



FREEDOM AND DEATH INSIDE THE JAIL

A LOOK INTO THE CONDITION OF THE QUEZON CITY JAIL

BY
RAYMUND E. NARAG

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RAYMUND E. NARAG

ROD P. FAJARDO III
Editor

To all those who cared (and still do) to listen:

The love of my life, Shella, who faithfully waited for the day of my freedom;

Our beautiful baby girl, Gela, who I hope will be proud of her father for refusing to be defeated by the harsh realities of jail life;

My parents, Robert and Helming, who stood by me from the turbulent days of my imprisonment through to the happy days of my acquittal;

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All those who passed by and said "hello" while I was in jail, for inspiring me to live another day.



FREEDOM AND DEATH INSIDE THE JAIL

A LOOK INTO THE CONDITION OF THE QUEZON CITY JAIL

RAYMUND E. NARAG

A Message From The Supreme Court of the Philippines



For the last five years, the Supreme Court has been initiating and taking concrete steps to reform and modernize the Philippine Judiciary through its Action Program for Judicial Reform (APJR). The APJR encompasses a comprehensive set of reform projects and activities designed and intended to realize my vision of a Judiciary that is independent, effective and efficient, and worthy of public trust and confidence.


One of the components of the APJR is *Access to Justice by the Poor*, which seeks to ensure that the poor have equal access to and treatment under the law, within a judicial system that promotes impartiality. It is also an over arching goal which all of the pillars of justice are striving to achieve. Several factors, however, thwarts the justice system, particularly the courts, from guaranteeing that the poor and marginalized sectors have access to justice.

To carry out *Access to Justice by the Poor* such that Filipinos from all walks of life, especially the underprivileged, are afforded the opportunity to access the court systems, the United Nations Development Programme (UNDP) has provided a grant facility to pioneer research or studies on areas where access to justice is most crucial. With UNDP's invaluable assistance and generous support, we obtained useful data for the thorough assessment of issues and problems in the present system of administration of criminal justice.

Among the studies conducted is *Freedom and Death Inside the Quezon City Jail*. This study highlights the conditions of inmates and jail officers in Quezon City Jail, emphasizing the value of human dignity amidst seclusion and deprivation of liberty; and incorporates certain recommendations aimed at redeeming and restoring the basic rights of every person within the walls of a prison. To say the least, this research is an eye opener, for it reveals how the performance of criminal justice agencies affects access to justice in this country.

It is indeed a blessing for us that a former inmate, Mr. Raymund E. Narag assumed the endeavor of documenting the details of jail administration. Despite the hardships of his seven years of incarceration, he emerged not only unscathed, but inspired and emboldened with a gripping desire to share with the outside world his experiences inside the Quezon City Jail.

May all the stakeholders of the criminal justice system be equally emboldened to help improve the conditions of our jails; expedite the disposition of criminal cases especially those where the accused cannot, for reason of poverty, obtain provisional liberty; and to strengthen the resolve of the five pillars of the criminal justice system to work closely together to make genuine access to justice by the poor a reality.


Hon. Hilario G. Davide, Jr.
CHIEF JUSTICE
Supreme Court of the Philippines
21 January 2005

A Message From The United Nations Development Programme



The United Nations Declaration on Human Rights asserts that “all human beings are born free and equal in dignity and rights” and are “entitled to equality before the law and protection of the law.” Equal access to legal remedy should be ensured, regardless of ethnicity, religion, gender or socioeconomic class. At the core of the continuing efforts of the United Nations to create an enabling environment for human development is the promotion and protection of human rights around the world. The United Nations believes that human rights and human development are interdependent and mutually reinforcing. The United Nations believes that the existence of an efficient justice system is integral to human development and the promotion of human rights.

The United Nations Development Programme is honoured to support the efforts of the Supreme Court and its affiliated agencies to improve access to justice for the poor and disadvantaged in particular and we know they continue to make their mark as very active partner institutions in the common pursuit of human development.

The United Nations Development Programme would like to celebrate the completion of the Narag Report, “Freedom and Death inside the Quezon City Jail” which successfully documents the lives and conditions of inmates and carefully outlines reform recommendations for the corrections pillar of the justice system. The report expressly advocates for the right of all persons deprived of their liberty to be treated with humanity and with respect for the inherent dignity of the human person. Securing prisoners’ access to justice is particularly important because they often come from poor and politically powerless sections of society.

As an institution, we believe the implementation of the recommendations for reforms in the corrections pillar is important in order to ensure restorative justice and inmates’ effective reintegration into society after incarceration.

A handwritten signature in black ink, appearing to read 'Deborah Landey', is positioned above the printed name.

Deborah Landey
Resident Representative
United Nations Development Programme
January 2005

My Freedom

This book is a celebration of freedom. Three years after my release from Quezon City Jail, I have finally found the courage to share the things that I saw and experienced.

For almost seven years, I experienced death every waking moment of my life inside the Jail. I was charged with a heinous crime I did not commit. I was accused of being part of a frat rumble that resulted in the death of a promising man. I was arrested, prosecuted, and imprisoned. I was made to suffer the ignominy of being branded a criminal. I languished in Quezon City Jail, where existence was practically subhuman.

I was only 20 years old when I entered the confines of the detention center, naïve to the stark realities of the world. I was 27 when my case was resolved, fully aware now of the harsh realities of life. But far from being bitter, I chose to use my time wisely and productively while inside the Jail. I participated in the literacy programs as instructor, worked as an inmate paralegal officer, and volunteered to many reformation projects. Eventually, I was recognized as an inmate leader. This gave me the opportunity to experience the dynamics of jail management.

Despite its avowed mission to rehabilitate the inmates, I realized that the Jail has the potential of transforming petty criminals into hardened ones. The gallant efforts of well-meaning jail officers to effect change are met with opposition from all sides. As a result, inmates live in a culture of fear and suppression. We were forced to turn a blind eye on things we knew were wrong.

Reforming the penal system in the country requires commitment and involvement from all the actors in the criminal justice system. Indeed, it must involve all of us who care.

As an inmate with plenty of time at his disposal, I documented all that I saw, believing that there must be a divine reason for my being incarcerated despite my innocence. On my promulgation day, I prayed to God and made a bargain with Him—that should HE grant my freedom, I shall be HIS spokesperson. I shall tell the world of the pains and dreams of the individuals behind bars. I shall describe their conditions so people may know and, hopefully, be moved into helping effect the changes needed.


Introduction

God granted my prayer. On February 28, 2002, the court found that I was wrongly accused and absolved me of any involvement in the crime. After staying in jail for six years, nine months, and four days, I was a free man again.

I wasted no time in gathering the materials for this book. I visited the Jail again and again to draw up the experiences of other inmates, jail officers, volunteers, and even visitors. I put together their stories, shook off the fear that crept and lingered in my heart during the whole time that I was in prison, and wrote this book. I could not help but smile as I tried to illustrate the strategies and structures that my fellow inmates and I devised to survive the rigors of life inside, and cried as I attempted to make sense of the things that lured the feeble among us into further destruction.

I offer this book to all of you who dream of a better world. I dedicate this to all those who see a ray of hope in spite of the wretchedness of the situation they are in. I present this to all the persons behind bars to show them that there is dignity in every experience, no matter if distressing, given the right perspective.

This book is a celebration of freedom. This book is my freedom.



Raymund E. Narag
February 28, 2005

Freedom and Death Inside The Jail

Freedom and Death Inside the Jail
A Look Into the Condition of the Quezon City Jail

Written by Raymund E. Narag
Published by The Supreme Court of the Philippines with the
help of the United Nations Development Programme

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Table of Contents

Foreword : A Message from the Supreme Court <i>Hon. Hilario G. Davide, Jr.</i>	iv
Foreword : A Message from the United Nations Development Programme <i>Deborah Landey</i>	v
Introduction : My Freedom <i>Raymund E. Narag</i>	vi
Table of Contents	ix
List of Tables	xii
Abbreviations & Acronyms	xiii
Acknowledgments	xiv
Executive Summary <i>Freedom and Death Inside the Jail: A Participatory Research Among Members of the Quezon City Jail Community</i>	xvi
Prologue	1
Part I - The Philippine Penal System	3
The Bureau of Jail Management and Penology	7
Research Methodology	8
Part II - Citizenship and the Correctional System	11
The Good Citizen	12
Support Structures	12
The Ideal Criminal Justice System	13
Part III - The Quezon City Jail Community	21
Organizational Structure	22
Jail Officers Profile	24
Inmate Profile	25
Volunteers	27
The Boiling Pot Analogy	29
Part IV - Firewood: Root Causes of Problems	31
Inadequate Facilities and Basic Services	31
Food Conditions	31
Brownouts, Water Shortages	35
Sleeping Facilities	36
Medical Conditions	38
Recreation and Other Facilities/Equipment	44

Freedom and Death Inside The Jail

Inadequate Personnel	45
Custodial Officers	46
Escort Officers	48
Paralegal Officers	49
Rehabilitation Officers	50
Psychologist	51
Medical Officers	52
Records Officers	53
Inadequate Programs	54
Classification and Disciplinary Boards	54
Livelihood Programs	56
Loopholes in Police Operations	60
Improper Policework	60
Use of Assets	67
Slow Judicial Work	69
Part V - Fire: Structural Responses	78
Social Structure	79
Why Do Inmates Join the Pangkat?	81
Joining the Pangkat	82
Political Structure	84
Nanunungkulan	84
Coordinators	90
Trustees	93
Political Inmate Organizations	95
Judicial Structure	96
Batas ng Kulungan	96
Grievance Mechanism	99
Social Code	102
Economic Structure	104
Cell Funds	104
VIP System	108
Support Groups	109
Income from Kubol	111
Chinese Community	111
Cultural Structure	112
Part VI - Pot: Empowerment and Excesses	118
The Freedom Aspect	119
Self-Help Mechanisms	119
Cell Upkeep	119
Bayanihan and Damayan	120
Empowerment	122
Self-Reformation	123
Community Values	123
Fund-Raising Drives	124
Creative Solutions	125
The Death Aspect	130
Corruption of Power	130
Struggle for Power	130
Insecurity Over Security	131
Drugs and Liquor Galore	133
Matik and Hirit	133
"Convertible-to-Cash" Attitude	135
Inequality and Injustice	136
Warped Values	136

Table of Contents

Part VII - Boiling Water: Conflict and Connivance	145
Inmates vs Inmates	145
Pangkat vs Pangkat	148
Inmates vs Jail Officers	150
Inmates vs Jail Management	151
Jail Officers vs Jail Officers	152
Jail Officers vs Jail Management (Intra-jail Management)	153
Jail Officers vs Other Sectors	154
Inmates vs Volunteers	155
Jail Officials vs Volunteers	155
Volunteers vs Volunteers	155
Part VIII - Stew: Penal Realities	158
No Peace of Mind	159
Delay in Cases	159
Voluntary Detention	159
Easy Escape	160
Hardened Criminals	161
Network Building	161
"Corruption"	161
Health Problems	161
Resistance to Reform	162
Media Stereotyping	162
Part IX - Towards a Reformatory Penal System	163
Unique Jail Management	163
A Society in Search of Peace	166
Recommendations	
Inmates	167
Jail Personnel	169
Jail Facilities	171
Reformation Programs	174
Other Sectors	176
The BJMP	177
Epilogue	179
Bibliography	181
Afterword : A Response from the BJMP	184

LIST OF TABLES

1.1	Agencies and Their Areas of Jurisdiction	5
2.1	Jail Officer - Inmate Ratios	17
3.1	Population Density as of February and June 2003	26
4.1	Inmates' Perception of QC Jail Food Services	32
4.2	Sample Menu for One Week	33
4.3	Inmates' Estimate of QC Jail's Daily Food Budget	34
4.4	Observations of Inmates of Their Medical Condition	39
4.5	Perception of Inmates of How They Get Sick	41
4.6	Why Jail Officers Need Inmate Trustees and Coordinators	47
4.7	Inmates' Estimates of Their Livelihood Income	56
4.8	Problems Encountered by Livelihood Members	57
4.9	The Way to a Renewed Life	58
4.10	Problems Caused by the Police According to Inmates	62
4.11	Inmates' Perception of Why Their Cases are Delayed	71
4.12	Length of Stay of Quezon City Jail Inmates as of October 2003	72
5.1	Inmate Distribution According to Brigada as of October 2003	80
5.2	Dominant Pangkat in Police Stations in Quezon City	82
5.3	Inmates' Comparison Between Pangkat and Querna	83
5.4	Cell Organizational Structure	86
5.5	Types of Kitchen Boys	94
5.6	Mga Patakaran sa Loob ng Selda at Brigada (Rules and Regulations in Cells and Brigades)	99
5.7	Mga Uri ng Parusa (Kinds of Punishment)	101
5.8	Gastos ng Brigada Ayon sa Inmates (Brigade Expenditures According to Inmates)	105
5.9	Weekly Allowance of Querna Cell and Brigada Officers	106
5.10	Cell/Brigade Funds	107
5.11	How the Commitment Fee is Distributed	108
5.12	A Discussion on Kubol Policies by Inmate Leaders of the Annex Building	110
5.13	Jail Jargon	114
6.1	Lessons Learned in the Non-Formal Education Program	128
6.2	A Schedule of a Student Inmate	129
6.3	Different Forms of Matik and Hirit	134
7.1	Causes of Conflicts	146
7.2	Tattoos and Their Meanings	148
7.3	Instruments Used in Riots	150
9.1	Suggested Solutions to the Lack of Sleeping Space	172
9.2	Suggested Solutions to the Problems of Livelihood Workers	175
9.3	Suggested Solutions to Avoid Abuse of Inmates in Police Stations	176
9.4	Suggested Solutions to Improve the Criminal Justice System	178

ACRONYMS & ABBREVIATIONS

ABB	Alex Buncayao Brigade
BCJ	Batang City Jail
BJMP	Bureau of Jail Management and Penology
BNG	Bahala na Gang
BuCor	Bureau of Corrections
CICL	Children in Conflict with the Law
DSWD	Department of Social Welfare and Development
IBP	Integrated Bar of the Philippines
NGO	Non-Governmental Organizations
OJMP	Office of Jail Management and Penology
PAO	Public Attorneys' Office
PC-INP	Philippine Constabulary - Integrated National Police
PRA	Participatory Research Approach
RDC	Reception and Diagnostic Center
RTC	Regional Trial Court
SSC	Sigue-Sigue Commando
SSS	Sigue-Sigue Sputnik
UN	United Nations
VIP	Very Important Preso

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Freedom and Death Inside the Jail: A Participatory Research Among Members of the Quezon City Jail Community

The Bureau of Jail Management and Penology (BJMP) is one of the least prioritized agencies of the government. Its budget is so tragically insufficient that every inmate is allocated a subsistence allowance of only P35 per day. Its facilities are so painfully inadequate that as many as 120 inmates are crammed in a cell that is designed for 20 people only. Its manpower is so alarmingly limited that one jail officer is made to guard 128 inmates.

The situation is made even worse by the inefficiency of the police in apprehending suspects and the inability of the courts to resolve cases speedily. About 82% of the cases filed by the police are eventually dismissed, in which the inmates are acquitted for lack of evidence, or are simply archived by the courts which, in turn, take an average of 3.2 years to come up with a verdict. As a result, jail facilities become dumping ground for inmates whose cases are on trial.

Confronted with these realities, the BJMP finds it difficult to efficiently and effectively implement its reformation programs. One wonders how the jail facilities, in particular, respond to the challenges of limited manpower and pitifully low budget; and how the inmates, for their part, cope with inadequate jail facilities and programs.

This book takes a hard and close look at Quezon City Jail, the second biggest city jail in the country in terms of inmate population, in the hope of finding the answers to such questions. This book explores the way of life and value systems of the 3,200 inmates of Quezon City Jail.

The author used the Participatory Research Approach (PRA) in knowing and understanding Quezon City Jail both as an institution and as a community. The PRA, which was conducted from April to November 2003, is a set of research tools that allows respondents—the inmates in this case—to express and analyze for themselves the situations they are in.

The Boiling Pot Analogy

In the absence of gas stoves or microwave ovens, firewood is a basic requirement for cooking. So are facilities, personnel, and reformation programs in operating a jail. As firewood determine the stew, these fundamental requirements determine the quality and effectiveness of rehabilitation programs of the jail.

Quezon City Jail is like a boiling pot. Its problems are as basic yet as alarming as inadequate facilities, personnel, and reformation programs; slow dispensation of justice; and deficient police work. Like hollow woodcuts that create weak fire, these inadequacies have given rise to alternative structures in Quezon City Jail. Jail officers and inmates created these structures in response to the aforementioned problems of the Jail. Because of the Jail's inadequate personnel, for example, the *Panunungkulan* System was created whereby selected inmates are given authority over the other inmates. Inmate leaders have the power to exact punishment on inmates who violate the Jail's rules and regulations. Constraints on the Jail's budget, meanwhile, gave rise to the Very Important *Preso* (VIP) System where affluent inmates are made to share in the operational expenses of the Jail. Inadequate programs paved the way for the *Pangkat* (gang) System, which gives inmates a sense of identity in the Jail. There is also the *Batas ng Kulungan* which serves as an alternative conflict mediation mechanism.

These structures, originally meant merely as a support system, have become the norm in Quezon City Jail. Jail officers and inmates seem more aware of these than the BJMP Manual. And no one seems to bother correcting the situation even when the alternative structures are in conflict with the BJMP Manual. For example, no one questions the presence of a black market inside the Jail even if it is expressly prohibited by the BJMP Manual. This is simply because jail officers and inmates benefit from it.

The pot takes in all the heat, giving purpose to the firewood and fire. But what if the pot has cracks? Similarly, the rise of informal structures helped alleviate the condition of inmates but, unfortunately, it also encouraged exploitation, manipulation, discrimination, corruption, and other forms of abuse. The VIP System, for example, instills the value of solidarity and unity among inmates but, at the same time, cultivates discrimination as affluent inmates are accorded certain privileges, such as exemption from jail duties, which are then passed on to lowly inmates. The *Panunungkulan* System, meanwhile, instills the value of leadership in the same manner that it provides a venue for power play among inmate leaders.

Like boiling water, the relationship between and among jail officers and inmates is sometimes a bedlam. Jail officers, inmates, and outsiders are in conflict because of certain issues brought about by the ambivalent nature of the alternative structures. With the economic structures in place, the question is: who controls the resources? With political structures: who controls power? With judicial structures: who determines what is right and wrong? Everyone, it appears, wants control. Conflict comes in the form of riot among the *pangkat* and noise barrage between inmates and jail management. Those who are not in the know readily blame these disturbances on the Warden's inability to manage the Jail. What

they do not realize is that jail disturbances are sometimes politically motivated. There was once a Warden who wanted to abolish the *panunungkulan*, thinking that giving some inmates power over their fellow inmates was simply not allowed in the BJMP Manual. Naturally, inmate leaders did not like this idea. Inmate leaders, in collusion with some jail officers, thus orchestrated a series of riots and noise barrages to make it appear before the BJMP and the media that the Warden was not capable of managing the Jail and, therefore, should be removed from the post. Sure enough, the Warden was transferred to another jail.

Hollow woodcuts. Weak fire. Cracked pot. With these limitations, the cook comes up with a spoiled stew. In the case of Quezon City Jail, its concerns with budget, facilities, manpower, police, and courts have resulted in problems that are even more complicated. There are inmates who are not afraid to be arrested again for another crime because they know that once they are back in jail, they will be treated with respect and authority by their fellow inmates and be called a *tayman*. There are inmate leaders who purposely delay their cases because they earn a living through the black market inside the Jail. There are jail officers who make money simply by “tolerating” the proliferation of drugs and liquor inside the Jail. Quezon City Jail has become a haven for hardened criminals and a hotbed of gang violence.

Impact on Jail Management

The alternative structures that were created by jail officers and inmates in response to inadequate budget, dilapidated facilities, limited manpower, inefficient police, and slow judicial work have a profound impact on the management of Quezon City Jail. These structures have resulted in the following:

1. The emergence of a unique brand of jail management that relies significantly on inmates, visitors, and volunteers for income to augment the budget it gets from the national government.
2. The emergence of a jail subculture where inmates play a prominent role in the Jail’s administration. They have their own government, they have their own justice system, and they operate a black market to finance their expenses and the management’s projects. Inmates are able to re-create the lifestyle they used to enjoy outside the Jail.
3. The compromise of the BJMP’s principal objectives—reformation of inmates and professionalization of the jail service—to accommodate the subculture.

Recommendations

It is important to note that the alternative structures created by the inmates are merely stopgap measures that, at best, can offer only palliative solutions. The government has to come up with a permanent and radical solution. It can start by listening to inmates, jail officers, volunteers, and visitors as to what measures they think are needed to revitalize Quezon City Jail:

1. Creation of a new Quezon City Jail that has adequate facilities for reformation programs;
2. Provision of basic necessities for inmates, better compensation for jail officers, additional jail personnel;
3. Empowerment of the BJMP director to give Good Conduct Time Allowance to deserving inmates;
4. Review of the BJMP Manual to find a way to incorporate the principles of *pangkat*, *patakan*, *panunungkulan*, and financial schemes which were developed by inmates; and
5. Inclusion of activities being conducted by volunteers, the business community, and visitors in the Jail's programs.



Francis remembers his ordeal that began with a late lunch at Katipunan Avenue six years ago. He was 27 and was at the peak of his writing career, freelancing for several dailies and travel magazines. He was about to take the first bite off his cheeseburger when his attention was diverted to a girl tapping the glass window across his seat. She looked frail, as though she had not eaten for days. For a nine-year old, she looked too small. Aware that she had his attention, she readily put her palms out and motioned for the burger. For some reason even he could not understand, he walked to the girl and asked her to come with him to his apartment where, he promised, toys and candy bars awaited her.

And then he does not remember any thing more, except that he woke up to cacophonous knocks on his door the morning after. It was the barangay captain asking him to report to the police station three blocks from his street. At the police station, he was surprised to see the girl he had brought with him to his apartment. She was crying profusely behind her visibly enraged mother. He could not make sense of the questions he was being asked but as soon as the girl pointed a finger at him, two men in blue uniform unceremoniously grabbed him by his shoulders and whisked him off to the cell about three meters from where he was standing.

Inside the cell, the inmates took turns beating him with their bare fists. Just before he passed out, he heard the police officer who interrogated him tell the inmates: "*Palambutin n'yo muna.*" He woke up in a dark room, stark naked. Two men, police investigators he thought, were seated beside him, shouting at him alternately: "Say you did it! You did it!" But before he could belt out a groan, his penis would be hit with a stick. When he woke up again, he was back in the cell but only with his pants on. He looked around but could not find his shirt, shoes, and watch. He reached for his pockets but could not find his wallet. When he asked for his things, he was told to cling on the bars like a bat and was not allowed to go down until after four hours. He was subjected to such wanton abuse repeatedly for weeks, but no real questioning took place.

After two months, he was only too glad to be finally handed over to Quezon City Jail, thinking that his ordeal would be over. Until he found himself in a 30-square meter cell, which he was to share with 180 other inmates. The airless room reeked of stink—a

Freedom and Death Inside The Jail

heady mix of sweat, garbage, unwashed clothes. No bed or sleeping mat was in sight, only a small, vacant corner offering him two options so he could get some sleep—stand against the wall or squat on the damp floor.

Six months passed before Francis was brought to court for arraignment and only then did he get to talk to his lawyer (assigned to him by the Public Attorneys Office) who explained the hellhole he had been dragged into. He had been charged with molesting the nine-year old girl. If found guilty, he would be meted out no less than lethal injection. The court heard his case only once after the arraignment. Even then, he was not able to talk to his lawyer again. He could not afford a private lawyer; his family disowned him upon learning of his supposed crime. His paralegal officer had been unrelenting in convincing his mother but she would not even agree to see him.

Looking at Francis now—his skin erupting with boils and blisters—and listening to him describe his agony, one can only feel pity. One realizes that being committed in jail is more punitive than reformative. What if Francis did not really molest the girl and is just a victim of a petty accusation that metastasized into a full-blown crime? Then again, how can one know if it is taking forever for the court to try his case?

Francis is only one of the 3,200 inmates of Quezon City Jail. Each one has a story; each story is one of a heartbreak. Put together, their stories tell of a penal system that is disturbingly flawed. On the surface, everything seems calm; inmates and jail officers work toward reformation. Beneath the surface, one hears rumblings and rumors of conspiracy.



An individual sent to jail is not necessarily a criminal. At least not until proven guilty beyond reasonable doubt by the court. The individual could just have been unfortunate as to be in the wrong place at the wrong time.

Which is why, in the Philippines, the penal system is three-tiered. Each tier corresponds to the status of the individual's case.

The first tier corresponds the detention center or the so-called "lock-up." At this stage, the prosecution conducts inquest proceedings to determine the legality of the individual's arrest. Then the prosecution determines whether there is probable cause that will directly link the individual to the crime. But whether or not a probable cause is established, the individual remains merely a suspect and is presumed innocent.

