1.0 Rationale

The intensive national campaign against illegal drugs launched in 2016 by the present administration has tremendously contributed to the phenomenal increase of Persons Deprived of Liberty (PDL) population with the congestion rate reaching as high as 634% in September 2017. Towards the end of 2017, the prohibition on plea-bargaining on drug cases as mandated in Section 23 of Republic Act No. 9165 was declared unconstitutional for being contrary to the rule-making authority of the Supreme Court under Section 5(5), Article VIII of the 1987 Constitution. In April 2018, the Supreme Court issued A.M. No. 18-03-16-SC providing for the Adoption of the Plea Bargaining Framework in Drug Cases. Such increase in PDL population and the recent developments in the legal scenario have greatly challenged the Jail Bureau’s capacity to implement drug rehabilitation interventions to the PDL in custody. Nevertheless, in order to maximize the benefits of the plea bargaining framework in drug cases as decongestion measure, the BJMP has enriched its existing rehabilitation program and re-tooled its personnel to be able to accommodate PDL who are ordered by the courts to undergo drug rehabilitation interventions or drug counseling prior to release, but cannot be transferred to DOH-Drug Abuse Treatment and Rehabilitation Centers because of unavailability of vacancies or by reason of unavailability of drug counselling service providers.

2.0 Program Description

The Katatagan Kontra Droga sa Komunidad (KKDK) program is a psycho-educational modular drug intervention program developed by the Psychological Association of the Philippines (PAP) which is now becoming a mainstream program both in institution-based and out-patient and community-based drug rehabilitation. It was adopted by the Jail Bureau in 2018 following the successful program pilot testing in selected jails in the National Capital Region, Region III and Region CALABARZON by the first two batches of BJMP personnel who underwent the KKDK Facilitators’ Training. The BJMP’s main purpose in accepting the program is to supplement the Therapeutic Community Modality Program (TCMP) which remains to be its comprehensive rehabilitation program.
MEMORADUM CIRCULAR

TOPIC: Drug Counseling for PDL who availed Plea Bargaining under A.M. No. 18-03-16-SC
SUB-TOPIC: Guidelines for the Implementation of the Katatagan Kontra Droga sa Komunidad (KKDK)

The KKDK modular intervention is not a stand-alone drug rehabilitation program, considering that it focuses only on the psychological and emotional aspects of the person with substance use disorder. Hence, it can only be effectively implemented as supplementary to an existing rehabilitation program. In essence, KKDK modular interventions became part of the psychological/emotional component of the TCMP which will be specifically provided only to select PDL who qualifies for the KKDK program.

The KKDK program is composed of a total of twenty-four (24) modules: eighteen (18) modules to be facilitated to the PDL in small group settings, and six (6) Family modules for the family members of the PDL with a maximum program duration of four (4) months.

3.0 Objectives

The KKDK program aims to:

3.1 Facilitate the early release of PDL who availed Plea Bargaining under A.M. No. 18-03-16-SC by providing the drug counseling intervention ordered by the court;
3.2 Educate the PDL and their respective families on the effects of illegal drug use in the various aspects of personal and family life;
3.3 Inculcate positive attitudes and healthy lifestyle to the PDL and their respective families;
3.4 Teach positive coping skills to the PDL;
3.5 Enhance the problem solving and decision-making skills of PDL; and
3.6 Model effective communication skills among the PDL and their respective family members.

4.0 Target PDL Participants

In consideration of the inadequate number of certified KKDK Facilitators among BJMP personnel and limited activity space in jail facilities, the KKDK program will be given only to PDL charged with violation/s of RA 9165 who availed Plea Bargaining under the AM 18-03-16-SC ordered by the court to undergo drug rehabilitation interventions or drug counseling.

5.0 General Guidelines

5.1 The KKDK Program is not a substitute of the BJMP’s TCMP, rather it is only a part of the psychological and emotional component of TCMP. Hence, all PDL enrolled in the KKDK program must continue to actively participate in the TCMP.

5.2 Only certified KKDK facilitator is composed of BJMP personnel with Special Order (SO) are authorized to facilitate the KKDK program modules. All other personnel who will be trained in KKDK facilitation in the future, either funded by BJMP or thru the sponsorship of local government units and non-government organizations,

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must first request their SO from the National Headquarters thru the NHQ-DWD before commencing to implement the KKDK modular interventions.

