from my trust account, if necessary.

1. Designee

______________________________                 __________________________
Name                                                             Date

______________________________                  __________________________
Address                                                             Phone

______________________________                  __________________________
Inmate Signature

2. Designee

______________________________                 __________________________
Name                                                             Date

______________________________                  __________________________
Address                                                             Phone

______________________________                  __________________________
Inmate Signature

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ______________

_______________ by                                         __________________________
Date                                                                  Signature Over Printed Name of Inmate

__________________________________
Notary / Administering Officer
**CS-Form 03**

### BUREAU OF JAIL MANAGEMENT AND PENOLOGY

---

(Region)

---

(Name of Jail)

### CONTRABAND / EVIDENCE TAG

<table>
<thead>
<tr>
<th>Control Log Reference Number</th>
<th>Number of Items Tagged</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description of Items</th>
<th>Precise Location Where Item was Seized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nature of Crime / Reason for Seizure</th>
<th>Date Item was Seized</th>
<th>Time Item was Seized</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### INMATE/DEFENDANT/ACCUSED INFORMATION

<table>
<thead>
<tr>
<th>NAME</th>
<th>Nature of Offense</th>
<th>Criminal Case No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If other than Inmate:

<table>
<thead>
<tr>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Witness/es (if any)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

PRINTED NAME and SIGNATURE of Reporting Officer Completing this Form:

---

Bureau of Jail Management and Penology

Page 219
CS-Form 03

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

_________________________________________
(Region)

_________________________________________
(Jail)

CHAIN OF CUSTODY

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________

Contraband / Evidence Received By: _________________________________
Contraband / Evidence Received From: ________________________________
Date: ________________ Time: __________________
Contraband / Evidence Stored At: _________________________________
Allowable Property for Female Inmates

<table>
<thead>
<tr>
<th>Name of Inmate</th>
<th>Date committed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ITEM</th>
<th>MAXIMUM ALLOWABLE QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1  shirt/blouse (yellow shirt included)/sando</td>
<td>10</td>
</tr>
<tr>
<td>2  long pants/skirts</td>
<td>3</td>
</tr>
<tr>
<td>3  short pants</td>
<td>4</td>
</tr>
<tr>
<td>4  Panty</td>
<td>7</td>
</tr>
<tr>
<td>5  Brassiere</td>
<td>7</td>
</tr>
<tr>
<td>6  Socks</td>
<td>2 pairs</td>
</tr>
<tr>
<td>7  rubber/leather shoes</td>
<td>1 pair</td>
</tr>
<tr>
<td>8  slipppers/sandals</td>
<td>1 pair</td>
</tr>
<tr>
<td>9  light bath towel 24 x 36 inches</td>
<td>1</td>
</tr>
<tr>
<td>10 plastic comb w/o handle</td>
<td>1</td>
</tr>
<tr>
<td>11 Pillow</td>
<td>1</td>
</tr>
<tr>
<td>12 pillow case</td>
<td>1</td>
</tr>
<tr>
<td>13 light blanket 48 x 52 inches</td>
<td>1</td>
</tr>
<tr>
<td>14 mosquito net</td>
<td>1</td>
</tr>
<tr>
<td>15 plastic drinking cup</td>
<td>1</td>
</tr>
<tr>
<td>16 plastic spoon</td>
<td>1</td>
</tr>
<tr>
<td>17 plastic fork</td>
<td>1</td>
</tr>
<tr>
<td>18 plastic plate</td>
<td>1</td>
</tr>
<tr>
<td>19 toothbrush with 1&quot; handle (traveler’s)</td>
<td>1</td>
</tr>
<tr>
<td>20 soap case</td>
<td>1</td>
</tr>
<tr>
<td>21 Soap</td>
<td>1 bar</td>
</tr>
<tr>
<td>22 Shampoo</td>
<td>1 bottle/12 sachets</td>
</tr>
<tr>
<td>23 Toothpaste</td>
<td>1 tube</td>
</tr>
<tr>
<td>24 cologne/perfume</td>
<td>1 bottle</td>
</tr>
<tr>
<td>25 photo album</td>
<td>1</td>
</tr>
<tr>
<td>26 napkin/panty liners</td>
<td>1 pack/mo.</td>
</tr>
<tr>
<td>27 reading materials/pocketbooks</td>
<td>2 pcs.</td>
</tr>
</tbody>
</table>
Allowable Property for Male Inmates