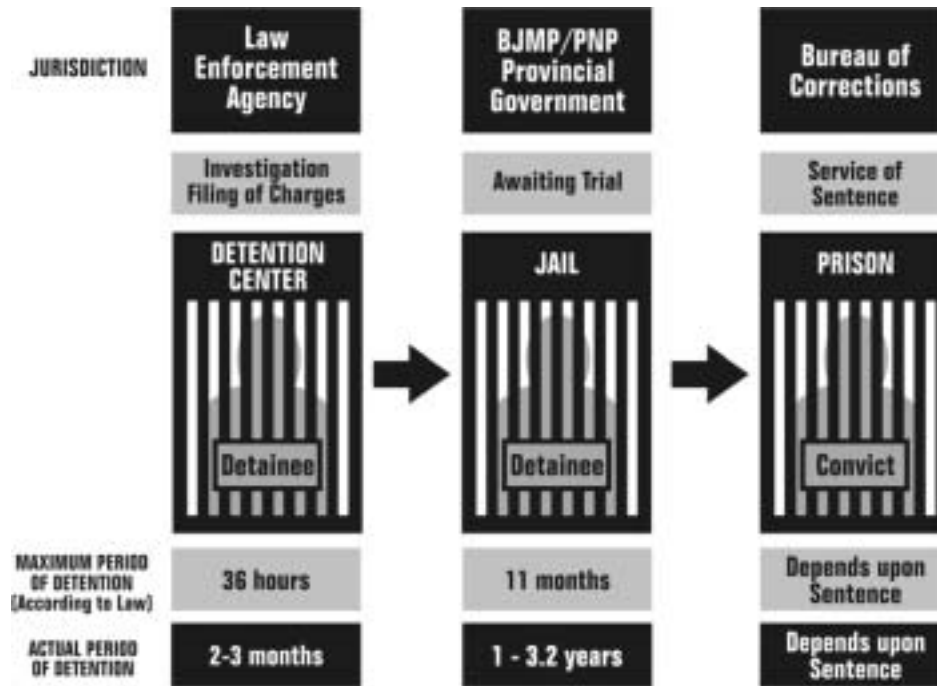
Although run mostly by the Philippine National Police, some detention centers are maintained by the National Bureau of Investigation, the National Anti-Kidnapping Task Force, the Philippine Drug Enforcement Agency, the Bureau of Immigration, and other law enforcement agencies. Quite appropriately, inmates in detention centers are called detainees.

The law provides that detainees who are charged with grave offenses should not be kept in detention for more than 36 hours. For minor offenses, a case must be filed in court within 12 hours, otherwise the accused is released automatically. In reality, however, the average length of stay of inmates in detention centers is two to three months. Some are even detained for as long as one year. This happens for several reasons. One is the accused is considered a high security risk and is deemed better left under the watch of the police. Two, the inmate files a motion for reconsideration with the prosecutor's office which usually takes time to be resolved. Three, the inmate prefers to serve his sentence in the detention center thinking that life in jail will be difficult. And four, the inmate opts to stay in the detention center and pleads to the police officers not to transfer him, especially if he has been convicted with a short-term sentence and has already stayed in the detention center

**Detainees inside a
Quezon City Police Station**



Fig. 1.1 The Philippine Penal System



for nearly the same length of time. Some inmates prefer to finish their sentence in the detention center because transferring to the jail would mean a lot of adjustment on their part. Or perhaps the inmates have already endeared themselves to the police authorities by becoming “trustees” (or personal aides to the officers). As a result, the detention center which is supposedly a temporary holding area becomes a venue for serving the full-term sentence of inmates. Accordingly, detainees are called prisoners or *preso*.

Once the court issues an order to transfer the accused to the jail, a certificate of detention should be issued to the inmate, stating the length of his stay in the detention center. Should the inmate be convicted, the length of his stay in the detention center would be deducted from the number of years the court has ordered him to serve in jail. Not all detainees, however, are sent to jail. Some of them are able to post bail while others secure an out-of-court settlement with the complainant. In some instances, the prosecutors are not able to establish probable cause for lack of evidence and the case is dismissed.

The second tier in the penal institution is the jail. There are five kinds of jails based on territorial jurisdiction—municipal, city, district, provincial, and sub-provincial. All in all, there is a total of 1,344 jails in the country. Ideally, the Bureau of Jail Management and Penology (BJMP) has jurisdiction over the 1,003 municipal, 135 district, and 83 city jails. Due to limitations in personnel and budget, however, more than half of the municipal jails (747 of the 1,003) are still managed by the PNP.

The Philippine Penal System

The provincial government runs the provincial and sub-provincial jails as provided for in Republic Act No. 7160 or the Local Government Code. The provincial governor appoints the warden of the jail. There are 79 provincial and 25 sub-provincial jails all over the country. They have their own organizational setup and structure depending on the size, income, and population of the province. Meanwhile, there are special jail centers for children in conflict with the law (CICL) that are managed by the Department of Social Welfare and Development. CICLs who have pending cases and have been sentenced to prison are committed to the regional rehabilitation centers until they reach the age of 18. In regions without jail centers, the CICLs are committed to the jail nearest to the locality. By law, however, the minors should be segregated from the adults.

SINCE INMATES HAVE BEEN STAYING IN JAIL FOR A LONG TIME ALREADY, THOSE WHO ARE CONVICTED OPT TO JUST FINISH THE REMAINING MONTHS OF THEIR SENTENCE IN JAIL INSTEAD OF TRANSFERRING TO THE PRISON, THE THIRD LEVEL OF THE PENAL SYSTEM.

There are two kinds of inmates in the jails. The first are those who are undergoing trial or waiting for the promulgation of their cases. The second are those who are sentenced with an imprisonment of not more than three years. Inmates with a sentence of more than three years are, by law, transferred to the Bureau of Corrections.

The Speedy Trial Act provides that inmates should be kept in jail only up to eleven months. Inmates with bailable offenses, however, stay in jail for one year and those with non-bailable offenses, 3.2 years on the average. There are even inmates who have been staying in jail for 11 years now. In fact, the courts have yet to resolve almost 92% of about 53,000 inmates' cases that the BJMP is handling. In this case, inmates are still presumed innocent just like the detainees.

Since inmates have been staying in jail for a long time already, those who are convicted opt to just finish the remaining months of their sentence in jail instead of transferring to the prison, the third tier of the penal system.

Table 1.1: Agencies and their Areas of Jurisdiction

AGENCY	FACILITY	JURISDICTION
Philippine National Police	Detention center	Under investigation
	Municipal Jail	Inmates who are: > undergoing trial or awaiting judgment > serving a sentence of three years or less
Bureau of Jail Management and Penology	Municipal, City, and District Jails	
Provincial government	Provincial and sub-provincial jails	
Department of Social Welfare and Development	Regional Rehabilitation Centers	Children in conflict with the law
Bureau of Corrections	National Penitentiaries, Prisons and Penal Farms	National prisoners who are serving a sentence of more than three years

Freedom and Death Inside The Jail

MOST PEOPLE WOULD NOT MAKE A DISTINCTION AMONG DETENTION CENTERS, JAILS, AND PRISONS. IN FACT, ALL INDIVIDUALS BEHIND BARS ARE CONVENIENTLY AND UNIFORMLY REFERRED TO AS PRISONERS.

For those who are eventually transferred to prison, a certificate that documents the length of their stay in jail is issued to them. The period served in jail would be deducted from the sentence of the inmates.

The third level consists of the prisons and penal farms, which are managed by the Bureau of Corrections (BuCor). BuCor, an integral agency of the Department of Justice, handles the reformation needs of inmates whose sentence is more than three years. There are seven prisons and penal farms, also known as penitentiaries, countrywide. The inmates in the penitentiaries are called convicted prisoners.

Prisoners are classified based on the weight of their penalty. The minimum security is for inmates with a penalty of three to six years. The medium security is for inmates with a penalty of six to twelve years, and the maximum security for those with a sentence of twelve years or more.

These are the three levels of the Philippine penal system but most people do not make a distinction among detention centers, jails, and prisons. In fact, all individuals behind bars are conveniently and uniformly referred to as prisoners or “preso”.



Desk officers man the tower leading to the main premises of Quezon City Jail.

Jail management was originally assigned to the police. The growing number of inmates in detention centers, however, forced the PNP to create a separate agency that would look after the welfare of the detainees. The police argued that their function was primarily to enforce laws, investigate crimes, and help prosecute the lawbreakers and that it was no longer their responsibility to keep watch of inmates. Besides, correctional management entailed a different set of philosophies and custodial functions which the police were not prepared for. Thus the Bureau of Jail Management and Penology (BJMP) was born.

The BJMP was created as a line agency of the Department of Interior and Local Government as stipulated in Republic Act No. 6957 or the Department of Interior and Local Government Act of 1990. The forerunner of the BJMP was the Office of Jail Management and Penology (OJMP), a staff unit under the defunct Philippine Constabulary/Integrated National Police.

The BJMP is authorized to exercise control and supervision of all district, city, and municipal jails nationwide. Its objectives are:

1. To improve the living conditions of inmates in accordance with the accepted standards set by the United Nations;
2. To enhance the reformation and rehabilitation of inmates in preparation for their eventual reintegration into society upon their release; and
3. To professionalize jail services.

As a signatory to the UN Standard Minimum Rules for the Treatment of Prisoners, the Philippines is required to carry out rehabilitation and reformation within humane standards. Thus, the BJMP Manual provides that rehabilitation services include provisions for: 1.) basic needs of inmates; 2.) medical and dental services; 3.) education and skills training; 4.) religious, guidance, and counseling services; 5.) recreation, sports, and entertainment; 6.) work programs, such as livelihood projects; 7.) visitation services; and 8.) mail services.

The BJMP, however, appears to be one of the least prioritized agencies of the national government. Its annual budget, for instance, is tragically inadequate. Since 2002, the bureau's budget has been stuck at P1.9 billion. As a result, the BJMP is constrained in implementing judiciously, if at all, its rehabilitation and reformation programs.

Which leads to the baffling question of what becomes of the inmates. If Francis is any indication, they are in a rut. They starve. They hardly get a good sleep. They grow boils and blisters. They live a condemned life.



CORRECTIONAL MANAGEMENT ENTAILS A DIFFERENT SET OF PHILOSOPHIES AND CUSTODIAL FUNCTIONS WHICH THE POLICE ARE NOT PREPARED FOR.

THE BJMP, HOWEVER, APPEARS TO BE ONE OF THE LEAST PRIORITIZED AGENCIES OF THE NATIONAL GOVERNMENT. ITS ANNUAL BUDGET, FOR INSTANCE, IS TRAGICALLY INADEQUATE.



BJMP personnel's offices and living quarters are located on the topmost floor.

But not all inmates. There are some who gain power and authority. They even make money, thanks to the black market inside the jail. They are the main players in a game the rules of which they themselves make.



QCJ personnel's living quarters

Quezon City Jail, for example, is a community of alarming contrasts. Inside the jail, inmates either die or regain their freedom depending on how well they play their cards. For those who choose the condemned life, they live as miserably as a rat. For those who gain power, they get their freedom back—and more.

Death or freedom, the question whether inmates are getting the proper rehabilitation and reformation they are supposed to get remains.

This book takes a hard and close look at Quezon City Jail. It brings to light an interesting and intriguing brand of jail management. More importantly, it puts into perspective the living conditions of inmates: why to some jail is a circle of hell, while for others it is an uncharted territory teeming with unexplored opportunities.

Research Methodology

Nobody understands the Quezon City Jail community better than the jail officers and employees, the inmates, and to some extent, the family members of the inmates. They are, after all, the ones who live the jail life. They are the reason why Quezon City Jail continues to exist.

Following this premise, the author used the Participatory Research Approach or PRA in knowing and understanding Quezon City Jail both as an institution and as a community.

The PRA, which was conducted from April to November 2003, is a set of research tools that allows respondents to express and analyze for themselves the situations they are in.

It must be noted that the author also made use of data derived from the experiences of inmates, jail officers, and volunteers that have transpired prior to the seven-month research period. Many of the anecdotes contained in this book happened as early as 1995 when the inmate population of Quezon City Jail was much smaller. The author decided to include these experiences to provide a historical context to the present situation of the Quezon City Jail community.

In every PRA activity, participants are given an orientation about the objectives and procedures of the research. Participants are formed into small groups of five to seven members. Each group is given a set of questions. Every member is asked to write or draw his answers to the questions on manila paper. The group leader is tasked to consolidate the answers. Then all groups are gathered and the leader makes a presentation of his members' answers. Members from other groups are asked to react to the presentation. What ensues thereafter is a freewheeling exchange of ideas among participants—they accept, reject, or correct their own answers.

The PRA activities had different participants depending on the information needed. For example, medical officers were chosen as participants for the discernment of the inmates' health conditions; the paralegal officers for legal matters; and the custodial and escort officers for security issues. The data gathered from these sources are then triangulated with those from the inmate paralegal coordinators and inmate medical coordinators. In other words, participants were chosen based on the information that the PRA sought from them.

One of the most important features of PRA is the element of trust between researcher and participants. Without trust, participants may hold back important details. Some respondents may regard the researcher as a total stranger, which makes them uncomfortable and, therefore, unexpressive of their views.



Inmates showing their contributions to a PRA activity.



PRA activity sheet on visitor's perception of jail conditions.



An illustration by a 7-year-old showing how she feels about her father being in detention.

Freedom and Death Inside The Jail

In the case of jail officers and inmates in Quezon City Jail, they can be overly cautious of every bit of information they divulge for fear of courting the ire of jail officials and their fellow inmates. Or they can be defensive about their being in jail and volunteer only half-truthful information.

It helped a lot that the author is a former inmate in Quezon City Jail where he was detained for almost seven years. He understands how the system works inside the Jail. He knows who are the right inmates and jail officers to talk to. And, more importantly, the inmates saw him as one of them. Trust between author and participants, it can be said, was easily established.

The PRA, however, is not investigative in nature. It is not its intention to expose information that border on the anomalous. Instead, it seeks to understand the Quezon City Jail community: why jail officers and inmates behave and think the way they do, what their aspirations are, what their problems are. In the process, with the help of the jail officers and inmates themselves, it hopes to come up with recommendations on how inefficiencies in the jail management can be best remedied.



**Inmates
participating in
a PRA activity**



The primary task of a correctional institution is to reform and rehabilitate an erring member of society. The goal is to ensure that the member, upon his release, is prepared for his reintegration into the society of law-abiding citizens. Rehabilitation, in this sense, comes in the form of imprisonment so as to deter the individual from committing the same offense or any other form of criminal acts. Punishment corresponds to the gravity of the offense. One who commits robbery is meted out a punishment lighter than for one who commits murder.

THE PRIMARY TASK OF A CORRECTIONAL INSTITUTION IS TO REFORM AND REHABILITATE AN ERRING MEMBER OF SOCIETY.

Rehabilitation has several components to suit the different “needs” of inmates. Needs are identified based on the nature of the offense, the manner it was committed, the relationship of the individual to the victim(s), and the circumstances that led or contributed to the offense. A pedophile, for example, may be provided psychological treatment while a drug dependent may be given medical attention. Each component is designed to help the individual relearn the basics of being a good member of society. The individual must regain his citizenship and the privileges (e.g., rights and freedom) that go with it.



Inmates are made to stay in the holding area of the QC Hall of Justice while waiting for their hearing.



The Good Citizen

Citizenship has three components. One is awareness of the law. The individual knows and understands the rules and regulations—from those specifically observed in his community (cultural) to those observed in all parts of the world (universal); from those purposely written in books (constitution, statuettes) to those written on the walls (etiquette, norms).

Another component of citizenship is economic empowerment or financial autonomy. The individual has a legal source of income that enables him to provide for his or her own needs, be it as essential as food or as mundane as jewelry.

The third is value formation. The individual finds meaning in observing the law and in putting economic power to good use. He is aware of his rights but, at the same time, understands his responsibility to other people and to society. He believes that murder is unacceptable not simply because it is against the law, but more importantly because it is disrespect of other people's right to life. He does not steal because he is aware of other people's right to own property.

How well do our correctional institutions reform and rehabilitate erring citizens?

Support Structures

For the correctional institution to accomplish its task of reforming and rehabilitating erring citizens, it should have adequate facilities, personnel, and programs. It should be able to provide inmates their basic needs, such as food, clothing, bedding, medicine, and education. It should also be able to give inmates legal, medical, and psychosocial support.

The correctional institution, however, is only one of the key players in the criminal justice system. It needs the cooperation and support of the other players, such as the law enforcement agencies and the judiciary. It is the law enforcement agencies that apprehend a citizen who commits a criminal act and brings him or her to the correctional institution. The judiciary, meanwhile, evaluates the charges against the citizen who is sent to prison if found guilty and freed if not.

If these two players bungle their respective tasks—the police apprehending suspects without proper investigation and the courts taking forever to decide on a case—the correctional institution,

particularly the jails that accommodate inmates whose cases are still on trial, gets congested. With too many inmates under its charge, the correctional institution will most likely not be able to carry out its own tasks efficiently and effectively. Its facilities, personnel, and programs will not measure up to the needs of all inmates.

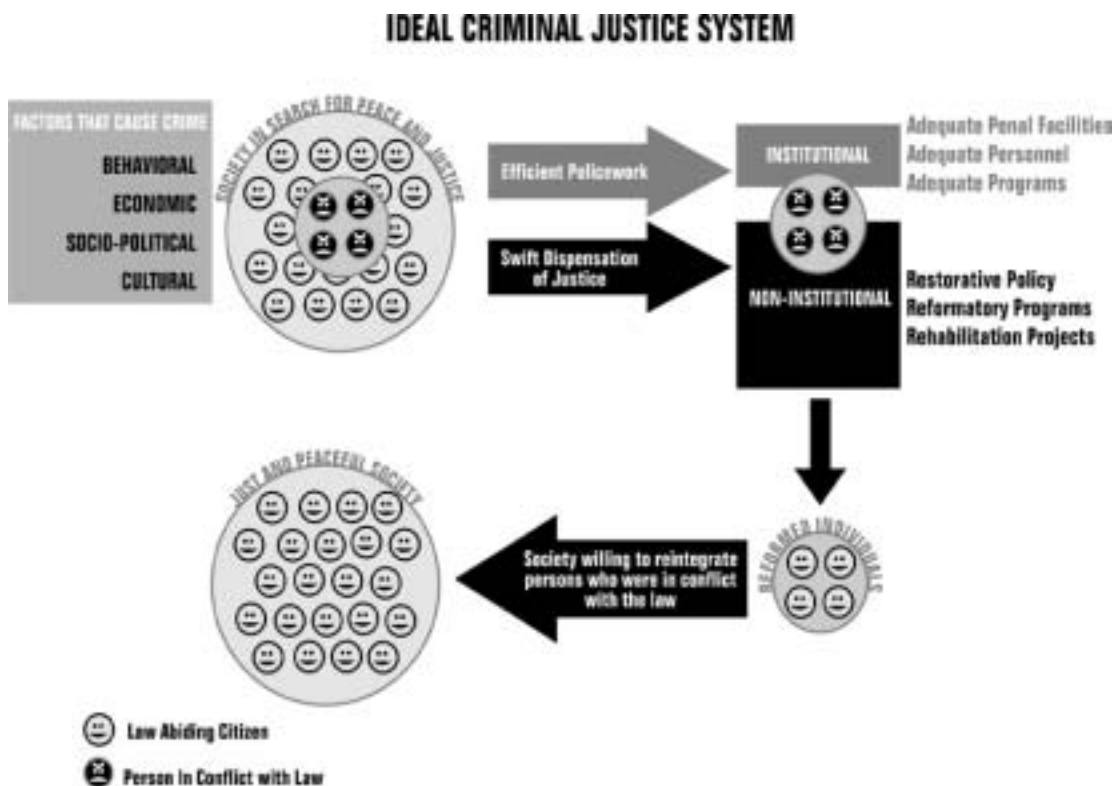
The Ideal Criminal Justice System

In an ideal society, there is a social contract that defines the relationship of members with one another. Some of their individual rights and freedom are surrendered to attain a common good. The social contract is entrusted to a body politic called “government.” The government comes up with a penal code that clearly defines what behaviors and practices are acceptable and unacceptable. The government also sees to it that the law is justly implemented.



Ideally, an inmate should undergo a holistic reformation and rehabilitation program with his basic needs adequately provided.

Fig. 2.1 The Ideal Criminal Justice System





**A court room in
Vancouver, Canada**

All members of society, therefore, are law-abiding citizens. No one lies, steals, or kills. There is law and order. Anyone who is suspected of flouting the law is considered a threat to the peace being enjoyed by the community and is readily apprehended by the police.

The accused, however, is given the chance to be heard and to explain his or her side. He is given the benefit of due process and equal protection of the law. The prosecution facilitates the legal action against the alleged offender as it determines the merits of the charges—whether or not there is sufficient evidence to build a case against the suspect and seek redress or punishment. At the same time, defense lawyers see to it that the accused is given access to all legal remedies to prove his innocence.

Indeed, all means available are exhausted before the court comes up with a verdict. The judiciary operates on four principles. One, the accused must be found guilty beyond reasonable doubt. Two, there must be a swift dispensation of verdict, which means the case should be promulgated at the speediest time possible. Three, the severity of the punishment must be commensurate to the gravity of the crime. And four, the nature of punishment must be so designed as to restore the inherent goodness in the erring individual.

If found guilty, the violator is brought to the correctional facility where, from thereon, he ceases to become a member of the community; his citizenship is revoked and his rights stripped. The inmate, for example, is not allowed to exercise his right to vote

or run for public office.

While serving his time in the correctional facility, the inmate is made to undergo reformation and rehabilitation programs that would help him recover his citizenship. His basic needs are adequately provided—food, clothing, medicine. The inmate also gets psychiatric treatment. He is enrolled in computer, gym, and values education classes. And he is involved in livelihood projects to hone his skills. It is a holistic program that caters to the behavioral, social, economic, cultural, and spiritual reformation of the inmate.

The correctional institution has two approaches to reforming members of society who are in conflict with the law. One is the penal or institutional approach, where the individual is sent to a penal facility (jail or prison) to serve his sentence. The other is the non-institutional approach, where the individual is asked to do community service.

Both the government and the offender benefit more from the non-institutional approach compared to the institutional approach. On the part of the government, it does not have to feed, clothe, and spend for other basic necessities of the offender. The offender, for his part, is able to redeem his economic and social worth.

The different modes of the non-institutional approach while the case is still on trial are:

Release on bail. It is the right of every accused to post bail, except when his case involves a heinous crime and when the evidence of his guilt is strong.

Release on recognizance. The accused may be released based on the recommendation of a reputable person in the community.

Pretrial release. This is a form of non-financial bail where the accused is subject to the supervision of a pre-trial officer as he undergoes behavior modification programs. This, however, is not implemented in the Philippines.

When the accused is found guilty, the different modes of the non-institutional approach are:

Probation. This is given to an inmate who is sentenced to a maximum of six years of imprisonment. There are conditions before an inmate can avail of probation: one, he should not be a recidivist; and two, he must pass the evaluation of the probation officer who has to attest that he has the capability to reform outside the penal institution.

Parole. This is granted to an inmate who has already served the required length of the sentence, is not a recidivist, has shown good conduct while in the correctional facility, and has been recommended by the parole officer as capable of regaining his economic usefulness outside the penal institution.

Suspended sentence. When the inmate is a minor, he is sent to a training center to undergo reformation programs. Upon successful completion of the program, the inmate's criminal records may be cleared.

The need for the institutional approach, meanwhile, is explained by two schools of thought. The old school argues for the custodial function of the state while the new school cites the humanitarian aspect of the institutional approach.

A. Old school

1. **For punishment.** When a person commits a crime, he should be made to realize the pain he inflicted on his victim by actually inflicting pain on him as well. This argument is loosely derived from the ancient concept of justice: "An eye for an eye, a tooth for a tooth."
2. **For deterrence.** When a person commits a crime, he should be punished accordingly so that he and the other members of society will be deterred from flouting the social contract again.
3. **For isolation.** When a person commits a crime, say murder, he should be isolated (by keeping him in prison) to prevent him from committing murder again.

B. New school

**THE PROVISION OF
BASIC SERVICES MEANS
THAT OFFENDERS STILL
MAINTAIN THEIR RIGHT
TO HUMAN DIGNITY.
IT IS THE FIRST STEP
IN THE REFORMATION
PROCESS INDICATING
THAT, INDEED, SOCIETY
STILL CARES FOR THEM.**

1. **For rehabilitation** (the individual with himself). People commit crime mainly because of psychological or behavioral problems. Therefore, they have to be incarcerated so they can undergo rehabilitation and cure them of such "illness."
2. **For reformation** (the individual with others). People commit crime because they cannot live within the norms of society. Imprisonment should help them unlearn such anti-social behavior and, instead, learn how to live harmoniously with other members of society.

3. **For restoration** (the individual with the community). When a person commits a crime, he not only offends his victim but also himself and the rest of the community. Imprisonment should help him realize this and, in turn, strive to seek forgiveness from his victim or his victim's family, the community, and himself. This principle embodies the concept of restorative justice.

As noted earlier, for a penal institution to effectively and efficiently carry out its custodial and reformation functions, it must be capable of providing inmates with basic services, facilities, personnel, and programs. Basic services would include food, clothing, and bedding, among other things. The provision of basic services means that offenders still maintain their right to human dignity. It is the first step in the reformation process indicating that, indeed, society still cares for them.



A cell in America furnished with adequate facilities

Alongside basic necessities, inmates would also need facilities to continue living a dignified existence. The cell, for instance, should allow for adequate ventilation, floor space, lighting, and heating. The cell must also have a comfort room and lavatory. There should only be one or a maximum of two inmates assigned in every cell. The other facilities include mess hall, kitchen, livelihood area, visiting area, infirmary, and employee quarters.

To complement these facilities, the penal facility should have equipment for efficient delivery of services. These equipment include computer units, fax machines, communication systems, and transportation. For security purposes, the penal facility should have adequate supply of handcuffs, proper designation of firearms to the personnel, and secured perimeter fences.