5.3 The designation as KKDK Facilitator shall be concurrent to the present designation of the personnel.

5.4 All regional offices shall detail two (2) KKDK-trained personnel who shall be assigned in any jail facility within the region to conduct KKDK program.

5.5 Regional offices that have more than two KKDK-trained facilitators may detail their other facilitators in jail facilities that have greater number of prospect PDL for KKDK program.

5.6 During the launching and graduation ceremonies of the KKDK program, media coverage may be useful to inform the public to enlist the support of stakeholders. Confidentiality of the identity of KKDK PDL participants and strict observance of all BJMP policies on social media must be strictly observed.

5.7 Regional Welfare and Development Offices shall keep the consolidated records of their designated KKDK Facilitators, list of PDL undergoing KKDK modular interventions, and list of PDL KKDK graduates up-to-date.

6.0 Procedures to be followed in the conduct of the KKDK Program

6.1 Jail Wardens shall coordinate with the courts and Local Government Unit-Anti-Drug Abuse Council (LGU-ADAC).

6.2 The Jail Paralegal Officer shall prepare an updated directory of PDL charged with violation of RA 9165, indicating the PDL who have availed of plea bargaining, and were ordered by the courts to undergo drug rehabilitation interventions or drug counseling based on screening and assessment protocols such as the Screening, Brief Intervention, and Referral to Treatment (SBIRT), Alcohol, Smoking and Substance Involvement Screening Test (ASSIST) and Drug Dependency Examination (DDE).

6.3 From the above directory, the KKDK facilitator shall organize his/her KKDK PDL group with a maximum of twelve (12) PDL to be handled by two KKDK facilitators (co-facilitation).

6.4 The KKDK facilitator shall accomplish Form 1 (Annex 1) and secure the approval of the Jail Warden for the KKDK implementation.

6.5 The KKDK facilitator shall secure the consent of all PDL who shall undergo the KKDK drug counseling, and shall assist them in accomplishing their individual "Kasunduan" forms (Annex 2).
6.6 The KKDK facilitator shall submit Form 1 to the NHQ-DWD through the Regional Welfare Development Division (RWDD).

6.7 Every pair of KKDK facilitators must handle two (2) groups in a jail (one in the morning and one in afternoon).

6.8 The KKDK facilitator shall prepare the schedule of the KKDK program sessions.

6.9 The KKDK facilitator shall inform the PDL who qualified for the KKDK program and apprise him/her of the schedule of the sessions.

6.10 The KKDK facilitators shall facilitate the modular sessions faithfully according to the KKDK Facilitator’s manual.

6.11 KKDK facilitators must strictly observe a maximum of two (2) hours per session and two (2) sessions per week only. This is purposely to allow the PDL participants to accomplish their assignments given in the modules and to not disturb the other scheduled activities of the jail facility.

6.12 The KKDK facilitator shall notify the family members of the PDL of the schedule of the family module sessions.

6.13 KKDK facilitators shall strictly implement attendance in each session through attendance sheets which shall only be signed when the PDL/PDL family member participated in the actual sessions.

6.14 The KKDK facilitator shall provide regular feedback to the jail warden on the status of the KKDK implementation.

6.15 Upon completion of program, the KKDK facilitator shall accomplish Form 2 (Annex 3) and submit the same to the NHQ-DWD through the Regional Welfare and Development Division (RWDD).

6.16 The KKDK facilitator shall prepare the Certificates of Completion (Annex 5) of the KKDK PDL graduates.

6.17 The Jail Warden shall report to the regional WDD, Courts, LGU-ADAC, and other stakeholders in the community program’s completion and graduation of participants. This is to enlist the support of the families and stakeholders in the continuing recovery and eventual re-integration to the community of the PDL KKDK graduates.

6.18 The Jail Paralegal Officer shall coordinate with the release of the PDL KKDK graduates.
6.19 The KKDK facilitator shall submit After Activity Reports regarding KKDK activities.

6.20 The KKDK facilitator shall prepare the monthly status report of the KKDK PDL graduates by accomplishing Form 3 (Annex 4), to be certified by the Jail Warden and to be submitted to the NHQ-DWD thru the Regional WDD.