<table>
<thead>
<tr>
<th>ITEM</th>
<th>MAXIMUM ALLOWABLE QUANTITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Shirt (yellow shirt included) /sando</td>
</tr>
<tr>
<td>2</td>
<td>long pants</td>
</tr>
<tr>
<td>3</td>
<td>short pants</td>
</tr>
<tr>
<td>4</td>
<td>Brief</td>
</tr>
<tr>
<td>5</td>
<td>Socks</td>
</tr>
<tr>
<td>6</td>
<td>rubber/leather shoes</td>
</tr>
<tr>
<td>7</td>
<td>Slippers</td>
</tr>
<tr>
<td>8</td>
<td>light bath towel 24 x 36 inches</td>
</tr>
<tr>
<td>9</td>
<td>plastic comb w/o handle</td>
</tr>
<tr>
<td>10</td>
<td>Pillow</td>
</tr>
<tr>
<td>11</td>
<td>pillow case</td>
</tr>
<tr>
<td>12</td>
<td>light blanket 48 x 52 inches</td>
</tr>
<tr>
<td>13</td>
<td>mosquito net</td>
</tr>
<tr>
<td>14</td>
<td>plastic drinking cup</td>
</tr>
<tr>
<td>15</td>
<td>plastic spoon</td>
</tr>
<tr>
<td>16</td>
<td>plastic fork</td>
</tr>
<tr>
<td>17</td>
<td>plastic plate</td>
</tr>
<tr>
<td>18</td>
<td>toothbrush with 1&quot; handle (traveler’s)</td>
</tr>
<tr>
<td>19</td>
<td>soap case</td>
</tr>
<tr>
<td>20</td>
<td>Soap</td>
</tr>
<tr>
<td>21</td>
<td>Shampoo</td>
</tr>
<tr>
<td>22</td>
<td>Toothpaste</td>
</tr>
<tr>
<td>23</td>
<td>cologne/perfume</td>
</tr>
<tr>
<td>24</td>
<td>photo album</td>
</tr>
</tbody>
</table>
MEMORANDUM

FOR : 

SUBJECT : Spot Report

DATE :

1. (Indicate briefly the name, date, time and place of occurrence) Simply answering the five (5) W's and one (1) H.

2. (Brief facts of the case)

3. (Other related facts)

4. Initial action taken

5. Requested/recommended actions from National Headquarters, Regional Office and Other Agency.

6. Progress report will follow

________________________

Signatory
Sample format of Progress Report

Republic of the Philippines
Department of the Interior and Local Government
Bureau of Jail Management and Penology
#144 Mindanao Ave., Project 8, Quezon City

MEMORANDUM

FOR : 

SUBJECT : Progress Report

DATE : 

1. Reference: (previous related Memos)
2. (Indicate briefly the name/date/time and place of occurrence) example
3. (Brief facts of the case)
4. (Other Facts)
5. Requested/recommended actions from NHQ/Regional Office/Other Agency.
6. Disposition/ Action Taken
7. Final Report will follow

____________________
Signatory
MEMORANDUM

FOR : 

SUBJECT : Final Report

DATE :

1. Reference: (previous related Memos)
2. (Indicated briefly the name, date/time, and place of occurrence)
3. Background/Brief facts of the case
4. Sequence of Events
5. Summary of Action
6. Recommendation/ Conclusion
7. Disposition/findings
8. For your information

_____________________
Signatory