Table 2.1: Jail Officer - Inmate Ratios

DESIGNATION	FUNCTION	IDEAL RATIO
Custodial	Secure the inmates, monitor their movements, and control their activities	1 custodial officer : 7 inmates
Escort	Bring the inmates to courts for hearing and to other places as designated by competent court authorities.	N+1 : N (N = number of inmates)
Paralegal	Facilitate and monitor the cases of the inmates in coordination with other agencies	1 paralegal officer : 500 inmates
Medical Physician	Supervise the medical conditions of the inmates	1 physician : 1,000 inmates
Psychiatrist	Provide psychiatric evaluation for the inmates	1 psychiatrist per jail

The penal facility would also need competent personnel, whose number must be in proportion to the population of inmates. This is to make sure that the officers meet the individual needs of inmates. But to attract competent officers, the penal facility should be able to provide a competitive compensation package including promotion, training opportunities for skills and personality development, and opportunities for career improvement.

The penal facility must also have a workable reformation program, which means it must have all of these five components:

a. Reception and Diagnostics Center (RDC)

The RDC gathers all data about newly committed inmates' personal history, socio-economic background, educational attainment, medical and psychological condition, and the inmates' personal assessment of their case. These data will be the basis for designing a reformation program that is attuned to the needs of inmates.

The RDC also gives inmates an orientation on the rules and regulations of the jail. Inmates are informed of their rights and privileges, as well as their roles and obligations during their incarceration.

The RDC keeps inmates under its custody until such time that inmates are prepared for their transfer to the cell.

b. Classification system

Based on the data gathered by the RDC, inmates will undergo classification according to the following:

Case. Inmates are classified according to the cases they are charged with. Inmates with drug-related cases, for example, are grouped together and they undergo a common program suited to their rehabilitation needs. Drug peddlers and pushers, meanwhile, are given a different program—one that is strong in social responsibility and livelihood.

Physical and mental condition. The mentally and physically ill inmates must be placed in a separate cell so as to avoid the spread of diseases. A separate medical and physical program should be administered to these inmates.

Special concerns. The classification of inmates may also be based on special concerns. Gay, female, and youth inmates, for example, should be grouped in a

separate cell and given a program designed to meet their respective needs and interests.

c. Individualized treatment

After inmates have been classified, reformation and rehabilitation programs must now be designed according to their individual needs.

d. Merit system

Inmates who show considerable improvement in character and performance are given due recognition so that they will serve as role models to other inmates. Recognition comes in the form of rewards, such as additional privileges like home leaves. Or if an inmate's attitude and behavior are highly commendable, his sentence may be shortened.

On the other hand, inmates who habitually cause trouble are subjected to stricter supervision and hard labor. The punishment for troublemakers, however, should be non-corporal and must have a redeeming value, e.g., by incorporating counseling sessions. Jail management should explain to the inmate why his actions are not acceptable and, therefore, should be punished. Moreover, punishment should be conducted in accordance with the gravity of the offense.

The jail must have a facility for isolating the erring inmate. The inmate must be removed from the area of conflict as soon as possible in order to avoid the escalation of hostilities among other inmates. The isolation cell must be sanitary and habitable. While in isolation, the inmates' privileges (e.g., visitation) are temporarily canceled.

The inmates' disciplinary record will eventually be the basis for the issuance of certificates of good moral conduct. It is made clear to inmates that unruly behavior translates to longer penal service.

e. Holistic program

Inmates may undergo group therapy where they are made to feel like members of a family. The community therapy setup will allow inmates to talk and freely express their feelings about their situation. Inmates are made to feel that they belong to a community of mutual support and understanding.

**THE POLICE,
PROSECUTORS, JUDGES,
AND CORRECTIONAL
OFFICERS MUST BE
ABLE TO RESIST
THE INFLUENCE OF
THE AFFLUENT AND
POWERFUL MEMBERS
OF SOCIETY. THEY
SHOULD BE ABLE TO
PURSUE THEIR MANDATE
NOTWITHSTANDING THE
POLITICAL OR SOCIAL
INTERESTS AT STAKE.**

In the community therapy, the inmates' talents and skills are maximized. Inmates are given work assignments that could utilize their skills and keep them preoccupied.

When the time comes an inmate is to be set free, he is adequately prepared to be reintegrated into society. Society, for its part, willingly embraces the individual back to its fold. The individual is free to walk the streets, interact with his community, or participate in elections either by casting his vote or running for public office. The individual is a citizen again.

Key Ingredients in the Ideal Criminal Justice System

There are two key ingredients in making the ideal criminal justice system work. These ingredients are reflective of the socio-political-cultural context in which the system operates. The first ingredient is the institutional capability of the criminal justice institutions and the second, the cultural mentality of criminal justice practitioners.

Institutions under the criminal justice system should comprise an independent sector. The police, prosecutors, judges, and correctional officers must be able to resist the influence of the affluent and powerful members of society. They should be able to pursue their mandate notwithstanding the political or social interests at stake.

Moreover, criminal justice institutions should have coordination in carrying out their respective tasks. The systematic flow of the criminal procedure, access to pertinent information, and delineation of functions and responsibilities are needed for these institutions to come up with synergistic output, which will then redound to the efficient implementation of their individual programs.

The ideal capability of criminal justice institutions is reinforced by the cultural mentality of criminal justice practitioners. There is no hierarchy among the inmate-accused, correctional officer, social worker, police, prosecutor, and defense lawyer, the judge and justice, and other actors in the system. These practitioners, therefore, should regard each other as equal in stature—each being the expert in his own field and the authority in his own

THERE IS NO HIERARCHY AMONG THE INMATE-ACCUSED, CORRECTIONAL OFFICER, SOCIAL WORKER, POLICE, PROSECUTOR, AND DEFENSE LAWYER, THE JUDGE AND JUSTICE, AND OTHER ACTORS IN THE SYSTEM. THESE PRACTITIONERS, THEREFORE, SHOULD REGARD EACH OTHER AS EQUAL IN STATURE—EACH BEING THE EXPERT IN HIS OWN FIELD AND THE AUTHORITY IN HIS OWN DOMAIN.

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR - LOCAL GOVERNMENT
QUEZON CITY JAIL
BUREAU OF JAIL MANAGEMENT **PART THREE**
THE QUEZON CITY JAIL COMMUNITY

An old compound along Epifanio de los Santos Avenue in Metro Manila gives the impression that it is nothing more than a home-spun community. One has to get past the men in gray uniforms, who are stationed at the gate doing body searches on visitors, to be allowed entrance. Then one negotiates a narrow staircase that leads to the second floor overlooking the entire community. Food stalls, a telephone booth, a videoke bar, magazine stands, and a chapel line the west wing. Up north: the billiard hall, mini-gym, grocery, grotto, and barbershop. The east building is occupied by offices. The quadrangle is an interesting mix of basketball players, peddlers, cigarette vendors, bystanders, and lovers.

Inside the buildings, one has to walk sideways to get to the other end of the hall for there is barely any space to move around. It is teeming with people—mostly men. And it is numbingly hot one cannot think of anything but the asphyxiating heat.



Then one notices the compound's occupants, their skin either covered with tattoos or erupting with boils. Although dressed in tattered shirts and grubby short pants, they do not look anything harmful. In fact, they break into genuinely welcoming smiles quite readily. One is tempted to ask: what are the men in uniform there for?

Until one remembers that the compound is not an ordinary community. It is the Quezon City Jail.

Established in 1953, the 3,191-square meter Quezon City Jail compound is a detention center for inmates who are awaiting trial. Originally under the Philippine Constabulary - Integrated National Police (PC-INP), the supervision of the Jail was formally transferred to the Bureau of Jail Management and Penology (BJMP) when Republic Act No. 6975 or the Department of Interior and Local Government Law took effect in 1991.

ORGANIZATIONAL STRUCTURE

As of November 2003, Quezon City Jail has 126 personnel headed by a Warden, who reports directly to the Assistant Regional Director of the BJMP National Capital Region. The Warden oversees the implementation of laws, rules and regulations, policies, guidelines, projects, and programs pertinent to the custodial and reformatory functions of the Jail. He also ensures the safety, security, discipline, and well-being of Jail personnel and inmates.

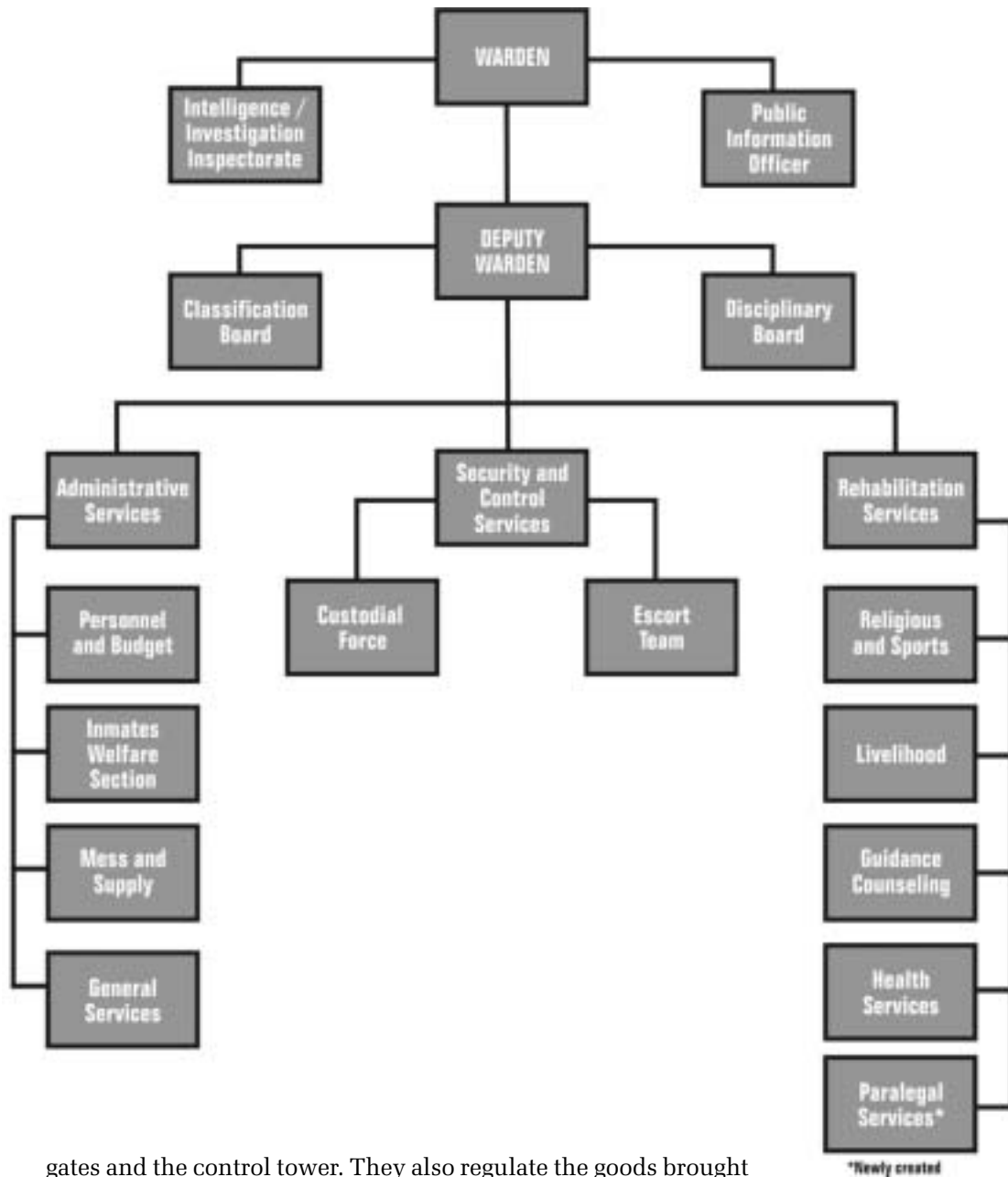
The Warden, who holds a rank of superintendent, is assisted by a Deputy Warden for operations and for administration. He acts as officer in charge whenever the Warden is on leave. The Deputy Warden is in charge of overseeing the day-to-day activities in the jail—from food rationing to routine headcounts to jail assemblies. He also deals with personnel matters such as appointments and promotions, morale and welfare, deployment, and orientation of newly committed inmates.

The Quezon City Jail Organizational Structure

Under the deputy warden are eight divisions: Custodial, Escort, Medical, Paralegal, Records, Mess, Intelligence/Investigation, and Rehabilitation. The Records Division keeps the documents, such as inmate profiles, list of inmates per cell, jail population.

The Custodial and Escort Divisions look after the safety of inmates. At the same time, they design security measures so that no inmate escapes from the Jail. They are in charge of the daily headcount and make sure that every inmate is well accounted for. They deploy personnel in such critical spots as entrance and exit

The Quezon City Jail Organizational Structure



gates and the control tower. They also regulate the goods brought in by visitors to prevent the possible entry of illegal drugs and other kinds of contraband.

For its part, the Intelligence/Investigation and Inspectorate Branch is responsible for looking into conflicts among inmates. It determines the cause, the mastermind, and inmates involved in riots, noise barrages, and other forms of disturbance. Its main responsibility is to gather information that would help the jail management prevent such disturbances.

The Paralegal Division monitors the cases of inmates and provides them legal assistance in order to help them secure an early release. It also determines who among the inmates have been in detention for a period equal to or more than the possible maximum imprisonment for the offense for which they have been sentenced. If there is an inmate who has been staying in the Jail for more than the period of the sentence he may get, he will be released immediately without prejudice to the continuation of his trial or the resolution of his appeal that is under review. Finally, it coordinates with other government agencies (e.g., the Executive Judge of the Regional Trial Court and Metropolitan Trial Court, the Prosecutor's Office, Integrated Bar of the Philippines, Public Attorney's Office, Board of Pardon and Parole and, the Department of Social Welfare and Development) and non-government organizations in providing inmates with legal assistance.

The Rehabilitation Division conducts religious, education, recreation, sports, and livelihood programs for inmates. It facilitates psychiatric treatment and drug dependence rehabilitation in coordination with various NGOs and other government agencies.

The Medical Division, meanwhile, provides health care to both personnel and inmates. It conducts regular physical examinations and operates an infirmary. The division also provides psychiatric services to inmates.

The Mess Section supervises the delivery of food to inmates. It regulates the supply and distribution of food. It makes sure sick inmates get food rations according to their need, quantity- and quality-wise. The food ration of Muslim inmates is different from the others in respect to their religious beliefs.

Jail Officers Profile

All jail officers are graduates of a four-year course. From their ranks are such professionals as licensed nurses, criminologists, social workers, and under-Bar law graduates. Upon their admission to the jail service, they undergo a four-month course in the Jail National Training Institute where they learn about custodial functions, proper maintenance of jail, reformation programs, and security issues. Then they are made to undergo a month-long on-the-job training in different jails. Those who make it to graduation are deployed in jails nationwide.

While in service, jail officers are expected to pursue further studies and continue to improve their skills. This is important especially for those aspiring for promotions.

Most of the jail officers have a very practical reason for joining the jail bureau—to have a steady source of income. Ironically, they

admit that their salary as jail officers is barely enough to raise a family. A jail officer's monthly salary is only two thirds of what a police officer gets, even if they have the same rank.

But some of the jail officers seem less concerned with monetary benefits. They said they joined the BJMP "to be part of a prestigious organization." They find the promise of a professionalized jail service quite attractive. This idealism holds true especially among jail officers who joined the service in the early 1990s when the BJMP was just a newly established institution. At that time, positions in the jail service were two ranks higher if the applicants were from the Philippine National Police and the Armed Forces of the Philippines.

For some officers, the reason for joining the BJMP could be as petty as "getting to own a gun and getting to don the uniform." It is their belief that one commands "automatic respect" from society when one is in a "neatly pressed military uniform" and when one "has a gun."

There are also jail officers whose intentions are as noble as "serving the inmates and the less fortunate members of society."

Inmate Profile

Originally intended for 815 inmates, Quezon City Jail is crammed with 3,200 inmates as of October 2003. The Jail's population increased dramatically from February to June 2003, or in a short span of four months. And at the rate things are going, where the increase rate is 12% yearly, inmate population in the Jail is projected to shoot up to 4,000 by mid-2005.

How the inmate population in Quezon City Jail ballooned to such an incredible proportion could be traced to the enactment of Republic Act No. 9165 or the Comprehensive Drugs Act of 2002. Under RA 9165, suspected drug users charged with possession of more than 10 grams of shabu or *methamphetamine hydrochloride* and drug pushers charged with peddling shabu regardless of the amount are no longer allowed to post bail. Moreover, the suspects are no longer eligible for probation should they plead



QC Jail Rehabilitation Officers



QC Jail Escort Officers



By 2005, inmate population is expected to increase to 4,000.



The Sigue-Sigue Sputnik Brigade

Table 3.1: Population Density as of February and June 2003

LOCATION	DISTRICT or DORM	POPULATION		CELL FLOOR AREA	AREA OCCUPIED PER PERSON
		Feb2003	Jun2003		
Annex building	Dorm 1	82		24 sq.m.	0.292 sq.m.
	Dorm 2	81		24 sq.m.	0.296 sq.m.
	Dorm 3	83		24 sq.m.	0.289 sq.m.
	Dorm 4	82		24 sq.m.	0.292 sq.m.
	Dorm 5	93		24 sq.m.	0.258 sq.m.
	Dorm 6	100		64 sq.m.	0.640 sq.m.
	Dorm 7	136		100 sq.m.	0.735 sq.m.
	Dorm 8	79		70 sq.m.	0.886 sq.m.
Total Annex Bldg.		736	929		
Sigue-Sigue Sputnik	District 1	439		294 sq.m.	0.669 sq.m.
	Sub-district 1	242		120 sq.m.	0.495 sq.m.
Total (Sputnik)		681	736		
Sigue-Sigue Commando	District 3	222	252	160 sq.m.	0.720 sq.m.
Batang City Jail	District 2	189		168 sq.m.	0.888 sq.m.
	Sub-district 2	195		150 sq.m.	0.769 sq.m.
	District 4	209		180 sq.m.	0.861 sq.m.
Total (BCJ)		593	629		
Bahala Na Gang		59	79	30 sq.m.	0.508 sq.m.
Barangay Roxas		18	16	24 sq.m.	1.33 sq.m.
Total No. of Inmates		2309	2641		

guilty to the offense. As a result, around 30 individuals are being committed in Quezon City Jail every-day.

Inmates are housed in a cell or *selda*, which is the basic unit of organization in Quezon City Jail. Once an inmate is committed, he is designated to a particular cell. The cell will be recorded in the inmate's data sheet and he will, from then on, be contacted through his cell designation. If an inmate is scheduled for a hearing, for example, he will be informed through his cell. He will also receive and entertain his visitors in his cell.



Newly committed inmates sit in a corner while waiting for their cell assignments.

Five to eight cells form a *brigada* or brigade. In Quezon City Jail, there are two kinds of *brigada*. These are the *brigada ng pangkat* (group/gang) or the brigade of *pangkat* members and the *brigada ng querna* or the brigade of non-*pangkat* members. There are four *pangkats* in the Quezon City Jail, namely, Batang City Jail, Sigue-Sigue Sputnik, Sigue-Sigue Commando, and Bahala na Gang.



Dorm 3 of Annex Building

Volunteers

NGOs and private institutions that range from religious to medical to legal groups work in and for Quezon City Jail. PRESO Foundation conducts a regular medical consultation for inmates every last Saturday of the month. Lawyers from the Public Attorney's Office, and Ipaglaban Mo Foundation give free legal advice.

Volunteers from Caritas Manila, University of the Philippines - Ugnayan ng Pahinungod, Religious of the Virgin Mary, and the Integrated Bar of the Philippines, meanwhile, follow up the cases for speedy disposition. These volunteers look into the schedules of hearings, facilitate the testimonies of witnesses, track down the inmates' relatives, and monitor the length of the inmates' stay in the Jail, among other things.

Religious groups also facilitate spiritual programs for inmates. These programs include the celebration of the Holy Mass every Sunday, value formation seminars every Monday, and Bible

Freedom and Death Inside The Jail



Sharing and Bible Study everyday. Based on the holding capacity of the chapel, only 200 inmates at most or roughly about 6 percent of the total inmate population can be accommodated to participate in these programs.



Inmates get free dental services.



Volunteers conducting livelihood and spiritual seminars.



THE BOILING POT ANALOGY



Right off the bat, one senses something is wrong upon realizing that a detention center designed to accommodate only 815 inmates is actually crammed with 3,200. That easily translates into a staggering congestion rate of 392%. And, for Quezon City Jail, this congestion redounds to problems as basic yet as alarming as inadequacy of facilities, personnel, and rehabilitation programs; loopholes in police operations; and the slow dispensation of justice.

Unfortunately, Quezon City Jail cannot rely on the national government to address such problems. For what is there to expect from a government that provides a food allowance of only P40 per inmate everyday and a medical allowance of P106 per inmate every year?

The hallway of Annex Bldg.



This is why jail officers and inmates have set up structures that make jail life somewhat bearable for them. Trouble is, these structures have evolved into problems that are even more complicated. These problems cut across several layers—from social to cultural to economic to judicial to political—that inmates and jail officers now find themselves in some sort of a trap. The structures they had built only as an alternative have become the norm.

If Quezon City Jail were a boiling pot, its problems start right from the choice of hollow woodcuts that, needless to say, create a weak fire. To make matters worse for the cook, the pot has cracks, so much so that when water is poured in, everything spills into a complete mess. And the result is a spoiled stew.



The QC Jail community during a non-visiting day



In the absence of gas stoves and microwave ovens, firewood is a basic requirement for cooking. So are facilities, personnel, and rehabilitation programs in operating a jail. These fundamental requirements determine, as much as firewood does with the stew, the quality and effectivity of the rehabilitation programs of the Jail.

Inadequate Facilities and Basic Services

Food is one of the most basic provisions every penal institution is required by law to make. How this fundamental requirement is met may be indicative of the efficiency and efficacy of a penal institution in general.

Food allocation for inmates of Quezon City Jail comes from two sources: the national and city governments. The national government allots P30 while the city government contributes P10 a day for every inmate. Put together, Quezon City Jail has a food budget of P40 a day for every inmate. This amount is spread over breakfast, lunch, dinner, and snacks. The BJMP Central Office prepares the budget for the inmates’ food on a yearly basis. This means that



Sigue-Sigue Commando inmates wait for their food ration, which is usually served well beyond eating hours.



The inmates' assessment of food services in QCJ

it takes a year for the Jail's budget to reflect the dramatic increases in inmate population, which happen in only a span of months.

Yet, it is expressly stated in the BJMP Manual that "every prisoner shall be provided by the jail administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality, well prepared, and served." Moreover, the Manual provides that "drinking water shall be made available to every prisoner whenever he needs it."

Inmates are one in saying that food in the Jail is not properly cooked and served. According to them: "Ang mga uri ng pagkain na ibinibigay sa amin ay isda, manok, kalabaw, gulay. Ang mga ito ay pinakukuluan sa tubig at nilalagyan ng kaunting asin upang magkaroon ng kaunting lasa. Mahirap kainin kung hindi matibay ang sikmura mo." (We are served fish, chicken, carabao meat, and vegetables. All these are cooked painfully in the same manner—boiled and sprinkled with a little salt to give our meal some flavor. You have to have a strong stomach to be able to eat it.)

Inmates say that the menu for the day is based on the prevailing prices of commodities in the

Table 4.1: Inmates' Perception of QC Jail Food Services

KIND OF FOOD	WAY SERVED	QUANTITY	FREQUENCY	REMARKS BY INMATES
1. Tuyo (Dried Fish)	Inihaw o prito (steamed or fried)	1 pc / person	1-3 times / week	"Tinubuan kami ng kaliskis" ("Served very frequently that we are already growing fish scales")
2. Fish (Tawilis)	Paksiw?	¼ pc / person	Once in a while	Taste is difficult to figure out
3. Chicken	Boiled?!	1 piece (size of a matchbox)	3 times / week	Bland
4. Carabao meat	Boiled?!	1 piece (size of a matchbox)	Once in a while	Good as eating rubber
5. Vegetables			Rotation	
Togi (Mungo Sprout)	Boiled?!	½ cup / person		Taste is difficult to figure out
Sayote	Boiled?!	½ piece / person		Tastes like an under-ripened mango
Kalabasa (Squash)	Boiled?!	One big chunk (size of a saucer)		Tastes like an over-ripened mango
Langka (Jack Fruit)	Boiled?!	½ cup / person		As rubbery as a squid
6. Pancit Lomi	Soup	½ cup / person	Special occasions	"Lata" (overcooked)
7. Misua	Soup	½ cup / person	Special occasions	"Lata" (overcooked)
8. Pandesal (bread)		4 pcs / person	Every morning	

market. If in a particular week dried fish is sold cheap in the market, then dried fish will be the main course for that week. Inmates attest to a time when *tuyo* (dried fish) was served for seven consecutive days. Thus the joke among them: “*Tinubuan na kami ng kaliskis*” (we grew fish scales already).

Inmates also find their ration “fit for pigs.” They cannot understand whether their fish is *pinirito* (fried) or *inihaw* (roasted). Rice is not washed before it is cooked. (Kitchen boys say it takes time to wash the rice and that doing so would delay them in preparing the ration.) They do not understand also why squash is served in very large chunks almost the size of a saucer. Sayote is usually served overcooked. Worse, they sometimes find foreign objects such as rusty nails and cockroaches in their ration.

Food, moreover, according to inmates, are rationed mostly way past the usual eating hours. There are three main factors that contribute to this. One is the emergence of security concerns among the different pangkat such that the kitchen assistants are not allowed to go out of their cells. Another would be the delays in the purchase of food supplies because of typhoons and floods. And yet another, inmate population has doubled in a matter of months that preparing food for all of them now takes longer, especially since the Jail’s kitchen facilities are also limited.