6.21 Perform other tasks related to KKDK and PDL drug rehabilitation as delegated by the Chief, BJMP or his authorized representative.

7.0 Roles of KKDK Coaches

All KKDK coaches shall also function as facilitators, and shall augment existing facilitators in conducting modular interventions. From time to time, they shall be given special tasks of supervising the facilitators and responding to their concerns in the program implementation. They shall also assist the regional WDD and NHQ-DWD in the monitoring and evaluation of the KKDK program.

8.0 Monitoring and Evaluation

The NHQ-DWD shall conduct program monitoring and evaluation based on the monthly reports submitted, actual observation on the conduct of the KKDK sessions, and interview of the PDL participants.

9.0 Forms

Annex 1: List of Participants for Katatagan Kontra Droga sa Komunidad (KKDK)
Annex 2: Sample Kasunduan Para Sa Programa ng KKDK Programs
Annex 3: List of Katatagan Kontra Droga sa Komunidad (KKDK) Graduates
Annex 4: Monitoring of Katatagan Kontra Droga sa Komunidad (KKDK) Graduates
Annex 5: Sample KKDK Certificate of Completion

Prepared By: Leilani M Banotan, RSW
OIC, Behavioral Management Section
OIC, Special Project

Reviewed By: DENNIS UROCAMORA, CESE
Jail Chief Superintendent
Chief of Directorial Staff
of the Jail Bureau/Quality Management Representative

Approved By: ALLAN S IRAL, CESE
Jail Chief Superintendent
Officer-in-Charge, BJMP

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Annex 2

(Jail Letterhead)

KASUNDUAN PARA SA PROGRAM NG KATATAGAN KONTRA DROGA SA KOMUNIDAD (KKDK)

Ako si ________________________, _______taong gulang na nagsasabi ng mga sumusunod:

1. Na ako ay kasulukuyang nakapiit sa (pangalan ng pitian) __________ na may kasong________________, Kasong Kriminal Bilang __________ na nakabinbin sa ____________, (pangalan ng bayan/ lungsod).


3. Na kusang loob akong susunod at mangangako na susuportahan ko ang mga programpang pang komunidad itungo sa isang maunlad, tahimik at ligtas na pamayanan.

4. Na ako ay kusang loob na nangangakong hindi gagawa ng mga bagay na may kaugnayan sa paggamit o pagbebenta ng ipinababawal na gamot o droga.

5. Na ako ang manghihikayat sa aking pamilya para sumama sa mga gawain ng programpang KKDK.

SINUMPAAN AT NILAGDAAN nitong ika____ ng _________taong______

________________________ (pangalan ng bayan/lungsod).

________________________

Pangalan at Lagda ng PDL

SERTIPIKASYON

Ito ay nagsisilbing patunay na ang nasabing Person Deprived of Liberty (PDL) matapos maipaliwanag ang programang Katatagan Kontra sa Droga sa Komunidad (KKDK), ay kusang loob na susunod at papasa-ialim sa mga patakaran ng programpang ito.

________________________

Pangalan at Lagda ng KKDK Facilitator
Regional Director: 

Jail Warden: 

KDKX Facilitator: 

Noted by: 

Certified by: 

Prepared by: 

Note: The KDKX facilitator must accomplish this form for his/her own group of KDKX participants, sign it by the warden, and submit to DWD. In the event that a W/D after the completion of the KDKX Program is required, the facilitator must complete this form for his/her group.

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Form 2: List of Kategori Kontra Droga sa Komunitad (KDKX) Graduates

Name of Facilitators: ____________________________
Address of Jail Facility: _______________________
Name of Jail Facility: _________________________

(Regional Letterhead)

Annex 3
Certificate of Program Completion

Given this ___ day of ___, 20__, for having completed the KATATAGAN KONTRA DROGA SA KOMUNIDAD (KSDK) program as part of his/her drug rehabilitation from ___ to ___.

Jail Warden

Name of Participant

For the Program

BUREAU OF JAIL MANAGEMENT AND PENOLOGY
Republic of the Philippines
Regional Office
Name of Jail

Annex 5

OFFICE OF THE NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations

JUN 13 2019
RECEIVED
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