When food is finally served, inmates are faced with yet another problem—where to eat. Since Quezon City Jail does not have mess halls, inmates eat inside their respective brigades. The problem, brigades are already so crowded that it is almost impossible to eat one’s food without



Food rations are usually served well beyond eating hours.



What to do with a thin strip of tuyo that has to be spread over lunch and supper? Wolf it down, of course, with a smile.



Kitchen assistants do not bother to wash the rice anymore. For if they do, inmates will complain about their ration being served late.

Table 4.2: Sample Menu for One Week

DAY OF THE WEEK	BREAKFAST	LUNCH AND DINNER
Monday	6 pcs of pandesal & coffee	Tuyo (Dried fish), Togi (Sprouted mungo)
Tuesday	6 pcs of pandesal & coffee	Manok (Chicken), Sayote
Wednesday	6 pcs of pandesal & coffee	Kalabaw (Carabao meat), Kalabasa (Squash)
Thursday	6 pcs of pandesal & coffee	Kalabaw (Carabao meat), Sayote
Friday	6 pcs of pandesal & coffee	Manok (Chicken), Lomi
Saturday	6 pcs of pandesal & coffee	Tuyo (Dried Fish), Misua
Sunday	6 pcs of pandesal & coffee	Chopseuy, Upo



Inmates wait for their rations in a "sitting duck" position.



"We look miserable when we are eating," says one buyonero. "We do not have tables or chairs where we can enjoy our meal."

knocking off another's ration. "*Kaawa-awa kam-ing tingnan kung kumain,*" remarks Jonathan Baracoso, 33. "*Wala man lang upuan at mesa para mapagsaluhan ang pagkain.*" (We look miserable when eating. There are no chairs and tables where we can enjoy our meal.) This is especially true for lowly inmates or *buyoneros*. Inmate leaders, meanwhile, have a special place in their *kubol* (cubicle) where they can comfortably eat their meals.

Inmates also raised the issue about not getting the recommended daily allowance of nutrition. Indeed, one does not need a dietician to see their point. At best, according to inmates, their total daily food consumption could amount to P29 per inmate. This is what they call the *sosyal meals* or "meals for rich people." This is the menu that contains a good quality of rice (not the dreaded NFA rice, which is notorious for its stink but which the BJMP patronizes because it costs a lot cheaper), chicken, vegetables. *Sosyal* meals are served only once a week.

The so-called *value meals* consist of a good quality of rice usually combined with dried fish. The entire meal, which costs Quezon City Jail P26 per inmate, is served three times a week.

But there are also times when the mess officer has to work under a tight budget. That is when they are served *pulubi meals* or poor man's meals. Inmates have difficulty estimating how much such meals cost. All they could say was that the menu consists of NFA rice and a combination of tuyo and mungo beans. These meals are served two or three times a week.

Some inmates, due to terrible hunger because their ration is not enough to give them a full stomach, steal the food of their fellow inmates. They are called "*tirador ng kaning-lamig,*" someone who steals other inmates' rice under the dark cover of the night. This is the reason why there are *mahinaryas*, or officers who act as lookout during nighttime.

Tiradors, to be sure, are subjected to *takal* which involves paddling their bare feet. Thus, it is strongly advised that those who experience "*panunuklam ng sikmura*" or severe stomach-ache because of hunger officially request extra

Table 4.3: Inmates' Estimate of QC Jail's Daily Food Budget

SOSYAL MEAL	
6 pcs of bread	P 6
2 cups of rice	P10
2 pcs of vegetable and meat	P13
Total	P29
VALUE MEAL	
6 pcs of bread	P 6
2 cups of rice	P10
2 pcs of dried fish	P10
Total	P26

food from the *mahinarya*. The *mahinarya* then asks inmates for extra provisions.

Brownouts, Water Shortages

Brownouts, water supply shortages, and overflowing human wastes in toilet bowls are common scenes in Quezon City Jail. The Jail management imposes daily brownouts from 6 a.m. to 10 a.m. on Tuesdays through Sundays and from 6 a.m. to 6 p.m. on Mondays. This, according to the management, is a cost-cutting measure. Apparently, the Jail has experienced several power outages in the past because of its inability to pay its electric bills. The problem, however, is that during brownouts, only a few inmates are allowed to go out of their cells, while the rest are forced to bear the scorching heat inside their cells. Inmates have to beat each other to the small window of their cells for some air.

Because of lack of potable water, some inmates have to buy bottled water outside the jail premises. Others are forced to drink from the faucet and succumb to gastroenteritis, amoebiasis, and other stomach ailments afterward. Still others just die of dehydration. The Jail does have a pump well but it is located at the quadrangle on the first floor so that inmates whose cells are on the fifth floor of the Annex Building have difficulty fetching water.



Cells double as mess halls for inmates.



Inmates lining up at the pump well

LACK OF BASIC PROVISIONS : IMPLICATIONS ON JAIL MANAGEMENT

Providing inmates their basic necessities is a fundamental requirement in the implementation of the BJMP's reformation program. Doing so is an affirmation of society's concern for the well being of inmates. Failure to do so exposes the jail community to corruption, abuse of power, discrimination, and inability of the management to exercise full control over inmates.

Inmates are allowed to sleep in the visiting area of their cells during non-visiting hours.

A 30-SQUARE-METER CELL THAT HAS A HOLDING CAPACITY OF 20 ACTUALLY HOUSES 180 TO 200 INMATES.



Sleeping Facilities

Unfortunately, the facilities of Quezon City Jail did not improve in proportion to the dramatic increase in its population. The Jail has had the same dilapidated and outmoded buildings and facilities since it was established in 1953.

The UN Standard on the Minimum Treatment of Prisoners, to which the Philippine government is a signatory, states that “every prisoner shall be provided with a separate bed, with a separate and sufficient bedding, which shall be clean when issued, kept in good order and changed often to ensure cleanliness.” The UN Charter further states that “all accommodation provided for the use of prisoners and in particular all sleeping accommodation, shall meet all requirements of health, due regard being paid to climactic conditions and particularly to cubic content of air, minimum floor space, lighting, heating, and ventilation.” Moreover, the Charter suggests that “it is not desirable to have two prisoners in a cell or room.”



Securing a sleeping space is a constant struggle among the buyoneros.

A walk through the cells in Quezon City Jail makes one realize how far behind the normal jail standards the penal institution lags.

Picture this: A 30-square-meter cell that has a holding capacity of 20 actually houses 180 to 200 inmates. The cell is further subdivided into small cubicles called *kubol*. These cubicles are doled out to Very Important Presos, or the very few inmates who can afford to buy the rights for P2,000 to P8,000. The rest of the in-

mates, about 90 percent of them, make do with what is left of the cell—10 square meters.

As a result, some inmates sleep on the stairs that lead to the *kubol* of their affluent cellmates. This means that they have to get up every time the *kubol* owner goes out. There are also inmates who sleep in the laundry area of the cell. This means they can get doused with water if there is an inmate washing his clothes at night, which is a common practice in the Jail.

Sleeping in the cell's makeshift kitchen area, meanwhile, involves the danger of inhaling kerosene which is dangerous to the lungs. Inmates are sometimes allowed to sleep in the chapel but custodial officers do not encourage this practice because inmates should be locked in their cells during sleeping periods to avoid any attempts of escape.

The plaza is another alternative. It is an open space and, during summer, is way better than the cells which have poor ventilation. But as soon as the rainy season sets in, inmates are discouraged from using the plaza as sleeping quarters. Even if it does not rain at night, thick fog can still render inmates vulnerable to cough, colds, and eventually, tuberculosis and pneumonia.

Medical officers find it alarming that some inmates have to sleep squatting on the floor or standing against the wall because such practices could lead to paralysis. Some inmates even succumb to mild strokes due to such prolonged sleeping positions.

Inmates also complain about the headcount being conducted before they are sent to sleep. The headcount is done in the plaza and starts at 11 p.m. Since there are 3,200 of them, sometimes the headcount lasts until two in the morning. The situation is worse when the following day is visitation day because they are not allowed to sleep even during rest periods. Moreover, except for those who own a *kubol* and *tarima*, the ordinary inmates would not be able to find a vacant space since visitors would already be all over the compound. Some inmates allegedly have turned insomniac because of this situation.



Inmates make use of the space under the billiard table to make up for the sleep that they did not get in their cell the previous night.

THE FACILITIES IN QUEZON CITY JAIL DID NOT IMPROVE IN PROPORTION TO THE DRAMATIC INCREASE IN ITS POPULATION.

THE JAIL HAS HAD THE SAME DILAPIDATED AND OUTMODED BUILDINGS AND FACILITIES SINCE IT WAS ESTABLISHED IN 1953.



Elderly inmates in Sigue Sigue Sputnik are given sleeping space at the fourth deck of tarima.



Inmates squeeze themselves under a *kubol*.

Inmates are prone to contagious diseases because of poor living conditions.



Medical Conditions

Inmates are prone to contagious diseases because of the poor living conditions in their cells. They sleep in overcrowded, poorly ventilated cells. The supply of potable water is very limited. Food rations have inadequate nutritional content. Sick and healthy inmates are grouped in the same cells.

TO MAXIMIZE THE USE OF MEDICINES, HEALTH PERSONNEL PRIORITIZE INMATES WHOSE CONDITIONS ARE ALREADY SERIOUS.

Inadequacy of medical supplies worsens the situation; the national government provides only two boxes of medicine, each with 100 assorted pills, every month. Some of the pills that are donated by NGOs are expired. Jail officers cannot do much about this because the budget allocated for medical expenses is only P106.64 for every inmate a year.

To maximize the use of medicines, health personnel prioritize inmates whose conditions are already serious. Still, the required prescription of 21 days of consecutive intake of medicines is rarely followed. At most, inmates are given medicines for only seven days. After that, inmates are encouraged to have water therapy and pray that their condition does not worsen.

NGOs, the PRESO Foundation notably, augment the limited capacity of the medical staff by conducting monthly medical missions in the Jail. PRESO solicits assistance from medical institutions like the Quezon City Health Department, Acebedo Optical clinic, different pharmaceutical firms, and other private companies. The mission, which caters to at least 200 inmates every month, facilitates such services as minor surgery like cyst removal operations, dental operations, eye check up, and distribution of free eyeglasses.

Table 4.4: Observations of Inmates of Their Medical Condition

DISEASES	HOW WIDESPREAD?	HOW DANGEROUS?	DEATH RECORD	HOW CONTAGIOUS?	HOW DIFFICULT TO CURE?
1. TB	00000 5	Xxxxxxxxxx 10	†	0000 4	***** 7
2. Cough	00000000 8	Xx 2		00 2	** 2
3. Colds	00000000 8	Xx 2		00 2	** 2
4. Dehydration	000 3	Xxxxxxxx 8	†		**** 5
5. Ulcer	000000 6	Xxxxxx 6	†		***** 6
6. Severe rash	0000000000 10	X 1			** 2
7. Boils	000000000 9	Xxxx 4		0 1	**** 4
8. Chicken pox	00 2	X 1		00000 5	* 1
9. Asthma	00000 5	Xxxxxx 7			***** 10
10. Rheumatism	0000 4	X 1			*** 3
11. Highblood	000 3	Xxxxxxxxxxxx 12	†		**** 4
12. Fever	0000000 7	Xxxx 4		0 1	* 2
13. Mental disorder	000000000 9	X 1			***** 8
14. Rumba-rumba	000000000 9	X 1		0000 4	** 2
15. Fungi	000000 6	X 1		0 1	** 2
16. Mamamaso	0 1	X 1			* 1
17. Arthritis	00 2	X 1			*** 3
18. Manas	0 1	Xxxxxx 7	†		*** 3
19. Pagkalumpo	00 2	Xxxx 4			*** 3
20. Mild stroke	000 3	Xxxxxxxxxxxx 10			***** 6
21. Herpes	0 1	Xxxxxx 6		0 1	** 2
22. Galis aso	00000 5	X 1		0 1	* 1
23. Appendicitis	000 3	Xxxxxxxxxxxx 11	†		**** 4

The most common ailments that inmates are afflicted with are rashes, boils, mental disorder, cough, and colds. Almost all inmates have experienced two or three of these illnesses at one time or another. More than half of the inmates suffer from rashes and boils because of poor ventilation and lack of water. Some inmates take a bath only once a week.

Mental disease is increasingly a serious concern among inmates. Some inmates claim that they hear voices inside their head (*may bumubulong*), others just burst into a fit of laughter without being aware of it. Medical coordinators suspect that these might be due to boredom (*buryong*) and depression.

Buryong is a form of psychological and mental affliction that most inmates dread. It generally translates to hopelessness, paranoia, and extreme



Extreme boredom causes mental illness and depression among inmates.



QC Jail does not have special facilities for inmates with physical disabilities.



Stifling heat coupled with water shortage results in the prevalence of boils among inmates.



Rumbo-rumbo is a common ailment among inmates.



Smoke coming from the cell kitchen renders inmates vulnerable to lung ailments.

restlessness. Many inmates admit that doing nothing for the whole day, except counting the bars of the cell, coupled by uncertainties over their cases and news of domestic problems are reasons enough for an inmate to be depressed. Inmates who are bored usually become unpredictable in their behavior and become self-contained. They seem to have a world of their own and are oblivious to what is happening around them. In jail parlance: *isip nang isip, wala namang naiisip*.

Cough and flu are also widespread but medical coordinators say these ailments can be easily dealt with. In fact, even without medication, inmates eventually get well. Still, inmates have to be careful with cough that progresses into tuberculosis.

Some ailments, though not as common as the others, are deadly. These are hypertension, appendicitis, tuberculosis, mild stroke, and dehydration. These ailments, along with ulcer and swellings or lumps, all have a history of bringing death to inmate patients.

High blood is a common ailment among the old and less active inmates, whose conditions are worsened by the suffocating heat in the cells. Closely related to high blood is mild stroke, which can render inmates paralyzed or invalid.

Appendicitis is also a dreaded disease because when it strikes, it only takes a few hours for the poison to spread over the entire body. Unfortunately, sick inmates cannot be brought to the hospital without going through the tedious process of securing authorization from the courts. Most inmates do not make it to the hospital anymore.

Every month in Quezon City Jail, around two to five inmates die of illness. The most common culprit is high blood pressure. Those with weak lungs cannot bear the heat and dizzying smell coming from the kitchen area. There are also cases of inmates dying because of ulcer, especially among those who rely on the *rancho* or food from the Jail. They complain that their ration is not enough and that it is only good for one meal but they have to spread it over lunch and dinner.

Since inmates are crammed in their cells, diseases are easily transmitted among themselves.

Table 4.5: Perception of Inmates On How They Get Sick

REASONS	PREVALENCE
1. Coming from a dirty police station	0000 4
2. Over-congested cell	0000000000 10
3. Not taking a bath	000000 6
4. Lack of water	0000000000 10
5. Dirty clothes	000000 6
6. No soap for taking a bath and washing of clothes	000000 6
7. Food lacks nutritional contents	0000000000 10
8. Food not prepared properly	0000000000 10
9. Cockroaches, flies, and dirty objects found in the ration	00 2
10. Dirty surroundings	0000000000 10
11. Polluted air	0000000 7
12. Lack of sleep	0000000000 10
13. Lack of exercise	0000000000 10
14. Sleeping on damp floor	0000000000 10
15. Dirty water	000 3
16. Food ration is served late	00000000 8
17. Smoking and exposure to second-hand smoke	0000000000 10
18. Oversleeping (for those who have kubol)	000 3
19. Depression	000 3
20. Torture	000 3
21. Borrowing of things	00000 5
22. No exposure to the sun	0000 4
23. Contact with prostitutes	000 3
24. Sleeping under the rain	0000000000 10

According to medical coordinators, the most communicable diseases in the Jail are chicken pox, *rumbo-rumbo* (small boils), and tuberculosis. All these diseases are transmitted by air.

Meanwhile, medical coordinators find some diseases like asthma, mental illness, tuberculosis, ulcer, and mild stroke quite difficult to treat mainly because these require medicines that are expensive, thus preventing inmates from following the prescription of taking the said drugs for a month.

There are four major reasons why inmates get sick. The first has to do with the Jail’s facilities—overcongested and poorly ventilated cells, no place for exercise, and no sunning area. Then inmates do not get proper sleep—most of them either sleep on the floor or under the rain in the plaza. Third, the

EVERY MONTH IN QUEZON CITY JAIL, AROUND TWO TO FIVE INMATES DIE OF ILLNESS. THE MOST COMMON CULPRIT IS HIGH BLOOD PRESSURE.

Experiences of Inmate Medical Coordinators

Romano Gatmaitan of Sigue Sigue Commando

“Ito ang mga nararanasan namin sa Commando: 1.) paglaganap ng sakit na TB; 2.) pagdami ng may pigma dahil sa sobrang init sa brigada; 3.) minsan may namamatay dahil sa kakulangan ng gamot; 4.) kung minsan ay kailangang ilabas ang pasyente dahil sa lubha ng sakit pero marami pang kailangang desisyon mula sa judge para makalabas siya kaya madalas ay di na umaabot sa ospital; 5.) at higit sa lahat, kapos sa tubig.”

(These are what we experience in the Commando: 1.) the spread of TB; 2.) the growing number of those afflicted with boils because of the stifling heat inside the brigade; 3.) there are times when a fellow inmate dies due to lack of medicines; 4.) there are also times when a patient needs to be brought to the hospital but because of too much paper work required before the judge can give us an order, the patient does not usually make it to the hospital anymore; and 5.) above all, we lack water.)

Manuel Castillo of Dorm 5

“Ang kondisyon namin sa selda ay: 1.) ang pinakamaraming sakit rito ay pigma; 2.) sumusunod dito ang bungang araw at mga maliliit na bukol. Ito ay sanhi ng init; 3.) kulang sa ventilation; 4.) mga may sakit ng TB; 5.) mangilan-ilan na rin ang pumapanaw sa atake; 6.) kakulangan sa tubig; 7.) ang iba ay may sipon, ubo, at mga sakit na karaniwang nakukuha sa init at meron ding may asthma o hika.”

(Our conditions in the cell: 1.] prevalence of boils; 2.] followed by rash and small boils, brought about by the humid atmosphere in the cell; 3.] poor ventilation; 4.] spread of TB; 5.] inmates who die from heart attack; 6.] water shortage; and 7.] flu, cough, and asthma because of heat.)

Philip Carpload of Sigue-Sigue Sputnik

“Ang problema namin sa Sputnik ay: 1.) pagdami ng pigsaw maliliit; 2.) hindi makayanan ang buryong kaya nagkakaroon ng mental problem; 3.) kakulangan sa gamot; 4.) marami rin ang may sirang ngipin na ayaw magpabunot kasi takot; 5.) pagdami ng maysakit na TB.”

(Our problems in Sputnik are: 1.) the growing number of inmates with small boils; 2.) extreme boredom that causes inmates to just snap; 3.) lack of medicines; 4.) there are those who have decaying teeth but do not want to see the dentist out of fear; and 5.) growing number of inmates with TB.)

Rey Tumacas of Dorm 2

“Ito ang mga problema namin sa selda: 1.) pigma; 2.) paglaganap ng TB; 3.) trangkaso; 4.) tulala dahil sa buryong; 5.) ubo; 6.) pagtaas ng blood pressure; at 7.) bulutong.”

(These are our problems in the cell: 1.] boils; 2.] spread of TB; 3.] colds; 4.] extreme boredom; 5.] cough; 6.] hypertension; and 7.] chicken pox, measles.)



Inmates are vulnerable to tuberculosis because of poor ventilation in their cells.

inmates' food rations are not properly prepared (sometimes undercooked but most times overcooked), served late, contain foreign objects (cockroaches, nails, etc.), and lack nutritional value. And fourth, there is a severe shortage of water supply so inmates are not able to take a bath and wash their clothes regularly.

Indeed, it is the inmates' basic condition that is causing them to easily fall prey to viruses and bacteria. "How do you expect an inmate to survive if he sits in a dark corner the whole day? He cannot go out of the cell because he has no visitors. He also does not have his own bed where he can sleep or rest. He has little food to eat. And then he would hear news about his wife already living with another man," laments one of the medical coordinators.

The resident psychologist, meanwhile, laments the lack of facilities for psychological treatment. There is no separate cell for inmates who are mentally ill. The psychologist himself does not have a room where he can conduct interviews and exams to inmate-patients. He has to bring the inmates to the National Center for Mental Health in Mandaluyong City in order to give them confirmation examinations, which will certify that an inmate is indeed in need of psychiatric treatment.

Even more worrisome for the resident psychologist is the absence of licensed psychological testing materials. What he uses for the inmates of Quezon City Jail and the other jails where he is assigned are photocopies of the testing materials he borrowed from the National Center for Mental Health. He can lose his license if the Psychological Association of the Philippines finds out about this. "But I don't have a choice," he says. "How am I going to go about my duties?"

But what really frustrates the psychologist is the lack of medicines for inmates who are diagnosed mentally ill. He knows what the inmate



The jail infirmary houses 16 inmates.



Inmates play pool for recreation.



Inmates singing their blues away at the videoke bar.



QC Jail has 1 comfort room for every 100 inmates.



To inmates, any form of diversion is a welcome change from boredom.

needs but does not have the resources to give it to him. Then again, this is not surprising anymore because the psychologist himself has to shoulder his own transportation expenses when he visits the other jails.

Recreation and Other Facilities/ Equipment

Quezon City Jail has limited areas for recreation. The quadrangle on the first floor serves as a basketball, volleyball, and tennis court. The quadrangle is also used for management-sponsored boxing tournaments, singing contests, and cultural presentations.

Inside the cells, inmates have improvised recreation areas. Whatever little vacant space they have is converted into chess areas. In some *brigada*, inmates have managed to install a billiard table.

But the Jail has even more limited space, if at all, for the mess hall, lavatory, refectory, and the livelihood and learning center. The kitchen, meanwhile, is as dark and musty as a sweatshop. Since there is no visiting area, inmates accommodate visitors in their cells which, for security purposes, should be off limits to outsiders.

Aside from limited space, Quezon City Jail also has rundown buildings and dilapidated facilities that make it easy for inmates to escape. Inmates can cut off window bars. Perimeter walls,



Where management fails to deliver, inmates help themselves by converting their kubol into a mess hall.

installed with barbed wires on top, appear too fragile to survive just one forceful kick. The Jail also does not have fire exits in its buildings because these would need additional custodial officers. The Jail's communications system is limited to a paging facility in the chapel.

LACK OF FACILITIES : IMPLICATIONS ON JAIL MANAGEMENT

The jail is basically a facility-based institution. Inadequacy of facilities hampers the management from delivering reformation services efficiently and effectively.

Inadequate Personnel

Just like in any other professional organization, jail officers have work assignments according to their designations. What they actually do is entirely a different story. They are made to work beyond their job descriptions. They are given additional assignments sometimes without consultation and most times without additional compensation.

Jail officers are deterred from performing their tasks properly because of the sheer number of inmates under their charge. Of Quezon City Jail's 126 personnel, 31 are custodial officers and 47 are escort officers. Ideally, one custodial officer should be in charge of 7 inmates while an escort officer (along with a jail personnel) should keep watch of one inmate only. In Quezon City Jail, however, the ratio between custodial officers and inmates is an alarming 1:128, and between escort officers and inmates, 1:10.



To save time, custodial officers count inmates by fives or lima-lima.

A Desk Officer on duty



Custodial Officers

Custodial officers are tasked to monitor the movement of inmates. They conduct headcounts on a daily basis to make sure that no inmates get to escape. They are at the frontline during riots and noise barrages. They provide security for jail visitors and volunteers.

There are three types of custodial officers: the Desk Officers, the Gaters, and the Annex Officers. Desk Officers receive newly committed inmates from law enforcement agencies and give inmates their cell designations. Gaters man the exit and entry points of the brigades; they see to it that no illegal items are sneaked inside the cells. Annex Officers, meanwhile, are detailed in the building where inmates who are non-gang members are housed.

Even then, custodial officers find it difficult to monitor all of the inmates. They cannot, for example, conduct the headcount by bed bunks inside the cells because, to begin with, inmates do not sleep on bed bunks but on the floor. Only a privileged few have small cubicles or *kubol*. The headcount, therefore, has to be done outside the cells with only five to seven custodial officers on duty

monitoring all of the inmates. Besides, it poses too much risk to the security of escort officers to conduct the headcount inside the cells considering the population of inmates who can easily overpower them. Although assaults on jail officers by inmates are a rare occurrence in Quezon City Jail, escort officers cannot take chances.



In Quezon City Jail, one custodial officer on duty is in charge of at least 128 inmates.

Custodial officers count inmates by fives or *lima-lima* instead of calling them individually by name. Doing the latter, although more accurate, would take at least five hours.

Table 4.6: Why Jail Officers Need Inmate Trustees and Coordinators

DESIGNATION	NUMBER OF PERSONNEL	OFFICIAL FUNCTION	ADDITIONAL FUNCTION	NO. OF INMATE TRUSTEES AND COORDINATORS
Custodial officers (Desk, Annex, Gate, and Roving)	31	Secure inmates, monitor their movements, and control their activities.	They are on call to escort inmates	Each Custodial Officer has 1 Trustee
Escort officers	47	Bring inmates to and from courts for hearing or to other places as designated by court authorities.	They augment custodial force when necessary	Escort officers have their own Trustees
Rehabilitation officers	5	Design spiritual, educational, livelihood, recreational, and other services for the well-being of the inmates; coordinate with NGOs giving services to the inmates.	They augment escort and custodial forces when necessary. They also bring inmates to the National Center for Mental Health	3 Trustees and 15 Worship Coordinators
Paralegal officers	4	Facilitate and monitor the cases of the inmates; coordinate with other agencies	They augment escort and custodial forces	3 Trustees and 15 Paralegal Coordinators
Mess officers	3	Oversee food ration and the upkeep of the inmates	They augment custodial force	15 Kitchen Boys
Health Service Section	7	Supervise the medical conditions of the inmates and seek their treatment	They augment escort and custodial forces if necessary	15 Medical Coordinators
Administration	3	Administer the daily operations of the jail	They augment escort force if necessary	3 Trustees
Records section	11	Supervise the records system of the jail	They augment escort force if necessary	3 Trustees
Warden's office	5	Overall supervision and intelligence	They augment escort and custodial forces if necessary	2 Trustees
Intelligence	7	Gather data and monitor movements of inmates		
Operations	3	General supervision		
Total	126			Around 100

NOTE: The number of personnel assigned in a particular office varies from time to time.

Custodial officers, especially the gaters, also encounter problems in regulating and monitoring visitors. Quezon City Jail receives, on the average, 60 visitors on a regular day. During weekends, the number of visitors easily balloons to more than 500. Visitors are also an exasperating mix and they have to deal with each of them—visitors who insist on going in and out well past visiting hours, women visitors who wear skimpy dresses that reportedly “distract” inmates, visitors who refuse to be searched, visitors who attempt to bribe their way inside to sneak in illegal items, such as prohibited drugs, liquor, and cellular phones.



Quezon City Jail uses this bus to bring 150-200 inmates to court for their hearing.

One escort officer provides security to as many as 20 inmates scheduled for court hearings.



Escort Officers

Escort officers are responsible for bringing inmates to the court on the date their cases are scheduled for trial, to the hospital during emergencies, and to other places as authorized by the court.

Under the BJMP Manual, every inmate should be accompanied by one escort officer and another jail personnel for maximum security. Quezon City Jail, however, only has 35 escort officers (some are on study leave). And during court hearings, each officer on duty escorts at least 10 and at most 20 inmates. The escort supervisor, therefore, has to prioritize inmates whose cases are scheduled early or those whose cases are handled by judges who are very strict with punctuality and attendance.

Aside from inadequate manpower, escort officers also have to contend with lack of equipment. From Monday to Wednesday,



For lack of handcuffs, escort officers use plastic straw to tie inmates.

600 to 750 inmates are scheduled for hearing. This means that, on a daily basis, 200 to 250 inmates have to be brought to and from the court. Quezon City Jail, however, only has 100 serviceable handcuffs.

Transportation is another problem for escort officers. For transporting the 250 inmates to and from the court, Quezon City Jail only has an old minibus and a van to use. Both vehicles make two trips to the court to transport all 250 inmates in time for the hearings. When both vehicles bog down, Quezon City Jail either borrows a vehicle from the BJMP Regional Office or hires a jeepney. Borrowing transportation from the Regional Office may take days, while hiring a jeepney costs the Jail a fortune. Since the jeepney can accommodate 30-35 inmates only, the Jail will have to hire 7 jeepneys. One jeepney can be hired for about P700, which means Quezon City Jail will have to fork over as much as P4,900 and that is for bringing inmates to the court alone. It will have to shell out another P4,900 to bring them back to Jail.

Even more alarming, perhaps, is that an estimated 20% to 30% of jail officers are not issued firearms. When escorting inmates, they have to borrow from one another. This practice is quite risky because in case a certain firearm is lost or used in a shootout, accidentally or intentionally, the officer to whom the firearm was issued will be made to answer for it. Other officers, to avoid such complications, buy their own guns and request a memorandum receipt and mission order later on.

Paralegal Officers

Paralegal officers monitor the cases of inmates - from keeping records to updating hearing schedules to following up the issuance of release papers.



A Paralegal Officer conducting a seminar on inmates' rights.

One paralegal officer should attend to 500 inmates at most. This means that with the population of its inmates, Quezon City Jail should have at least seven paralegal officers. At present, however, the jail only has four and one of them is on study leave. Thus, one paralegal officer attends to at least 1,066 inmates.

Every Monday, the Paralegal Section conducts an orientation to newly committed inmates, where they discuss topics like “Rights of the Accused,” “Criminal Procedures,” and “Different Modes of Release.” Every Thursday, they hold a “Paralegal Hour,” where resource persons from the criminal justice sector such as judges and PAO lawyers are invited to do lectures. Every year, in cooperation with Preso Foundation, the paralegal section sponsors “Talakayan,” which is an open forum with the different persons involved in the country’s criminal justice system—police officers, prosecutors, judges, jail officers, and government officials.

Paralegal officers receive a monthly allowance of P400 for operational expenses. The amount is barely enough to get their job done as each of them facilitates at least 70 cases every month. Most of the time, they draw from their own pockets for their transportation and for photocopies of voluminous documents pertinent to the cases they are handling.

Rehabilitation Officers

The Rehabilitation Division executes the principal mission of Quezon City Jail, which is to prepare inmates for their eventual reintegration into mainstream society. Accordingly, it conducts and supervises religious, livelihood, psychiatric, educational, sports, and recreation programs. It coordinates with NGOs and other government agencies that have reformation programs for inmates. It also provides escort services to inmates who need to go to the National Center for Mental Health.

There are nine rehabilitation workers in Quezon City Jail. The chief of the Rehabilitation Section divides work among themselves according to programs. As in the case of other personnel, however, rehabilitation workers sometimes double as escort and custodial officers.

Lack of space and facilities is a main concern for rehabilitation personnel. The only functional areas in the Jail that they can use are the chapel and the quadrangle or the plaza. Most of the open spaces inside the Jail have been transformed into cells to accommodate the growing inmate population.

As such, the Rehabilitation Section also has to limit the number of programs and services it provides. The space allotted for livelihood programs, for example, had to be reduced in order to give way to the mini-gym. The time allotted for educational programs

had to be shortened to make way for religious services. Symposia and seminars are held right next to the videoke bar.

Psychologist

Part of the Jail's rehabilitation services is providing psychological treatment, counseling mostly, to inmates. The resident psychologist determines whether or not newly committed inmates are mentally fit. Then he keeps track of how inmates have coped with life inside the Jail. Some inmates have difficulty adjusting and they manifest delusional behavior. Others are completely unable to adjust and they become mentally ill.

In most cases, the psychological condition of inmates are reported to the psychologist by the cell's leader or *mayor* and medical coordinator. These two individuals identify inmates as possible candidates for psychological treatment based on odd behavior (there are inmates who refuse to take a bath, talk to themselves or to the walls, and are given to sudden emotional outbursts).

One psychologist, with the help of a support staff, should be enough to look after the needs of all inmates of Quezon City Jail. The problem is that Quezon City Jail's resident psychologist is also assigned by the BJMP to seven other city jails in Marikina, San Mateo, Rodriguez, Parañaque, Taguig, Metro Manila Rehabilitation Center, and New Manila.

The ideal ratio is one psychologist attending to one inmate, but in Quezon City Jail, the resident psychologist handles at least ten patients everyday. He conducts all the interviews, administers tests, and studies medical histories. Compared with private practitioners who examine their patients for at least a week to come up with a conclusive report, Quezon City Jail's resident psychologist examines his patients within a very limited time.



Medical officers know what their patients need but do not have enough resources to give it to them.

Being overworked with his duties as a psychologist, however, is not an excuse for him not to double as escort and custodial officer, especially when the Jail is on a red-alert status.

Medical Officers

The responsibility of medical officers is to conduct physical examinations among inmates on a regular basis. They assess the condition of sick inmates and administer the intake of medicines. They facilitate the transfer of inmates to hospitals for further treatment. They also conduct health seminars.

The medical personnel are composed of one doctor, one dentist, four uniformed nurses, and two civilian nurses. The doctor serves two other jails such that he stays in Quezon City Jail only for four days in a week. The resident dentist also serves as the head of the jail's custodial force. The four uniformed nurses can be pulled out anytime to render escorting and custodial functions, as well.

The ideal setup requires one doctor, one dentist, and four nurses in every jail with an inmate population of 1,000. Quezon City Jail, therefore, needs at least three doctors, three dentists, and 12 nurses.

On the average, at least 40 inmates are brought to the Medical Section for checkup every day. The common complaints include severe cough, recurring fever, and skin diseases like boils and blisters. About four new cases of tuberculosis are also recorded every month.



Inadequate budget has a profound impact on sick inmates who complain about lack of facilities and medicines.

Records Officers

The Records Section sees to it that an inmate is sent to court for a hearing on the appointed date. Failure of an inmate to appear in court at the appointed time spells big trouble for records officers. They have to prepare an explanation or the Jail Warden could be cited for contempt. The common reasons given by the Records Section for an inmate's inability to attend his hearing include the unavailability of escort officers and service vehicles, sickness of the inmate, or non-receipt of the notice of hearing.

It is the responsibility of the records officers to keep the files of inmates. They constantly communicate with court personnel since they prepare a daily court calendar for the inmates' schedules of hearing. They use one computer unit (not Internet-ready), a typewriter, a photocopying machine (out of order as of this writing), a fax machine, and a telephone.

The Records Section is also in dire need of space where documents accumulated over the years can be stored. Due to limited space, old and new files are lumped together so that even records officers find it difficult to trace the progress of certain cases.

The Quezon City Jail Records Section has 11 members, who are divided into morning and afternoon work shifts. Just like all the other jail personnel, they too are called to double as escort and custodial officers.

EXPERIENCES OF A MEDICAL COORDINATOR

Joseph Soriano de Vera
Dorm 3, Annex Building

“Marami ang maysakit sa selda namin, tulad ng pigsas, bungang araw, bulutong, lagnat, sipon, pero ang pinakadelikado ay ang TB. First time ko lang maging medical coordinator. Nandyang yung sesermonan ka ng intern o nurse kesyo wag daw pababayaan ang pasyente pero kung hihingi ka ng gamot ay wala naman silang stock. Paano gagaling ang pasyente namin? Sometimes moody pa yung iba—mapa-presos, mapa-nurse, pare-parehong masungit. Sa side naman ng nurse, hindi nila maisip na pag walang pasyente ay wala rin silang trabaho.”

(In our cell, inmates are afflicted with different kinds of ailment, such as boils, chicken pox, fever, and flu. But the most dangerous is TB. It is my first time to be a medical coordinator. There are times when I would get a sermon from the intern or nurse. They tell me that I should always look after our patients, but if I request medicines from them, they cannot provide any because they are out of stock. I wonder how our patients will get well. There are times too when people become moody, be they an inmate or a nurse. They are all difficult to get along with. The nurses do not realize that if there are no patients, they will end up being jobless.)

LACK OF PERSONNEL : IMPLICATIONS ON JAIL MANAGEMENT

In Quezon City Jail, lack of personnel has resulted in the non-maximization of skills and talents of jail officers. Jail officers are sometimes tasked with responsibilities beyond their official designation with no additional compensation so that they end up doing nothing at all. Some jail officers, however, find such situation challenging and try to be creative in performing their duties.



Due to inadequate personnel and facilities, QC Jail also has inadequate programs.

Inadequate Programs

Limitations in facilities and personnel impact on the capability of Quezon City Jail to fully implement its reformation programs for inmates.

Under the BJMP Manual, for example, every jail should have a classification board that determines the grouping of inmates according to their needs. In Quezon City Jail, which does not have enough personnel to serve as members of the classification board, first-time offenders and returnists share the same cell.

Inmates with special concerns are also not treated separately. Gays share cells with straight inmates. Healthy and sickly inmates use the same utensils. What happens is that inmates are classified according to their group affiliation.

The effects of the absence of a classification board are aggravated by the absence of a Reception and Diagnostics Center. The BJMP Manual provides for a reception area where newly committed inmates should stay before they are sent to their cells. The inmates should stay in the RDC for a minimum of one month. While in the RDC, inmates are given an orientation on the jail rules and regulations. Also, pertinent information (social, educational, and medical backgrounds) about the inmates are gathered as bases for the reformation programs that will be administered to them.

Quezon City Jail, however, does not have the resources—space and manpower—to operate an RDC. Upon commitment, inmates are brought directly to their cells. Old timers take it upon themselves to conduct the orientation to newcomers.

Again, due to lack of personnel, Quezon City Jail does not have a Disciplinary and Mediation Board, which is necessary to resolve inmate conflicts and to mete out the necessary punishments to rule violators. The board defines the proper procedure for investigating, prosecuting, and meting out penalties. But because the Jail does not have such board, officers act as investigators, prosecutors, and judges all at the same time. Also, the penalties they give are sometimes beyond those prescribed by the BJMP Manual.

The absence of a classification and disciplinary board rules out the possibility of Quezon City Jail having a merit system. As such, the offenses of erring inmates are not properly recorded and do not reflect in their applications for bail and probation. Inmates who have been consistent in showing exemplary behavior are also not recognized. There is no basis for recognizing inmates for their good behavior. Inmates are able to secure certifications for good moral and conduct not necessarily because they deserve it but simply because they have already served time inside the Jail.

An inmate may opt either for an “agreement” or a “certification” from the management upon his admission to the jail. An “agreement” is done in writing whereby the inmate manifests his intention to abide by the same rules imposed upon convicted prisoners and that his full stay in the jail should he be convicted will be accredited fully in his record. A “certification” is also done in writing whereby an inmate manifests that he does not want to be considered a convicted prisoner and as such will be required to work. However, an inmate who is covered by “certification” can have only 4/5 of the time of his stay in detention accredited.

THE ABSENCE OF A CLASSIFICATION AND DISCIPLINARY BOARD RULES OUT THE POSSIBILITY OF QUEZON CITY JAIL HAVING A MERIT SYSTEM. AS SUCH, THE OFFENSES OF ERRING INMATES ARE NOT PROPERLY RECORDED AND DO NOT REFLECT IN THEIR APPLICATIONS FOR BAIL AND PROBATION.



Inmate livelihood workers are forced to scale down their output because of lack of facilities and raw materials.

Table 4.7: Inmates' Estimates of their Livelihood Income

SERVICES	NUMBER OF WORKERS		MONTHLY AVERAGE INCOME
	Present	Before	
Paper craft	9	20	Php 500
Metal Craft	12	2	Php 2,000
Watch Repair	1	1	Php 500
Electronics Shop	1	1	Php 700
Tailoring	2	1	Php 10,000
Beauty Parlor	6	6	Php 1,000
Sari-sari Store	0	1	
Total	21	31	

In Quezon City Jail, agreements and certifications are seldom practical. What happens is that inmates, upon conviction, request from the records section a copy of the “agreement.” This will then be used to compute the time the inmate has served.

Livelihood Programs

The Rehabilitation Division of Quezon City Jail has a wide range of livelihood projects that tap into the talents and skills of inmates. The aim is for these talents and skills to be developed further.

From papier-maches to artificial flowers and from repairing watches to running a beauty parlor, livelihood projects in Quezon City Jail evolve with the talents and skills of inmates. The output of products depends on the number of inmates who participate in the program. There are times when a lot of inmates are interested in the projects, but there are also times when only a handful participates.

The NGOs, through the PRESO Foundation, are the main provider of the raw materials for the program. It is also the NGOs that market the products outside the Jail.

The Livelihood Section offers six services—paper craft, metal craft, watch repair, electronics, tailoring, and beauty parlor. The Stallowners Association, with its 16 registered members, used to run the sari-sari stores in Quezon City Jail. When a new Warden was installed in Quezon City Jail, however, he abolished the Stallowners Association and put up a Cooperative in July 2003. Only one sari-sari store was allowed to operate and it was put under the management of the Livelihood Section. At present, though, the sari-sari store is not in operation for lack of funds.

The Livelihood Section used to offer several other services like candle and lantern making. These kinds of services, however, heavily depend on the availability of raw materials, market de-



Papier-mache workers.



Watch repair worker.

Table 4.8: Problems Encountered by Livelihood Members

PROBLEMA (Problem)	TINDI NG PROBLEMA (Gravity of the problem)	PUNTOS (Points)	RANK
<i>Kakulangang ng materyales</i> Lack of materials	00000	5	8
<i>Lalong sumitkip ang parwesto.</i> Lack of space	0000000000000	13	3
<i>Wakang display area para sa finished products</i> No display area for finished products	0000000000000	13	3
<i>Wakang market at ahente sa mga produktong</i> No market and promoters for the products	00000000000000	15	1
<i>Wakang tagabili ng mga gamit sa labas wakang purchaser</i> No one serves as purchaser of raw materials	00000	5	8
<i>Wakang financing</i> No financier	000	3	10.5
<i>Hindi proporsiyad ang mga trabahador sa livelihood sa paglabas sa gabi upang makapagtrabaho.</i> The inmate livelihood workers are not given priority and are not allowed to work outside of their cell at night.	000000	6	6
<i>Kulang ang mga produktong gamit sa exhibit kapag ibinalik</i> Some products are not returned after they are used in an exhibit	000	3	10.5
<i>Kulang ng suportang ang management</i> Lack of support from the management	0000000000	10	5
<i>May matik ang mga gamit pag pumasaok sa gate</i> Gaters ask for bribes before raw materials are allowed to be brought inside the Jail	00000	5	8
<i>Laging nababawasan ang mga miyembro ng livelihood projects dahil sa larang espasyo</i> Number of workers has to be reduced due to lack of space	0000000000000	13	3

mand (which is seasonal—lanterns during Christmas and candles during All Saints Day only), and the availability of skilled workers. What usually happens is that when the inmate who is the expert in candle making or lantern making is released or transferred to other jails, the project loses its expertise and fizzles.

Among the six services, paper craft is the most popular among inmates. It has nine workers at present, but it used to have more before jail management reduced the space for livelihood projects. With smaller space, the project decreased its output as well and, therefore, needed only a few workers.

Why Inmates Join the Livelihood Program

For Oscar Teves:

“Kaya ako nag-livelihood ay upang matugunan ang pangangailangan ng kagaya kong walang dalaw at upang ako ay makatulong sa magiging dalaw ko kung magkaroon man. Ibig sabihin ang dumadalaw sa akin ay walang sapat na hanapbuhay sa labas kaya mas mabuting kumita rin ako dito sa loob para hindi na maging pabigat.”

(I joined the livelihood program to support my needs. That way, I won't be a burden to my family.)

Jeremias Epa, 52, for his part, said he joined the program because he wanted his stay in Jail to be productive.

“For old people like me, I will already have a hard time looking for a job if ever I get out of jail,” he said in Filipino. “But with the skills I am learning from the program, I can just put up my own business and work at home.”

Lito Matricio simply wants to keep his mind and body busy so he will not have time to think of his problems. Besides, he says that being part of the livelihood program allows him to earn and is, thus, able to support his needs.

Meanwhile, Loreto Mopal and Louie Dimalanta joined the livelihood program so they will not be idle while waiting for the court's decision on their case. When that day comes, they want to be prepared for possible employment.

Table 4.9: The Way to a Renewed Life

DAHILAN (Reason)	NO. OF TIMES CITED BY INMATES
1. Para matanggal ang Buryong To ease boredom	15
2. Para kumita To earn	15
3. Para maiwasan ang bisyo sa selda To avoid acquiring vices inside the cell.	5
4. Para maiwasan ang gulo sa loob ng selda To avoid conflict with cellmates	5
5. Pribilehiyo na bigay sa livelihood worker To avail of privileges given to livelihood workers	8
6. Para magamit ang mga talento To make good use of skills	12
7. Para matuto ng trabaho na magagamit sa paglaya To learn skills that can be used for getting a job upon release	8
8. Ang livelihood ay instrumento para sa matuwid na pamumuhay The livelihood program is an instrument toward upright living	8

In 1997, when the Jail's inmate population stood at only 1,400, the number of paper craft workers was at an all-time high of more than 60. This was because paper craft workers could do their work even inside their cell. When the population ballooned to 3,200, the cells became overcrowded, making it very difficult for paper craft workers to do their job there.

The beauty parlor, aptly dubbed the Quezon City Jail Beauty Salon, is the project that has the second most number of workers (six). It offers haircut, manicure, pedicure, hot oil, hair curl, and many other services. Most of the workers here are gay inmates.

Over all, there are 31 livelihood workers in Quezon City Jail. That is less than 1% of the Jail's total number of inmates.

Livelihood workers earn from a low of P500 to a high of P10,000 every month. Paper craft workers, along with watch repairers, earn the lowest amount at P500. But they say that their earnings are enough to provide for their needs and settle their debts. Beauticians, meanwhile, claim that on the average they earn at least P100 a day or approximately P3,000 a month. Half of these earnings, however, the gay inmates admit, go to their boyfriends. The tailor earns the highest amount at P10,000 every month. The bulk of these profits comes from doing the uniforms of jail personnel.

Workers are worried about their income getting smaller every year. They say that this is because of the decrease in their output and in the number of buyers they are able to attract.

The number one problem of livelihood workers is the small market and the lack of promoters for their products. The market, at present, is composed of the inmates themselves, the inmates' visitors, and a few NGO volunteers. To be sure, there have been attempts to sell their products outside the Jail but these efforts unfortunately were not sustained, for one reason or another.

Workers also feel threatened by the growing number of recreation facilities, which have been eating up the space allocated for them by the management. As it is, about 75 percent of the total area allocated for them has already been transformed to recreation facilities.

Workers feel that the management is not giving them any importance. They find this puzzling because livelihood is considered to be a major component of the Jail's reformation mission. Moreover, their products have always been a source of pride for Quezon City Jail. "During Foundation Day, our products are always displayed," points out Narciso Arcilla, a paper craft worker. "Whenever Quezon City Jail is featured on TV or in newspapers, our products are always shown to create a positive image for the Jail."

LACK OF PROGRAMS : IMPLICATIONS ON JAIL MANAGEMENT

The absence of a sustainable and holistic reformation program in Quezon City Jail runs counter to the core function of BJMP, or of any correctional facility for that matter. Jail experience for inmates, more often than not, is punitive instead of reformative.

Loopholes in Police Operations

Based on a national survey commissioned by the Supreme Court, only 18% of the accused are eventually found guilty of the charges filed against them. The cases of the 82% are either acquitted, dismissed, or simply archived.

Clearly, there is something wrong about the system. This could be traced partly to how the police identify and arrest their suspects. Most inmates complain of warrantless arrests, frame-ups, trump-up charges, *patong ng kaso* (suspect is charged with bigger offense/s in addition to a minor offense he may or may not have actually committed to ensure he stays behind bars), bribery, and *palit-ulo* (suspect is arrested in exchange for an inmate's release).

1. Warrantless arrests. This is very common in drug busting operations. Police officers conduct raids in houses where there are individuals who are suspected of having pot sessions or doing illegal activities. If the individuals turn out to be just having a party, the police officers would admit that they acted merely on a tip received through a "text message" from supposedly concerned citizens.

Ex-convicts are also common victims of warrantless arrests. Police officers conveniently apprehend ex-convicts who are residing in an area where the crime is committed. Their jail record makes them the usual suspects.

Inmate paralegal coordinators say police officers are sometimes forced to resort to warrantless arrests because the latter are pressured into producing suspects especially when the crime has been sensationalized in the media or when it involves affluent and influential individuals who demand instant retribution.

2. Frame-up charges. This happens when police officers are in cahoots with the complainant. The complainant



Detainees who are about to be transferred to Quezon City Jail.

induces the suspect into committing a certain crime, sets up the pieces of evidence, and if the latter takes the bait he is caught by the police red-handed. This is usually done by affluent complainants who want to get rid of their helpers. The complainants would claim theft or some other form of infraction and the police would readily arrest the helpers.

Police also resort to frame-ups, according to inmate paralegal coordinators, when they conduct a raid and find no evidence. To avoid embarrassment or being charged with harassment by the suspects, the police officers produce evidence from their *pondo* or stored pieces of evidence gathered from a previous raid but not surrendered to the headquarters. These stored pieces of evidence range from prohibited drugs to unlicensed firearms.

3. Trumped-up charges. There are instances when a complainant files a case against a suspect but cannot back it up with a single piece of evidence. What the complainant does, in connivance with the police, is conjure evidence that may be factual but not inherently part of the case. An example is public display of affection used as evidence for sexual harassment.

ALLOWING INMATES TO OVERSTAY IN POLICE DETENTION CENTERS DENIES THEM THE BENEFIT OF UNDERGOING REFORMATION PROGRAMS IN THE JAIL. AND SINCE POLICE DETENTION CENTERS ARE NOT MANDATED TO CARRY OUT REFORMATION PROGRAMS, MANY INMATES ARE RELEASED WITHOUT LEARNING ANYTHING ABOUT THE CRIMINAL JUSTICE SYSTEM IN THE COUNTRY. IT IS OF LITTLE SURPRISE THEN THAT THE RATE OF RECIDIVISM IS HIGHEST IN POLICE STATIONS.

Table 4.10: Problems Caused by the Police According to Inmates

MGA PROBLEMA DULOT NG PULISYA			
Modus operandi	Prevalence	Score	Ranking
Warrantless Arrests	*****	8	1
Torture	***	3	7
Frame-up/Trumped-up Charges	*****	7	2
Patong ng Kaso	****	4	5.5
Huli-dap	*****	6	3
Bribery	****	4	5.5
Palit-ulo	*****	5	4
Legend * = number of times police resort to a modus operandi			

4. Huli-dap. The police arrest a suspect (*huli*) then ask for the latter’s possessions—cash, cellular phone, wrist-watch, jewelry—as a condition for his immediate release (*holdap*). This is the easiest way unscrupulous policemen make money.

Drug pushers, wayward motorists, and sidewalk vendors are perfect targets for *huli-dap*. Knowing that they can easily be nailed for their crime, these individuals almost always opt for out-of-court settlements.

5. Palit-ulo. Police employ this method when they want to pursue a criminal element bigger than what they have caught. In a buy-bust operation, for example, when they happen to arrest a small-time drug pusher, they will ask the suspect to “help” them arrest his suppliers: the big-time pushers. If he agrees, the pusher becomes a police asset. He will seek an appointment with the drug dealers under the pretense of a regular trade. The police will then bust the deal and arrest the dealers.

There are also instances when the police force is hard up in solving a particular crime, e.g., murder, kidnap for ransom, or bank robbery. What the police will do is to arrest certain individuals whose names have come up in the initial investigation. If the police think they cannot build a strong case against the suspects, they make a bargain. The suspects will be released on the condition that they help the police go after the real culprits.

Inmate Discussions on Police Torture

Police, according to inmates, have a penchant for torturing suspects to achieve their desired outcome. Torture comes in different forms—suffocation by plastic, hitting the penis with a stick, electrocuting the penis, electric shock, and removing the fingernails. Some of these lead to summary execution.

According to inmates, the most painful forms of torture employed by the police include hitting, electrocuting and making candle wax drip on the penis, electric shock, rubbing the body with pepper, and dipping a finger in one's own wound. Other forms of torture that are just as traumatic involve the removal of fingernails and the insertion of an object into the anus.

There are also forms of torture that are not physically painful but are psychologically draining. These include Russian Roulette, suffocation by plastic, and the so-called "water cure" (the suspect's head is submerged in water for a long period).

As for summary execution and "salvaging," paralegal coordinators point out that there is a difference between the two. Summary execution is usually done by "self-righteous" police officers who take upon themselves the responsibility of dispensing capital punishment to those who they consider "useless dregs" of society. Police officers consider these suspects beyond reformation and, therefore, it would just be a waste of government resources to put them in jail where they will have a chance to regain their freedom and do more crimes. These individuals deserve nothing less than death. Salvaging, on the other hand, is done by corrupt police officers who are members of syndicates. They "salvage" or execute suspects who threaten to expose their involvement in the syndicate. The victims here are usually "burnt-out assets," or individuals who used to work for police officers by providing information that are vital to police operations. Since these assets have access to confidential information, e.g., corrupt practices of police officers, they can be "liabilities" later on.

The most common forms of torture that police employ are: 1.) hitting the fingers with a stick; 2.) forcing the individual to cling like a bat on the cell bars for an hour or an entire day; 3.) hitting, electrocuting, and making candle wax drip on the penis; 4.) electric shock; and 5.) suffocation using plastic. These are commonly employed since these do not require sophisticated instruments to be executed. These forms of torture, no matter how crude, also strike the most fear among suspects.

The National Bureau of Investigation, the defunct Presidential Anti-Organized Crime Task Force, and

Camp Crame employ other means, usually more sophisticated, of torturing their suspects. This is because of the nature of the cases they handle, which are organized crimes.

There are four reasons, according to paralegal coordinators, why police employ torture. The first reason is case-related. The police want to extract a confession from the suspect. They want the suspect to tell them who are the other persons involved in the case, e.g., the mastermind and the financier. Police also want to know where the illegal goods are stashed. All these information are important for the police to build a strong case against the suspect and, possibly, the syndicate the latter belongs to.

The second reason is money-related. The police torture the suspect because the complainant paid them to do so. This is quite common in homicide cases where the family of the victim wants justice served according to their terms. Or, sometimes, the police simply want the suspect to surrender his things (particularly valuable possessions) to them.

Police also torture suspects for personal reasons. Perhaps the suspect gave them a hard time catching him. Or, worse, the complainant is a relative of one of the police officers.

Finally, police employ torture as a form of punishment to the suspect, especially the recidivists (or those who have been in and out of jail for several times already). They want the recidivists to finally learn their lesson and not get involved in any crime again.



Forcing an inmate to cling on the cell bars for hours is one of the most common forms of torture police employ to extract information from their suspects.

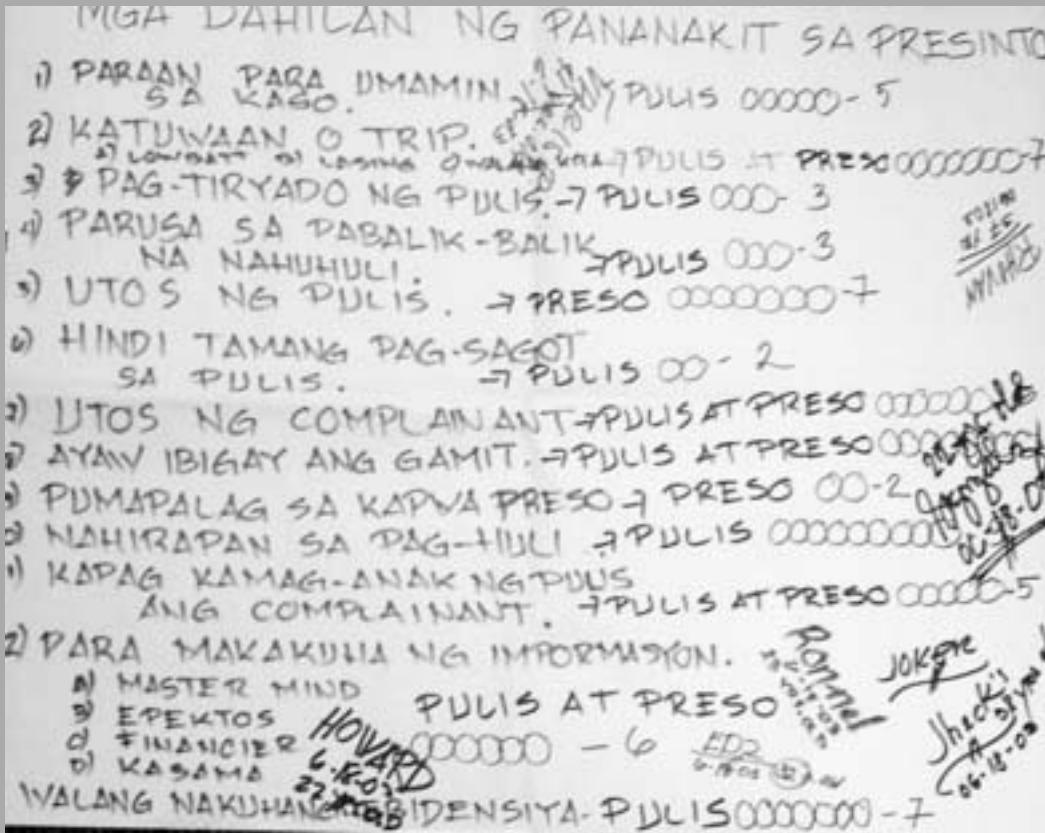
Inmate Discussions on Police Torture

Inmates, disclose the paralegal officers, can actually avoid being tortured. One way to do so is by being a member of the dominant *pangkat* in the station. For example, if the *mayor* of the cell is a member of Sputnik, the inmate will be better off if he also becomes a member of Sputnik. Being a member of any *pangkat* can give an inmate protection. This is because once they are transferred to the jail, there are rules that strictly prohibit the *mayor* from harming an inmate who is already a member of another *pangkat* even if

there is an order from a police officer to torture the inmate. Otherwise, a riot may ensue.

Apparently, arresting individuals—guilty or not—is a good source of additional income for some members of the police. Arrested individuals who can afford to pay, for example, may avoid prison in exchange for a certain amount. For those who cannot, they end up in jail. As a result, jails become a dumping ground for arrested individuals who cannot settle their cases with the police.

Reasons for Use of Torture According to Inmates



6. Patong. Police officers file additional charges to make sure the suspect rots in jail. In a homicide case, for example, if the suspect used a gun, he will also be charged with illegal possession of firearms. If the suspect used a false name in his affidavit, he will be charged with illegal use of alias. If he resisted arrest, he will be charged for “assaulting” an officer. A tattoo found on the suspect’s body would earn him another charge for violating the Anti-Tattoo Act. With all these cases, the suspect is sure to stay behind bars even if he gets acquitted of the case for which he was originally arrested. The police, in connivance with the fiscal, will also make sure that the cases will be raffled to different courts to further delay the proceedings.

Panganganak ng kaso is a derivative of *patong*. Arrested for kidnap-for-ransom, the suspect will also be charged with three or more kidnap-for-ransom cases that were not solved in the past. The original case, in other words, gives birth to two or more cases. Or if the suspect is a member of a particular group, say the Alex Buncayao Brigade, he will be charged with all the unsolved cases that were previously committed by the other members of ABB.

Pahabol takes place when the suspect is charged with two cases. The police will concentrate on the first case. They will exhaust all means to produce evidence against the suspect. But if at the end of the trial they see the judge in favor of the suspect, they will automatically pursue the second case and build it up as they did the first.

7. Bribery. The amount involved in bribery depends on the officer involved. The less powerful the officer, the lower the amount. First in line is the barangay captain, then the custodial officer, desk officers at the police station, up to the station commander. Media personalities also sometimes partake in this modus operandi; they threaten to write about the case if the suspect does not give them money.

Jail paralegal officers say that they find it difficult to keep a profile of some inmates because, to begin with, they do not have the correct data from police stations. It is quite common among inmates to give arresting police officers a fictitious name. Consequently, police reports that are sent to Quezon City Jail contain fictitious data. This is particularly true among street children who do not have birth certificates against which police officers can verify their data.

Proof of the police’s inefficiency is their habit of turning over to Quezon City Jail suspects who are below 18 years old and,



Police do not bother to do background checks of their suspects so that even underage detainees are transferred to Quezon City Jail when they should be sent to DSWD, which has a program that addresses the needs of juvenile delinquents.

therefore, should instead be brought to institutions intended for juvenile delinquents. Apparently, police do not bother to do background checks of their suspects. Simple logic tells one that if this is the case, what are the chances that they also bother to verify an individual's involvement in a crime before he or she gets arrested?

Jail paralegal officers have also observed that some police reports narrate exactly the same offense, how it was committed, and the sequence of events. The only three things that vary are the names of the suspects, their addresses, and the dates. Apparently, according to paralegal officers, police do such things to effect an unlawful arrest and thereby create an opportunity for extortion.

Use of Assets

It is a common practice among police officers to employ "assets" in their operations. Assets are key informants who help the police solve particular cases. They provide such information as the personalities involved, the date and venue of the crime, and the nature of an illegal operation. As such, assets are detailed in places where illegal activities are commonly conducted.

Inmates who had once been an asset reveal that the police hire their services for two main reasons. One is to help the police gather evidence, and two, to help the police facilitate the conduct of investigation.

For an individual to become an asset, he must be truly knowledgeable about a particular case that the police are investigating. He must also have the complete trust of the police. Once an individual becomes an asset, he is allowed to go back to doing his illegal practices, e.g., drug peddling. This time, however, he has a mission: to help the police catch the other drug dealers. Some assets are given their freedom back in exchange for a successful operation.

LACK OF PROPER PROGRAMS : IMPLICATIONS ON JAIL MANAGEMENT

In a very significant way, police practices have an impact on the operations of Quezon City Jail. These practices have brought about the formation of *pangkat* in Quezon City Jail. Most of the inmates are already members of different *pangkat* even before they are transferred to the Jail. As a result, the Jail has to classify inmates according to their *pangkat* affiliation and not their reformation needs.

The practice of allowing inmates to participate in the torture of a suspect has created animosity among them once they are transferred to the Jail. This defeats the efforts of management to institute mechanisms aimed at lessening conflicts among inmates. The Jail has also become a dumping ground for inmates who could not "bribe" their way out of the extortion practices of some police officers.

Allowing inmates to overstay in police detention centers denies them the benefit of undergoing reformation programs in the Jail. Since police detention centers are not mandated to carry out reformation programs, many inmates are released without learning anything about the criminal justice system in the country. It is of little surprise then that the rate of recidivism is highest in police stations.



In the Quezon City Hall of Justice, an RTC judge is swamped with an average of 1,000 cases per sala. Some of them hold court in two salas. It should be of little surprise therefore that it takes months before an inmate gets scheduled for a hearing.

Slow Judicial Work

The Speedy Trial Act provides that all cases be resolved in no more than eleven months. Rightly so: for those who are proven innocent, they will not have to suffer unnecessarily; and for those who are proven guilty, they may start serving their sentence early on. In Quezon City Jail, however, 50% of inmates are detained 3.2 years on the average.

Moreover, as of October 2003, there are four inmates who have been in jail since 1994. In other words, they have already suffered in jail for more than nine years even before they could be pronounced guilty. When justice is delayed, it is not necessarily denied.

There are several reasons for the delay of the issuance of verdicts. One is the lack of judges and lawyers to handle the cases. In the Quezon City Hall of Justice, a Regional Trial Court (RTC) judge handles an average of 250-300 cases per sala. Some judges hold court in two salas. Lawyers from the Public Attorneys Office, meanwhile, handle an average of 150 cases each. These do not include the civil and labor cases they are also assigned with.

Personal Accounts From Inmates Whose Cases Were Delayed

"Ako si Rogelio Tagupa. Ang dahilan siguro ng pagtatagal ng aking kaso ay ang pagpapalit-palit ng judge. Isa pa ang paghintay ng desisyon na napakatagal kahit na may desistance o retractment ang complainant. Katulad ng kaso ko, nakapending pa hanggang ngayon...dahil ang sabi ng piskal wala daw siyang alam na mismong kapatid ng complainant ko na ang nagsabi na palabasin na ako. Marami din daw kasi kaming nagpa-follow up ng kaso at mahirap bigyang pansin kami ng korte ng sabay-sabay."

I am Rogelio Tagupa. The reason, perhaps, for the delay in my case is that I have different judges handling my case almost every hearing. Also, the court takes time to decide even if there is already a desistance or statement of retraction from the complainant. In my case, for example, the judge does not seem to know that my complainant has already issued a statement of retraction and wants me released already. Court personnel say it is because there are many of us who are following up our respective cases and it is not possible for them to attend to our cases all at the same time.

"Ako si Felizardo Dantes, taga District 2 Batang City Jail. Kaya tumagal ang aking kaso ay dahil sa palipat-lipat ako ng judge. At bukod doon, nasa America ang atorni ko at palagi napo-postponed ang hearing ko. Biro mo, 1999 pa natapos ang kaso ko pero hanggang ngayon ay wala pa rin akong tawag. Babasahan na lang dapat ako. Pinapalakad ko naman pero sabi sa korte wala pa raw yung papel ko. Ang balak ko nga magpalit na lang ng atorni. Salamat."

I am Felizardo Dantes of District 2 Batang City Jail. The reason my case has been dragging on this long is because my case has been transferred to different judges. Aside from that, my lawyer is in America and so my hearings are always postponed. My case was submitted for decision since 1999 but up to now, the court has not called me. I am already due for reading of the decision. My relatives follow up my case but the court says my paper is not ready yet. I plan to change my lawyer instead.

"Ako po si Ignacio B. Porras. Ang kaso ko ay rape, sinimulan noon pang November 28, 1994. Ang tinatanong ay kung bakit ako nagtagal. Ang unang judge ko ay si Judge Valencia. Siya po ay namatay noong 1998 at nailipat ako sa Branch 221 kay Judge Tijam. Tapos, nalipat na naman ako kay Judge Pizzaro at ang sabi isasalang ako ulit dahil nawala ang mga transcript. Kailangan ang re-taking ng aking testimonya. Sa huli kong hearing ay sinalang ulit ako. Salamat."

I am Ignacio B. Porras. My case involves rape, which was filed on November 28, 1994. The reason for the delay in my case is because the first judge handling my case, Judge Valencia, died in 1998. My case was then transferred to Branch 221 under Judge Tijam. My case was transferred again, this time to Judge Pizzaro who told me that I have to retake the witness stand because my transcript of records is missing. [Judge Tijam was promoted to the Court of Appeals.]

"Ako si Felix Banisa. Ang kaso ko ay 6425. Ako ay nahatulan na subalit humabol ang aking arresting officers kaya nalipat ako sa ibang court. Umapila kami sa Court of Appeals ngunit natalo kami kaya dinala na namin sa Supreme Court ang kaso ko. Hinihintay namin ngayon ang desisyon ng Supreme Court."

I am Felix Banisa. My case is violation of Republic Act No. 6425 (the old Dangerous Drugs Act). I was found innocent by the lower court, but my arresting officer contested the decision. We appealed in the Court of Appeals but we lost. So we brought my case to the Supreme Court. We are now waiting for the decision of the Supreme Court.

"Ako po si Domingo Viva. Ako ay may kasong rape. Ako na siguro ang pinakamatagal na nakatira rito sa buong Quezon City Jail. Magsa-sampung taon na ako rito. Limang taon dito ay naghintay ako ng promulgation. Dito na ako nagbinata at tumanda. Hindi ko na alam ang hitsura ng laya. Yung judge ko kasi natanggal sa posisyon nung patapos na yung kaso ko. Tapos, na-promote naman yung pumalit. Tapos na-promote ulit. Binabasa daw ng bago kong judge ang aking kaso. Pagod na ako maghintay. Gusto ko na umuwi sa bahay namin. Para ninyo nang awa."

I am Domingo Viva. I am facing a rape case. I am, perhaps, the longest staying inmate here in Quezon City Jail. I have been here for almost 10 years already. I spent the first five years waiting for promulgation. I no longer have an idea of how the world outside is like. This is why it is taking me this long to get out of here: the first judge who handled my case was removed from the position. The next judge was promoted. So was the third judge. The newest judge is presently reading my case. I am tired of waiting. I want to go home.

"Ako si Ernesto Soledad, may kasong murder. Nakulong ako noong June 21, 1995 at nakakulong pa rin hanggang sa kasalukuyan. Tumagal ang aking kaso sa kadahilanang: 1.) ang pagpalit-palit ng hukom (pang-lima na ngayon ang judge na humahawak sa aking kaso); 2.) ang pagpalit-palit ng piskal (pangatlo na ang piskal na humahawak sa kaso ko ngayon); 3.) ang pagpalit-palit ng abogado (pang-anim na ngayon ang abogado na humahawak sa aking kaso); 4.) matagal na pagtalaga ng mga tao sa kaniilang katungkulan; 5.) inaabot minsan ng 1½ buwan o lampas pa ang pagtatakda ng hearing; at 6.) madalas ma-postpone ang hearing."

I am Ernesto Soledad, charged with murder. I was detained on June 21, 1995 and still in detention to this day. The reasons for the delay in my case are: 1.) change in the judges handling my case [the judge currently handling my case is already my fifth]; 2.) change in the fiscal or prosecutors handling my case [the prosecutor currently handling my case is already my third]; 3.) change in the lawyers handling my case [the lawyer currently handling my case is already my sixth]; 4.) delay in appointing officials to replace vacated positions; 5.) the hearings are set every 1½ months or longer; and 6.) hearings are postponed most of the time.

"Ako si Danilo Arrojo ng Annex Building. Ang dahilan po kung bakit nagtagal ang aking kaso sa RTC ay dahil marami umanong hawak na kaso ang aking judge lalo pa at may sala din sya sa Family Court. Kahit maliliit na kaso umano ay napupunta sa kanya."

I am Danilo Arrojo of Annex Building. My case is dragging on in court because, according to the judge, he is busy with several other cases as he also holds sala in the Family Court. This means that even small cases [meaning not heinous crime cases] are given to him.

"Ako si Demetrio Montina ng District 2 Batang City Jail-Main. Ang dahilan po ng pagtagal ng kaso ko o bakit ako tumagal dito sa Quezon City Jail ay: una, walang hearing; pangalawa, napalitan ang judge; pangatlo, walang nag-aasikaso; at pang-apat, five years na akong naghihintay ng promulgation. Maraming salamat."

I am Demetrio Montina of District 2 Batang City Jail-Main. The reasons for the delay in my case are: first, it takes time to be scheduled for a hearing; second, the judge handling my case has been transferred to another court; third, no one is following up my case; and fourth, I have been waiting for my promulgation for five years now.

Table 4.11 : Inmates’ Perception of Why Their Cases are Delayed

REASON	RANK
Lack of judges	XXXXXXXXXX = 10
Too many cases filed in one court	XXXXXXXXXX = 9
Lack of follow-up	XXXXXX = 6
Hearings are always postponed	XXXXXXX = 7
Hearings are scheduled months apart	XXXXXXXXX = 8
Inmate has no money to pay private lawyer	XXXXX = 5
Lack of support from PAO lawyer	XXXX = 4
Arresting officers do not show up during hearings	XXX = 3
Slow disposition of resolutions	XX = 2
Lack of facilities	X = 1

Legend: X = Number of times cited by the participants

Because of this, an inmate is scheduled for hearing every two months only. But for to lack of material time or absence of witnesses or non-appearance of police officers and complainants, a hearing is called off most of the time.

Inmates who are charged with low-penalty crimes, say two to three years enter a guilty plea and avail themselves of probation. That way, their case is processed straightaway and they avoid detention that lasts for years.

Every week, Quezon City Jail admits an average of 100-120 inmates who come from different police stations in Quezon City, the National Bureau of Investigation, and other law enforcement agencies. Meanwhile, around 80 inmates are released and around 20 are transferred to other penal institutions every week. In other words, 20 inmates per week or almost a hundred per month are added to the inmate population of the Jail.

Delay in the inmates’ cases has to do mostly with judges, prosecutors, and lawyers who either die or are transferred to other courts or get promoted or removed from their position. According to inmates, a judge’s promotion translates to a minimum of five months of no trial. Longer if the judge dies, which could mean at least eight months of no trial. Most inmates experience having their cases transferred to different judges at least three or four times, which translates to two years of the case not making a dent of progress.

When lawyers suddenly withdraw from the case, inmates are left in the middle of nowhere. This usually happens to inmates who initially employ the services of private lawyers. After staying in jail for a year or two, their financial resources dry up and they can no longer afford to pay their lawyers. They are then forced to employ PAO lawyers, who have to read and study the cases from the beginning.

Table 4.12 : Length of Stay of Quezon City Jail Inmates as of October 2003

YEAR and MONTH COMMITTED	LENGTH of STAY in JAIL as of 30 October 2003	No. of INMATES	PERCENT over POPULATION	CUMULATIVE NUMBER of INMATES	CUMULATIVE PERCENT of POPULATION
1994 Jan1 - Dec31	> 9 years	4	0.1250 %	4	0.1250 %
1995 Jan1 - Dec31	> 8 years	10	0.31250 %	14	0.4375 %
1996 Jan1 - Dec31	> 7 years	7	0.21875 %	21	0.6562 %
1997 Jan1 - Dec31	> 6 years	17	0.53125 %	38	1.1875 %
1998 Jan1 - Dec31	> 5 years	37	1.15625 %	75	2.34375 %
1999 Jan1 - Dec31	> 4 years	55	1.071875 %	130	4.06250 %
2000 Jan1 - Dec31	> 3 years	91	2.84375 %	221	6.90625 %
2001 Jan1 - Jun30	> 2 years and 6 months	193	6.15625 %	414	12.9375 %
2001 Jul1 - Dec31	> 2 years	171	5.34375 %	585	18.28125 %
2002 Jan1 - Jun30	> 1 year and 6 months	224	7.00000 %	809	25.28125 %
2002 Jul1 - Dec31	> 1 year	568	17.7500 %	1377	43.03125 %
2003 Jan1 - Mar31	> 9 months	436	13.6250 %	1813	56.65625 %
2003 Apr1 - Jun30	> 6 months	447	13.96875 %	2260	70.625 %
2003 Jul1 - Sep30	> 3 months	795	24.84375 %	3055	95.46875 %
2003 Oct1 - Oct13	> 1 month	145	4.53125 %	3200	100 %

Inmates also complain about their hearings being scheduled months apart. They say that, on the average, they get a hearing only once every two months. For some inmates, it takes four months. Worse, some hearings get cancelled and re-scheduled after two or four months. A hearing is called off for a myriad of reasons: the judge, prosecutor, or lawyer is sick or has other commitments; the witnesses fail to appear because they did not receive the notice of hearing; there is no more time left since the preceding case that was heard took a lot of time; the scheduled date of hearing has been proclaimed a public holiday; there is a typhoon; and there are security concerns in the jail, like riots and noise barrages.

Another reason cited by inmates as to why their cases get delayed is that most of the courts issue a decision well beyond the 90-day period set by law. Most of the cases are decided upon within a span of six months to one year. There are even cases that are promulgated five years after they were submitted.

Sometimes, the delay is intentional. Arresting officers deliberately do not attend the hearings knowing that a case would be provisionally dismissed only if they do not appear for three consecutive sessions. The usual practice is that they intentionally do not attend the first two hearings, wait for the rescheduling of the third hearing, and that is the time that they will attend. Which means the first two had already been postponed. Continuing the pattern, they will not attend the fourth and fifth hearings, which will again be postponed. It is only on the sixth scheduled hearing that they will attend again. For every three hearings scheduled,

therefore, only one will push through. Complainant-witnesses use the same tactic to delay the case.

By the time the prosecution has finished presenting all the witnesses—arresting officers, eyewitnesses, corroborating witnesses, and medico-legal representatives involved in the case—two years have already gone by.

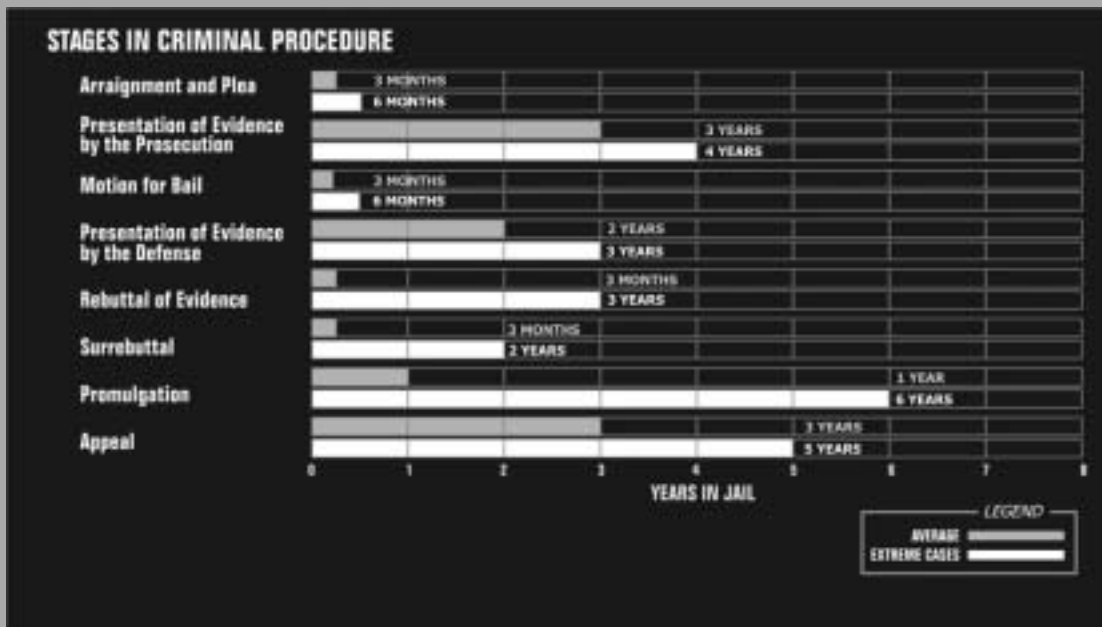
Inmates also report that one of the reasons for the delay of the cases is lack of money. Some inmates cannot even afford a copy of the transcript of the hearing that costs P10 per page. (Transcripts, of course, can be had for free if inmates know where to go.) There have also been instances when private lawyers would suddenly ask for a postponement of trial upon learning that their clients do not have the means to pay them.

The lack of coordination between the BJMP and the courts also contributes to the delay in the processing of the inmates' cases. There are times when inmates know they are scheduled for a hearing but they are not brought to court because the subpoena was not transmitted to the Jail. This happens sometimes when an inmate has already been committed to Quezon City Jail but, in the court's records, he is still listed in another detention area where the subpoena is sent.

Bureaucratic inefficiencies aggravate the situation. There have been many instances when inmates fail to attend their hearings because the Jail's van and mini-bus that are used to transport them break down. Or, sometimes, there are no escort officers available.

Inmates also believe that some of the judges are afraid to make fact-based decisions, especially if the persons involved in the case are highly influential or if the case has been sensationalized in the media. Inmates suspect that some judges base their decision on the public pulse. They do not want to be criticized and castigated by the media and the public, especially if the case involves illegal drugs, kidnap for ransom, or rape. Inmates do not think it is merely coincidental when judges are promoted to a higher position after deciding against an inmate who the public feels strongly as guilty.

How Justice is Delayed in Criminal Cases



The average length of time before an arraignment and plea in court is administered to inmates who have stayed in jail for five years and above is three months. There are inmates though whose arraignments are set after six months. According to inmates, the reasons for delay in the arraignments and pleas are:

1. The PAO lawyer has not yet read the charges against the accused since it is the first time that the accused and the lawyer have met in person. The PAO lawyer asks for time, especially if the accused has originally signified his intention to employ the services of a private lawyer. If on the designated hearing date, the private lawyer does not appear, the court automatically appoints a PAO lawyer to handle the case of the inmate.
2. Hearings scheduled for arraignment do not push through when the complainant is not present.

A postponement in the arraignment may mean a delay of three months. Petty cases like theft, with which some inmates are accused, entail penalties of six months or less. But due to the difficulty of getting a schedule for a hearing, which gets postponed most of the time, an inmate stays in jail for two years. When

the PAO lawyer finds out about this, they just advise their client to plead guilty and get his release paper no sooner than he could utter the word freedom.

After the arraignment and filing of plea, the prosecution would present the evidence. The average length of this presentation is three years. One inmate said that, in his case, it took four years for the prosecution to present their evidence. The common causes of delay within this stage include:

1. Arresting officers, chemists (for drug related cases), and medico-legal officers are not present during the hearing;
2. Lack of witnesses;
3. Promotion or transfer or death or resignation of the judge, prosecutor, or lawyer handling the case; and
4. Long gaps between hearings.

Inmates who do not have family members or relatives or friends to follow up their cases in court are at a disadvantage. After two years or so, the cases of these inmates can be buried under the pile of cases of newly committed inmates. If at first they get scheduled at least once a month, later they will have their hearings only once every three months.

It is advantageous, on the other hand, for inmates to

have competent and hardworking lawyers who know their way around the court. Some lawyers file a motion for bail for their clients, others conveniently forget to. Filing a motion for bail can take three months before a decision is issued. There was one inmate who waited for six months.

The defense takes an equally long time to present their evidence. The average is two years, but some take three years. This is surprising since, at this stage, it is the accused who is supposed to dictate the pace. After all, it is the accused who is presenting the evidence. Just the same, the presentation takes time, and here are the reasons why:

1. Difficulty in producing witnesses

Many inmates say that due to the length of time that they have stayed in jail, many of the witnesses they have in mind have already moved to another residence, are now working abroad, or have already died. In a bid to locate their witnesses, the defense lawyers ask that the hearing be rescheduled.

2. No money to pay private lawyers

Some inmates become bankrupt from the expenses they incur during the trial. After a couple of years in jail, they can no longer afford the services of a private lawyer. When that time comes, the private lawyer officially withdraws from the case and the burden is transferred to the PAO lawyers.

The rebuttal and surrebuttal stage is not familiar to most inmates because this happens only in cases that involve private prosecutors and private defense lawyers. This stage takes up about three months of the criminal procedure. Although for one inmate, rebuttal took three years and the surrebuttal, another two years. The reason he cited was that the judge handling his case died and, thus, his case had to be transferred to another sala.

Promulgation takes up the longest period of the entire procedure. While the average waiting period is only one year, for some inmates it is six years. The

reasons most commonly cited for the delay in the promulgation are:

1. Promotion or death of the judge handling the case

Once a judge is promoted, all the cases under him are automatically transferred to the new judge. But if the case is already due for promulgation, the new judge has to read all the documents and testimonies that had been presented. The new judge may adopt some points from the initial decisions of the previous judge or he may come up with a decision entirely his own. Opting for the latter can mean years of re-reading the documents.

2. Judges having difficulty coming up with a decision

According to inmates, some judges admit to not being able to decide on the cases fast because they do not want to make mistakes. They want to consider all angles possible. Inmates say they perfectly understand these judges, except that they have been waiting in jail for so long already.

3. Fortuitous circumstances

Delays in the promulgation can sometimes be blamed on *force majeure*. For example, when a court sala is razed by fire, all the documents relevant to their case may also be destroyed. Or, in the process of transferring their case to another court, their transcript gets lost. When these happen, they have no choice but to start over.

There are inmates who appeal the decisions of the RTC to higher courts. An inmate may appeal, for example, the lower court's decision on his Petition for Bail. In these instances, the lower court, which is presiding over the case, temporarily shelves the hearings until a decision is made on the inmate's appeal. The average waiting period for a decision on an appeal is three to five years.



Desk officer verifies the identities of inmates before they are sent to court.



Inmates wait for at least an hour before their hearing starts.



Inmates are escorted inside the court by pairs.

CONDITION OF INMATES DURING COURT HEARINGS

A paralegal coordinator was quite vocal in sharing his ideas and dominated group discussions during the PRA activity for inmate paralegal coordinators. He voluntarily, albeit on the condition of anonymity, shared his ideas on the travails of an inmate when going to a court hearing. The following is an account as told by the inmate paralegal coordinator.

Inmates attend their hearings without the benefit of a good sleep. They would be able to sleep past 12 m.n. or until after the midnight headcount is over. Then they wake up at 5 a.m., or barely after five hours of sleep, for the early morning headcount. Inmates, therefore, feel sleepy for most of the time that they spend inside the courtroom and do not understand everything that is discussed in the hearing.

Inmates also go to their hearing with only a half-full stomach. They only have six pieces of *pandesal* and a cup of coffee for breakfast, which they take as early as 5:30 a.m. By the time the hearing starts at 9 a.m., they already feel weak. Some judges extend the hearing until 12:30 p.m., oblivious to the conditions of inmates. Due to hunger, one inmate said there was a time he could no longer think of the proper answer to the court's questions. To play it safe, he said he just replied "yes" to every question asked by the prosecutor. In hindsight, he said he might have already admitted to the charges against him.

Standing for an hour during the entire trip, most inmates feel tired already by the time they reach the courts. Some days, they have to push the bus when it becomes stalled. It does not help that some inmates smoke inside the bus that is already crammed with 200 warm bodies. They cannot move comfortably because each of them is handcuffed to two others. When talking to his lawyer, the inmate has to drag the two others with him. This lack of privacy makes the inmate un-comfortable to discuss his case with his lawyer, especially when he has to discuss personal and confidential information.

Inmates also do not have time to take a bath before going to their hearing. Even if they have time, there is no water that they can use. Inside the courtroom, they cannot help but feel embarrassed whenever they would see people near them covering their nose. Worse, some people avoid sitting near them altogether.

There are also inmates, especially the *buyuneros*, who attend their hearing with tattered and unwashed clothes.

By their appearance alone, some people already judge them as guilty of whatever crime they are charged with. Inmates are actually required to wear a yellow shirt during hearings so they can be easily identified in the courtroom by escort officers. But some inmates feel that wearing the yellow uniform puts a stigma on them. They say that some people in the courtroom have the impression that all of them in yellow are criminals.

For inmates who are nursing boils, attending their hearings is doubly difficult. For one, they cannot walk properly. For another, if they have boils in their buttocks, they find it hard to sit properly and comfortably. Because of their medical condition, some inmates reportedly admit guilt to an offense out of the desperate need to be transferred to Muntinlupa where, they hear, the facilities are so much better than those in Quezon City Jail.

In sum, inmates feel insecure while making their case before the court, especially when they have to take the witness stand. They are ashamed to be seen by their family and relatives in such a pitiable condition. They are afraid to ask questions to their lawyers and court personnel lest they be taken as being pesky. They tremble at the sight of the judge and the fiscal, knowing that in these people lies their fate. Most of all, they feel frustrated that they barely understand the proceedings because the lawyers keep on talking in English.

SLOW DISPENSATION OF JUSTICE : IMPLICATIONS ON JAIL MANAGEMENT

Lengthy court procedures have resulted in many inmates staying in Quezon City Jail much longer than what the law prescribes. While waiting for the court's decision on their cases, inmates cough up money for legal fees and for self-sustenance. As a result, they are forced to join the black market inside the Jail to generate income.



The Records Section of an RTC in Quezon City



Considering the absence of the components of the ideal penal structure in its operations, Quezon City Jail should have collapsed by now. Or, at least, it should be plagued with daily disturbances, such as riots among inmates and violent confrontations between inmates and jail officers. An African-American inmate ponders: "If this condition existed in a Western country, there would be massive restlessness among the inmates."

But Quezon City Jail remains in operation and is not plagued by such disturbances or restlessness. In fact, it continues to accommodate an increasing number of inmates. How is this possible?

Inmates have learned to cope with the inadequacies of the system and have put up structures to help them address their concerns.



SOCIAL STRUCTURE

In the absence of a holistic reformation program, inmates of Quezon City Jail have taken it upon themselves to initiate the creation of alternative programs that specifically cater to their needs. One of these is the Pangkat System, which now defines the social structure in the Jail.

The daily struggle for better living quarters, for improved food and health conditions, and for enhanced security has resulted in the formation of *pangkat* or groups among the inmates. It must be noted that inmates prefer to call it *pangkat* and not gangs. For a reason: “gang” connotes violence, *pangkat* implies brotherhood. In fact, *pangkat* members call each other *kakosa*, a term of endearment that inmates cannot use unless they come from the same group.

Inmates are identified according to their group or *pangkat* affiliation. In Quezon City Jail, there are four *pangkat*—Batang City Jail (BCJ) with 629 member inmates; Sigue-Sigue Sputnik (SSS) with 736; Sigue-Sigue Commando (SSC) with 252; and Bahala na Gang (BNG) with 59. Together, these groups constitute more than 60% of the inmate population.

Batang City Jail prides itself as an “international” organization, claiming that it has members coming from all over the world. Its 32 founding members braved and challenged the older *pangkat* in Muntinlupa—the OXO or ex-convict organization.

Sigue-Sigue Sputnik, meanwhile, calls itself the “number one” group. It is said that the *pangkat* was born on the day man landed on the moon. This is why the Sputnik symbol is a spaceship. Sputnik, just like Commando, is an offshoot of the older Sigue-Sigue gang in Muntinlupa.

The Bahala na Gang used to be the dominant *pangkat* in terms of membership, not only in Quezon City Jail but also in the entire Quezon City. Its members were mostly from squatter colonies. A series of riots or inter-*pangkat* conflicts in November 1997, however, led to the transfer of BNG inmates to the Metro Manila Rehabilitation Center in Bicutan. Today, BNG members are sent



Batang City Jail takes pride in being an “international” organization, claiming that its members come from different parts of the globe.



Sigue-Sigue Sputnik-Obrero.



Sigue-Sigue Commando Members.

THE DAILY STRUGGLE FOR BETTER LIVING QUARTERS, FOR IMPROVED FOOD AND HEALTH CONDITIONS, AND FOR ENHANCED SECURITY HAS RESULTED IN THE FORMATION OF PANGKAT OR GROUPS AMONG THE INMATES.

Table 5.1: Inmate Distribution According to Brigada as of October 2003

BRIGADA	Population
Querna	1,524
Sigue-Sigue Sputnik	736
Sigue-Sigue Commando	262
Batang City Jail	629
Bahala Na Gang	59
Total	3,200



Members of querna have to negotiate four floors and narrow staircases to fetch water from the pump well at the quadrangle.

to Quezon City Jail only during short court hearings and, thus, stay in the Jail no longer than one week.

Those who are not members of any of the four *pangkat* belong to the *querna*. *Querna*, as of the time the PRA activities were being conducted, has 1,524 members. While the Brigada ng Pangkat is a unitary system that adopts rigid rules, Brigada ng Querna is similar to a federal government where cells act as independent bodies.

Members of both *pangkat* and *querna* agree that joining the former has more benefits. A *pangkat* member is protected from the abuses both by fellow inmates and jail/police officers. A *pangkat* officer, meanwhile, enjoys enviable resources (funds, respect from fellow inmates, connections with jail management, etc.).

Inmates also agree that being a *pangkat* member entails living dangerously. Rival *pangkat* are constantly at each other's throats so that their members cannot go out of their cells unarmed. They are also subjected to more severe forms of punishment—*takal* or skull breaking, which is equivalent to a death sentence.



The Annex building is home to members of Querna and the Chinese community (extension, rooftop).

Why do Inmates Join the Pangkat?

Pangkat members cite protection as the number one reason why they joined—protection specifically from the abuses of their fellow inmates. Old-timers would either befriend or intimidate the *bagito* or newcomer to give them money or rob the *bagito* of his personal belongings. But if a *bagito* is a *pangkat* member, old-timers stay clear of him. The rules of the *pangkat* strictly prohibit *pambuburaot* or taking advantage of a fellow inmate.

Moreover, the newly committed inmate of a *pangkat* does not have to shell out a commitment fee, which is a common practice among *querna* members. The four *pangkat* see this practice as a form of extortion or a despicable form of *pagpapahirap sa kapwa* inmate.

Being a member of *pangkat* also protects the inmate from the abuses of police officers and jail personnel. Inmates disclose that police and sometimes jail authorities are wont to subjecting inmates to physical torture and other forms of abuse. Police officers would just pay the cells a visit and pick up any inmate. *Pangkat* officers may refuse to surrender their members by threatening to file a complaint against the police officers.

Inmates also need protection from influential and affluent complainants who intend to pursue them even when they are already detained. These complainants can hire a jail officer or an inmate to torture and even kill his fellow inmate. *Pangkat* can provide its member an *asintado* to keep an inmate safe from his “attackers.”

More than protection, however, inmates join a *pangkat* because they want to have friends they can share their personal problems with. According to *pangkat* members, they can rely on their *kakosa* whenever they need a listening ear, a shoulder to cry on, or a helping hand. During their *sembols* or Sunday meetings, members are encouraged to listen to the problems of each and everyone.

For their part, *querna* members say that they opt to be unaffiliated because they do not see any need for protection. In fact, being a member of a



Home of BCJ



Signe-Signe Sputnik members



Signe-Signe Commando goes for the musang.



Tattoos help determine the pangkat membership of an inmate.

pangkat would only cause them more trouble. Being a member of one *pangkat*, they reason, is already a declaration of war against the members of the three other *pangkat*.

Joining the Pangkat

Any inmate - even gays and children in conflict with the law— can join a *pangkat*. When women were still committed in the Jail, they were also allowed to join. An inmate’s tattoo found on the right side of his body may indicate membership to a particular *pangkat*. (See discussion on inmate tattoos.)

There are four venues where an inmate can join the *pangkat*. One is in the squatter areas, where being a member is some sort of a status symbol. When there is *larga* or a planned bank robbery, for example, the mastermind prefers *pangkat* members to be part of his team.

**Table 5.2:
Dominant Pangkat
in Police Stations in
Quezon City**

POLICE STATION	LOCATION	DOMINANT PANGKAT
Station 1	Laloma	Sigue Sigue Commando Sigue Sigue Sputnik
Station 2	Baler	Bahala na Gang
Station 3	Talipapa, Novaliches	Batang City Jail
Station 4	Bayan, Novaliches	Bahala na Gang
Station 5	SM Fairview	Sigue-Sigue Sputnik Batang City Jail Sigue-Sigue Commando
Station 6	Batasan	Sigue Sigue Sputnik
Station 7	Camp Panopio	Bahala na Gang
Station 8	Project 4	Bahala na Gang
Station 9	Project 2	Batang City Jail
Station 10	Kamuning	Bahala na Gang
Station 11	Galas, Tandang Sora	Sigue-Sigue Sputnik Bahala na Gang

A lot of inmates come from squatter areas. When these inmates are released from jail, they have this habit of giving their sons the same tattoo that they acquired as a *pangkat* member. When the son grows up and gets jailed, too, he automatically becomes a member of the same *pangkat* as his father's by virtue of his tattoo.

Police stations are the second venue for recruitment. Apparently, there are police officers who are also *pangkat* members. How did this happen? Some police officers get involved in criminal acts and they, like any other ordinary citizen, are sent to jail. Once in jail, they seek protection from the *pangkat* for fear of retaliation by inmates whose arrest they might have been responsible for. Eventually, some of these officers are cleared of the charges against them and are set free. But even as they have already been reinstated in their work, these police officers remain loyal to their *pangkat*. In fact, they are now the ones who recruit newly committed inmates to their *pangkat*. In turn, these inmates become the assets of the police officers inside the cells. The police officer, if he wields considerable influence, may also conscript his asset to become a cell *mayor*.

A *pangkat* becomes the dominant group in a police station depending on its connections to police officers. If most of the police officers are members of Batang City Jail, then the cell *mayor* would most likely be from Batang City Jail. Or, sometimes, if in a particular week most of the newly committed inmates come from Sigue-Sigue Sputnik, the cell *mayor* would most likely be a member of Sigue-Sigue Sputnik. If the cell *nanunungkulan* (inmate leader) is not popular among the inmates, he can easily be ousted from power when minor groups consolidate their forces to become a formidable group.

Not all inmates detained in police stations join *pangkat*. However, when they are transferred to Quezon City Jail, some of them change their minds because *pangkat* members are not made to do errands, fetch water, and other silly things that make them the

Table 5.3: Inmates' Comparison Between Pangkat and Querna

POINT OF COMPARISON	PANGKAT	QUERNA
Pondo (Funds)	<i>Mas malaki ang pondo, mas istrakto sa pagkukuhad</i> Bigger fund; Transparent accounting	<i>Kaninti kag ang pondo, hindi istrakto sa pagre-report ng para</i> Smaller fund; Accounting not too transparent
Discipline	<i>Mas istrakto, mas mabigat ang parusa</i> Rigid rules, harsh punishments	<i>Mas matitigas ang ulo ng mga querna. Di takot sa panunungkulan</i> Flexible rules, lighter punishments
Structure	<i>May mga asintado, mas mabigat sa panunungkulan sa mga benay pinto</i> There are inmate body guards, especially for nanunungkulan	<i>Walang mga asintado, mas malinag sa benay pinto</i> No inmate bodyguards for nanunungkulan because they have no enemies
Membership Benefits	<i>Mas makikigayon ang mga kabosa</i> Members are well provided for-food, clothing, beddings, medicine, and security	<i>Kanya-kanya mentality</i> Members look after themselves and provide for their own needs

cell's laughing stock, and they have a group to run to should a rival *pangkat* threaten them.

Finally, the fourth venue for recruiting inmates to a *pangkat* is the National Bilibid Penitentiary in Muntinlupa. The inmates' initial reaction to being transferred from Quezon City Jail to Muntinlupa is one of fear. They think that life in the National Bilibid Penitentiary is worse than what they have in the former. So once an inmate gets to Muntinlupa, he suddenly feels the need to be a member of a *pangkat* for protection.

POLITICAL STRUCTURE

Pangkat and *querna* have devised a political hierarchy to help address the inadequacy of the Jail's personnel. They call it the *panunungkulan* system.

There are three groups of inmates involved in the *panunungkulan* - the *nanunungkulan*, who have custodial functions; the coordinators, who have reformatory functions by acting as a "link" between jail officers and inmates; and the trustees, who perform administrative functions to assist the jail officers.

Nanunungkulan

The *nanunungkulan*, the most coveted position in the *panunungkulan*, is given the responsibility of maintaining peace and order inside the cells. Once the newly committed inmate



The nanunungkulan in BCJ.

enters the cell, he is placed under the protective custody of the *nanunungkulan*. For anything untoward that happens to the inmate, the *nanunungkulan* will be held responsible.

Each *brigada*—composed of the four *pangkat* and the *querna*—has its own way of electing inmates to the *panunungkulan*. For *querna*, the Jail Warden himself chooses the *mayor* and *mayor de mayores*.

Among the *pangkat*, the members themselves choose their own leaders. BCJ gives the outgoing *mayor de mayores* blanket authority to appoint his successor who, in turn, appoints his own set of officials. SSS does it by election. SSC has a council that doubles as a committee on appointments. BNG employs either selection or election depending on the outgoing leader.

Contrary to popular belief, an inmate need not have the build of a weightlifter or the bearing of a bandit to become a *nanunungkulan*. Most of the inmate leaders in Quezon City Jail look no different from any ordinary local government official—lean frame, unassuming countenance. Most of these leaders have either been a former police officer, a government employee, or a businessman.

Indeed, the *nanunungkulan* is chosen not on the basis of physical attributes but on the more important qualities of a leader. One, his loyalty to the *brigada* should be unquestionable. Then, he must have good decision-making skills. He must also have a clear grasp of the jail culture and not naïve about the things that are going on around him. At the same time, he must be shrewd enough as to be able to discern the “criminal mind” of his constituents.

After a newly committed inmate is given an orientation on the rules and regulations in the cells, he is introduced to the cell officers or *nanunungkulan*. The *nanunungkulan* take turns in declaring their preferred conduct for the inmate.

The three most powerful and influential cell officers are the *mayor*, the *bise-mayor*, and the *bastonero*. They supervise the day-to-day affairs inside the cell.



The mayores of different brigades convene to resolve a brewing conflict.



The privileges of a nanunungkulan include operating a store.



A nanunungkulan enjoys the comfort and privacy of his own kubol.



Buyoneros have to learn the art of sleeping seated or lying on the cement floor.

Table 5.4: Cell Organizational Structure

POSITION	KANULUGAN Functional Meaning	EXPLANATION
1. Mayores	<i>Ama ng brigada o selda at pangkalahatan.</i> The father of the whole brigade or cell.	Head of mayors.
2. Mayor	<i>Nagpapatupad o nangangalaga sa bawat selda.</i> Executes rules in the cell and takes care of everyone.	The second highest position; executes the orders from the mayores.
3. Jury	<i>Tagahatol ng nagkatakala o tagapagpasya.</i> Mediate in conflicts and determine the guilty party.	Composed of chief jury and two assistants.
4. Bastonero from the word baston or stick	<i>Tagapalo ng mga nagkatakala.</i> Whips the guilty with a stick. <i>Taga pamahala ng bilangin (ancee).</i> In charge of the headcount.	5-7 bastoneros are headed by a chief bastonero. Works as internal officer.
5. Kulturero	<i>Tagapangalaga ng bilangin ng inmates at taga-harok ng ncront o hearing.</i> In charge of headcount (in gangs) and keeper of records and court calendars	Works as external officer
6. Adviser	<i>Tagapayo, tagapag-salita sa pangkalahatan.</i> Advises the inmates on pertinent issues especially on the affairs of the brigade, he speaks to everyone during "sembol" or assembly.	Usually a big-time inmate who is accorded a position.
7. Time-man	<i>Nangagaling sa Muntinlupa. Sila rin ang mga magulang ng inmates.</i> They came from Muntinlupa National Penitentiary and committed again in jail. They may also come from the penal colonies. They serve as parents to the inmates.	The inmates accord them with high respect. Their words are full of wisdom.
8. Coordinator	<i>Tagapagpasya ng labat ng mga gawain sa jail.</i> In charge of medical, paralegal, spiritual activities in the jail	They are the links to the NGOs and jail offices.
9. Asintado Panlabas Escorts	<i>Alalay ng mga namunungkulan.</i> Bodyguards of the inmate leaders. Security officers / waiters. Secure their fellow inmates who go out of the cells to join activities.	The inmates accord them with high respect. Their words are taken as full of wisdom.
10. Bantay-Pinto	<i>Tagapigil ng paglabas at pagpatok ng mga tao.</i> Controls the entry and exit of inmates in the brigade or cell gate.	Primary consideration is security.
11. Buyonero from the term buyon, which means CR	<i>Tagaluis at bantay ng CR.</i> Cleans and guards the comfort room.	Usually headed by a chief buyonero. In charge of cell's cleanliness.
12. Mahinarya	<i>Taga-bantay ng mga natatulong sa gabi.</i> Watchman during nighttime.	The mayor at night
13. Runner	<i>Sama-tatubang sa dalan / Utusan.</i> Fetches the visitors from the gate and brings them to the brigade. Runs errands.	The prime consideration is also security.
14. Panalang	<i>Taga-igib ng tubig.</i> In charge of fetching water	An alternate name for the buyonero. A panalang is also a general term for doing anything like panalang sa stor.
15. Calling boy	<i>Taga-tingil sa mga may dalan para sa pondo.</i> Charges inmates with visitors a calling fee in order to generate funds for the cell.	He is a member of the financial team.
16. Trustee	<i>Tagalaba, tagaluto, naghahakman ng mga over na detenido.</i> Washes, cooks and looks after inmates during headcount Works for the jail guards to augment administration force.	Works for pay and comfort.
17. Orderly	<i>Katalong ng mga mayor at mayores.</i> Works for the mayor and the mayores.	Same as trustees.
18. Ranchero from the word Rancho, meaning food	<i>Tagapamahala ng pagkain.</i> In charge of administering food distribution.	Usually headed by a chief ranchero.
19. Bosyo from the word boss	<i>Walang gawain.</i> Exempted from duties and paying the dues. He may have served as a namunungkulan before.	He may also be sought for advice by the cell officers.
20. Tata - for males Nana - for females	<i>Empleyado.</i> A term of respect for jail guards.	Usually attached to their names like "Tata Mendoza".
21. Kahero from the word kaha, meaning box	<i>Taga-tingil ng mga pondo.</i> In charge of taking care of the cell funds.	The cell fund is placed in a box where everyone can see. It is opened every meeting or sembol.
22. Dalaw Walang dalaw	<i>Bantay ng mga detenido.</i> Visitors of the detainees. Inmates without visitors.	
23. VIP Very Important Preso	<i>Ginagastos para'talang gawain.</i> Pays dues to be exempted from work. He also shares food to his fellow members in the rancho.	The more affluent inmate who has regular visitors.
24. Taxi	<i>Babaeng bayaran.</i> A prostitute. Usually availed by the members of the Chinese community.	The prostitutes ride in a taxi, go to the cells and leave.
25. Purchaser	<i>Namunali ng mga paninda sa selda at brigada.</i> A female visitor, usually the wife of an inmate, who regularly buys the groceries for the cell and brigade.	Also run errands for the needs of the inmates like medicines, court requirements, etc.

The most powerful officer is the *mayor*. He is the key decision maker. His functions include looking after the well being of inmates, mediating in conflicts and imposing disciplinary actions on erring inmates, generating and disbursing income for the cell, auctioning the *kubol* and *tarima* to the members, initiating projects for the improvement of the cell, and representing the cell during meetings with *brigada* leaders and the Jail Warden.

Next in line is the *bise mayor*. He acts as the *mayor* of the cell every time the latter is out during hearings. He also acts as counselor at large for the *mayor*. The *bise mayor* usually assumes the position of the *mayor* when the latter is released or transferred to the Muntinlupa Penitentiary if convicted.

The *bastonero* is dreaded most by inmates as he is also the main disciplinary officer. He investigates complaints raised by inmates and makes recommendations to the *mayor*. If an inmate is found guilty, the *bastonero* executes the punishment. As such, he is tagged as the *berdugo* (executioner) of the cell.

There are other officers who help the *mayor*, *bise mayor*, and *bastonero* oversee the daily activities in the cell. There is the *kulturero* who is in charge of the headcount, hearings, and other custodial needs of inmates. The *chief bantay buyon* oversees the maintenance of the cleanliness of the cell. A watchman called *chief mahinarya* is the *mayor's* point man during nighttime. The *bantay pinto* controls the cell's gate to monitor the movement of inmates.

The *mayor* may also create positions for inmates who he thinks can help him run the cell. There are technical positions that are usually given to inmates who have attained higher education. These include the positions of the cell secretary, treasurer, and auditor. These officers make sure that the cell funds are properly accounted but they do not have policy-making powers.

Brigada officers have more elaborate functions. In the brigade level, the head of the cell mayors is called the *Mayor de Mayores*. The MdM, as he is commonly called, maintains general supervi-



A bantay-pinto monitors the entry and exit of cellmates.



An inmate has to be in the good graces of the bastonero.



The first job order of a buyonero is to maintain the cleanliness of the cell.



Aside from cleaning the comfort room, the buyonero is also tasked to wash the dishes for his ka-rancho.



Preparation and distribution of food rations is left to the discretion of the chief ranchero.



The kulturero assists the custodial officer in conducting headcounts.

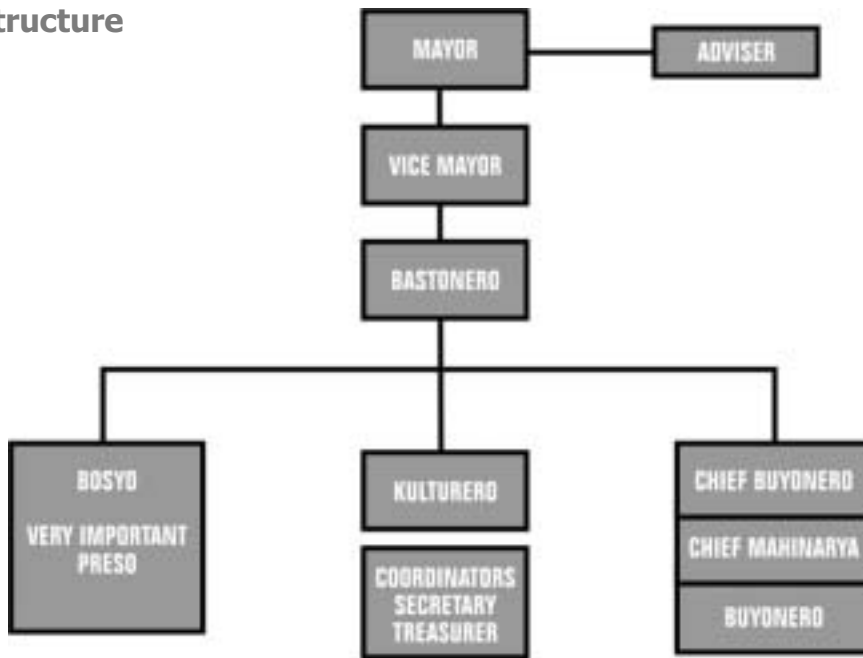
sion of his constituent cells. He can overturn or uphold the decision of the *mayor*.

Officers of the Brigada ng mga Pangkat have more encompassing and even more elaborate functions than those of the Brigada ng Querna. Brigada ng mga Pangkat also has positions that are not found in the Querna. There is the *jury*, whose members decide whether an inmate is guilty of the charges filed against him. Jury members review the investigations conducted by the *bastonero* and may conduct further inquiries if they deem it necessary. They then make recommendations to the *Mayores*. The time-man or *tayman* is an inmate who had been committed in Muntinlupa. The *tayman* is supposed to have gained more knowledge and acquired advanced skills while in Muntinlupa and therefore has the qualifications to act as adviser to the *mayores*. The *asintado* is like a personal bodyguard who is willing to sacrifice his own life for the *mayores* and other *nanunungkulan*, especially during riots. The *asintado* also acts as the *pangkat* hitman who is mobilized during periods of inter-*pangkat* conflicts. An *escort* provides security and company to a *nanunungkulan* everytime the latter goes out of the cell. The *chiefpanlabas* evaluates the security situation outside the cell and determines whether there are brewing conflicts. If the *panlabas* feels that the situation is tense or *mainit ang plasa*, he orders all his *kakosa* to stay put in their cells, which the escorts will secure at once. The *sundalo* or the warriors of the *pangkat*, armed with

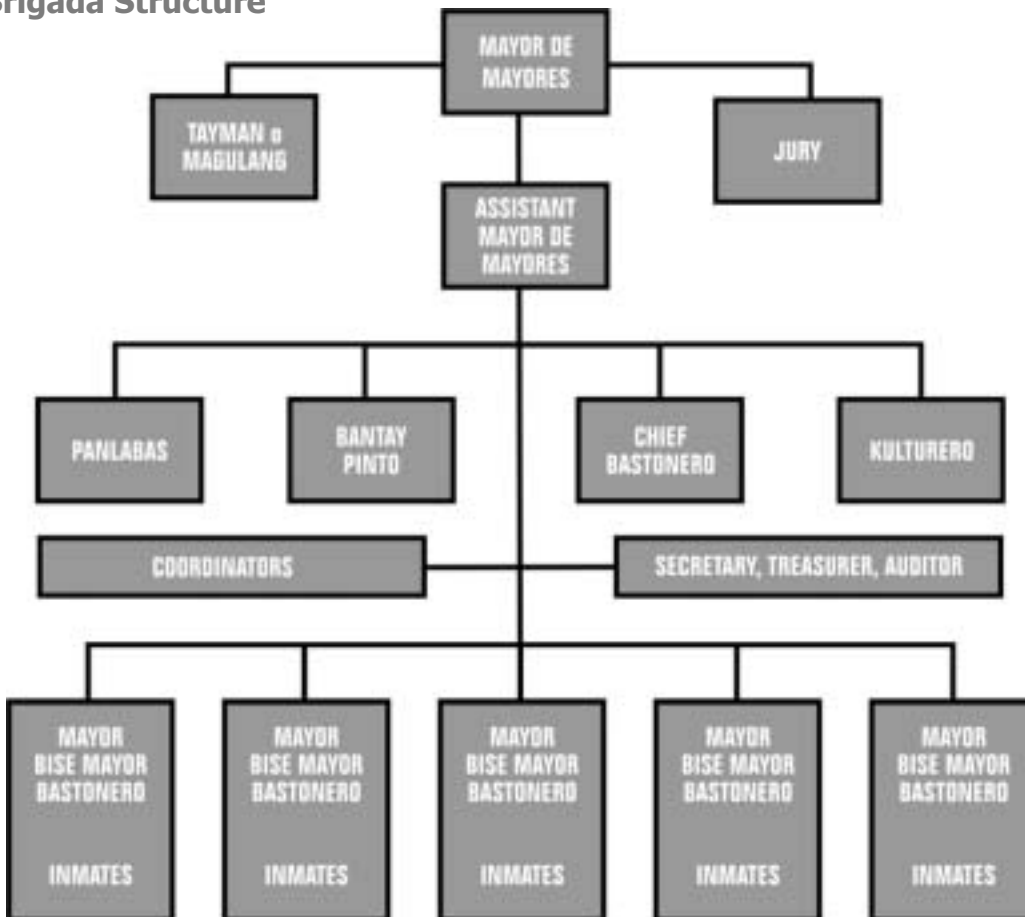


One of the privileges of being a *nanunungkulan* is getting to own a *kubol*, which is a precious property inside the jail.

Cell Structure



Brigada Structure



tinapay or deadly weapons, are then sent to the frontline of the battleground. They are prepared to fight and die for the *pangkat* when riots erupt.

It is easy to see why, to inmates, being a *nanunungkulan* is an important position. Being a *nanunungkulan* comes with economic benefits: a weekly allowance, the right to conduct business (such as maintaining a billiard table, putting up a food stall, financing a cigarette vendor), and exemption from certain rules (such as participating in the daily headcount).

Coordinators

There are three kinds of coordinators—paralegal, medical, and worship. Their functions are external to the cells and brigades. They serve as some sort of liaison officers among jail personnel, volunteers, and inmates.

Coordinators are appointed through a selection process. First, the cell/brigade leader selects an inmate to be the paralegal or medical or worship coordinator. The chosen inmate will then present himself to the NGOs for confirmation. Upon confirmation, he will present himself to the Jail's paralegal or medical or worship section for recognition. If all the parties agree that the inmate is suited to become a coordinator, he is officially appointed to the position.

Being a coordinator comes with several benefits. He can go out of the cell anytime as he is exempted from cell duties and padlock hours. He also gets a weekly allowance of P50 (at least, for Annex Building or non-*pangkat* members). Moreover, he has the privilege of being a priority recipient of *palakad* or food from NGOs.

Paralegal coordinators play a crucial role in the fate of inmates' cases. They are the link of the BJMP paralegal officers and all the paralegal volunteers to their fellow inmates. Most of the time,



A coordinator is privileged enough to sleep on a relatively comfortable tarima.



Worship coordinators lead in the singing during a bible study session.

paralegal officers and volunteers base their decisions and actions on the coordinators' "data sheet," which contains the names of inmates, nature of their cases, date committed, and date of last hearing.

The job of paralegal coordinators includes:

1. Identifying inmates with problematic cases
 - a. Those without hearing for the past three months
 - b. Those who had been waiting for promulgation for at least one year
 - c. Those whose cases had already been dismissed by the courts but their release order has not yet been transmitted
 - d. Those who want to be transferred to Muntinlupa
2. Giving newly committed inmates advice on how to go about their cases. They virtually serve as the "resident lawyers" of inmates
3. Bringing inmates to paralegal consultations when volunteer lawyers visit the Jail
4. Coordinating with the cell *nanunungkulan* on expenses related to the legal needs of their fellow inmates (e.g., for photocopies of the release order)

Inmate medical coordinators, meanwhile, provide assistance to the medical staff. Specifically, the job of medical coordinators involves:

- Identifying sick inmates
- Bringing sick inmates to the clinic for checkup
- Making sure that the medications of the patients are followed on schedule
- Coordinating with the cell *nanunungkulan* for additional medicines
- Instilling the value of hygiene among inmates
- Preparing the list of inmates who should be given medical treatment during medical missions
- Taking custody of and disbursing the medicine supplies for future use

Worship coordinators, for their part, work with rehabilitation officers. They help identify who among the inmates can participate in religious activities and educational programs.

Experience of Inmate Medical Coordinators

Boy Tambule of Dorm 1 Annex Building

“Ang aking karanasan bilang medical coordinator ay masaya. Ako ay nakakatulong sa aking kapwa. Pero minsan natataranta rin ako lalo na kung grabe ang [sakit ng] pasyente tapos pagdating sa clinic ay walang gamot. One time, nagdala ako ng pasyente na ang sakit ay ulcer, namimilipit na siya sa sakit; pagdating ko sa clinic, walang gamot. Ang ginawa ko, pumunta ako sa aking mayor at aming dinala ang pasyente sa ospital. Salamat na lang at pumayag ang warden na ilabas ang pasyente. May naging pasyente rin akong may TB (tuberculosis) at mahirap painumin ng gamot. Itinatago niya ang gamot. Yung mental patient ko naman, itinatapon ang gamot at nagagalit pa sa akin pag pinapainom ko.”

(I have a happy experience as a medical coordinator. I feel good about being of help to others. There are times though when I panic, especially if my patient is in terrible pain and upon going to the clinic, there are no medicines available. One time, I had this patient who had ulcer and was in terrible pain; when I brought him to the clinic, there were no medicines. What I did was go to the mayor of my cell and we requested to bring the patient to the hospital. Thank God the Warden allowed us to bring the patient to the hospital. I also had a patient who was suffering from TB. I had trouble with him because he did not like to take his medicines; he just stashed them somewhere. In the case of my mental patient, he would throw his pills and if I forced him to take them he would get angry at me.)

Felizardo Dantes of Batang City Jail

“Dumarami sa amin ang may pigsang, kumakalat din ang bungang araw lalo na ang lagnat at ubo. Marami na rin ang buryong sa amin. Ang kadalasang problema namin ay palaging walang gamot. Sa tuwing magre-request naman kami ng referral para madala sa ospital, hindi kami binibigyan kahit na emergency. Tulad noong nakaraang buwan, may namatay sa amin kasi ang sabi ng nurse mahina na raw ang ugat at buto. Kapag umaakyat ako sa medical clinic, ang laging sinasabi ay wala na silang gamot na maibigay. Kaya ang sinasabi ko sa aking pasyente ay labanan na lang niya ang sakit at tumawag na lang sa taas para gumaling.”



The inmate medical coordinator is tasked to determine the health condition of inmates.

(The number of our inmates getting afflicted with boils, fever, and cough is increasing. There are also those who just snap, maybe out of boredom. Our main problem is the lack of medicines. Every time we request a referral to bring our inmate-patient to the hospital, we are almost always denied, even in cases of emergency. Just last month, I had a patient who died. The nurse said the patient's veins and bones were already very weak. Everytime I go up to the clinic, they always tell me that they have run out of medicines. So I just I tell my patient to fight the disease by himself and pray that he gets better.)

Trustees

Trustees, also called *orderlies*, perform administrative functions for individual jail officers. They are usually stationed at the offices of the jail personnel they are working for. They also render personal services for their “Tata” (for male) or “Nana” (for female) jail guards, such as preparing food, laundry, pressing the uniforms, and cleaning the quarters. The trustees, put simply, are the personal aides of jail officers.

Trustees are categorized based on their work assignments. Trustees who work for the gates assist in conducting body searches on visitors, while trustees who work for desk and custodial officers assist in facilitating the headcount. They also help facilitate the commitment procedures for newly committed inmates.

Some trustees are employed in the kitchen and they are called “kitchen boys.” They assist the mess officer in preparing and distributing the rations of inmates. Other trustees work in the administration offices and help encode the inmates’ files and update the records in the Jail’s databank.

To become a trustee, an inmate must have the full trust of a jail officer because he will be given access to important and confidential information. It is agreed among the jail officials that when a trustee commits any infraction, the jail officer who employed him will be held liable. Infractions among trustees, however, are rare in Quezon City Jail.

Like coordinators, trustees also have certain privileges. One of these privileges is having a food ration prepared considerably better than that given to non-trustee inmates. This is because jail officers usually provide for the food of their trustees. Trustees also enjoy better sleeping conditions as they are allowed to sleep in the quarters of jail guards. Moreover, trustees are exempted from cell rules and regulations and, as such, they can roam freely within the jail premises. They can also avail themselves of recreation facilities like the videoke bar and the gym mostly for free. If the jail officers have additional income, trustees are also given a certain



Kitchen boys are free to roam the jail grounds as they are exempted from the padlock hours.



Kitchen boys assist the mess officer in preparing the food ration for inmates.



One of the benefits of being a kitchen boy is getting the first dibs in the ration.

Kitchen Matters: As Told by a Chief Kitchen Boy from 1995-1999

A kitchen boy helps prepare and distribute food to inmates. He is also tasked to keep the cooking utensils and the kitchen area clean. The mess officer determines who among the inmates are qualified for the job.

Being a kitchen boy comes with a monthly allowance of P35. (The chief cook gets P300 a month.) He can also roam the jail compound freely anytime of the day as he is not covered by the padlock hours (that period of the day when all inmates are required to be in their cells). Since he helps prepare the food, he gets the best ration, quantity- and quality-wise.

Among the kitchen boys, there is a receiving officer who oversees the delivery of supplies. He also receives and signs a document from Quezon City Hall that states the amount of rice, meat, and vegetables allocated to every inmate. This document comes every 15th and 30th of the month.

The budget officer makes sure that food supplies are allocated such that every inmate must have their ration until the next budget comes. He also makes sure that there is enough supply of rice until the next budget is released. It is left to him to determine how much rice the inmates get.

He then keeps the Jail Warden informed of all the expenses incurred within the day. He also acts like an accountant who keeps everything in balance—the food supplies against the inmates’ demands, the inmates’ complaints against the jail guards’ regulations, and the cut in the budget against the increase in the prices of commodities.

A nutritionist from the Quezon City Hall comes once in a while to monitor the quality of food being rationed but the kitchen boys simply ignore her instructions. The nutritionist, for example, would remind the kitchen boys of the need to wash the rice first before it is cooked. However, the kitchen boys

find washing the rice time-consuming. They will be late in serving the food and the inmates will surely complain. The nutritionist also prepares a balanced menu for the inmates. The kitchen boys would love nothing better than to follow the nutritionist but they are only too aware of what their budget can afford. Then, according to the kitchen boys, the nutritionist would take home meat from the kitchen supplies every time she visits the Jail. She says that that is her compensation for shouldering her own transportation expenses going to the Jail.

Kitchen boys have a big problem when their supplies consist of fish or meat that are no longer fresh. In the case of fish, for example, they have to cook it in such a way that inmates would find it palatable. If the inmates refuse to eat the fish, they are in for bigger trouble.

Inmates can make a strong case against jail officers using issues on food service. They can make the Jail Warden be removed from his post. That is why kitchen boys have to balance serving the inmates with *sosyal* meals, value meals, and *pulubi* meals. They cannot serve the inmates *pulubi* meals all the time or complaints will certainly fly fast until they reach authorities in BJMP.



Table 5.5:
Types of
Kitchen Boys

TYPE OF KITCHEN BOY	No.	Allowance
Chief Cook / Chief Kitchen Boy	1	P300/month
<i>Taga-Luto ng Kanin</i> In Charge of Cooking the Rice	1	P300/month
<i>Taga-Luto ng Ukan</i> In Charge of Cooking the Viand	1	P300/month
Helpers	4	P35/month

amount. Finally, trustees receive a certain amount from jail officers depending on the income of the latter.

Political Inmate Organizations

Aside from the *panunungkulan*, inmates have also created political organizations. One such organization was the Kapitbisig 2000, Inc., which was organized in 1993 by the Warden and the *mayor de mayores* of the different *brigada*. Its main purpose was to provide a venue for airing the sentiments of inmates to the Warden and other jail officers. It also had programs that catered to the reformation and rehabilitation needs of inmates. The group disbanded in 2003.

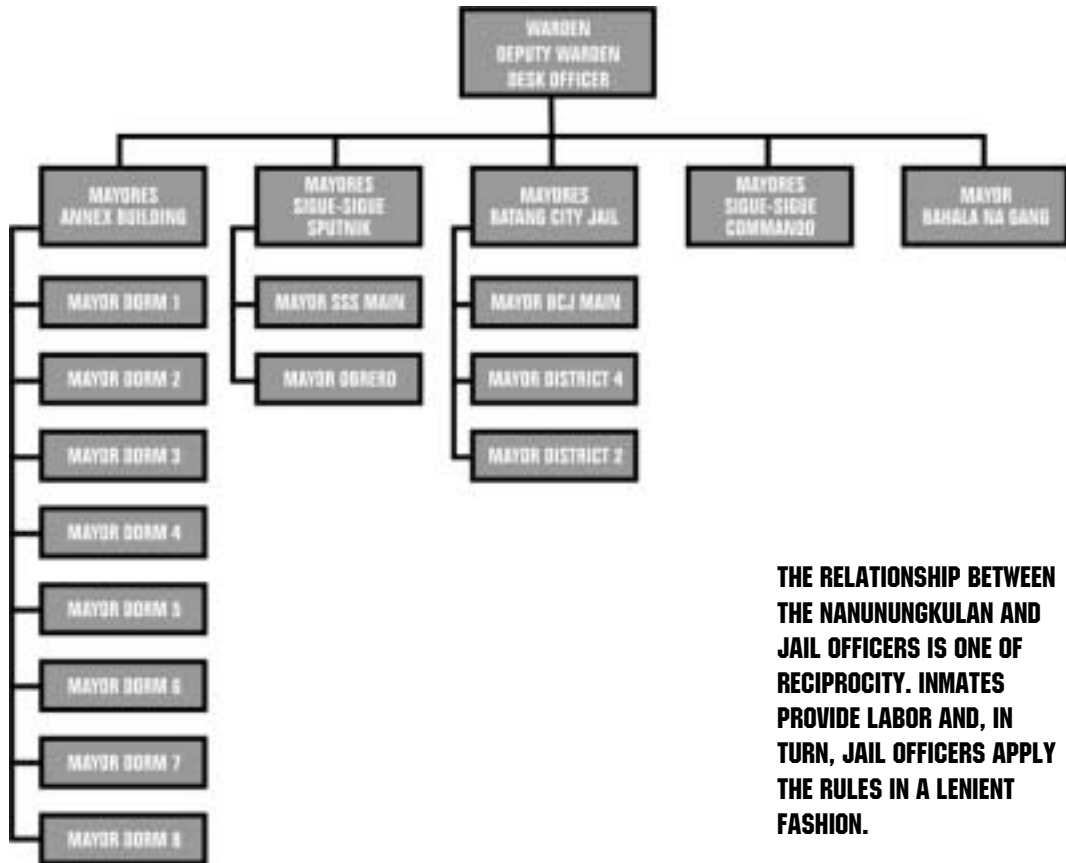
The Sambayanan Makadiyos, meanwhile, was organized by inmates with the help of some NGOs. The group is more religious than political in nature. Its main thrust was the implementation of spiritual services in the jail.



Kapitbisig in action



Inmate leaders are active partners of the management in implementing jail policies.



THE RELATIONSHIP BETWEEN THE NANUNUNGKULAN AND JAIL OFFICERS IS ONE OF RECIPROCITY. INMATES PROVIDE LABOR AND, IN TURN, JAIL OFFICERS APPLY THE RULES IN A LENIENT FASHION.

IMPLICATIONS ON JAIL MANAGEMENT

The relationship between the *nanunungkulan* and jail officers is one of reciprocity. Inmates provide labor and, in turn, jail officers apply the rules in a lenient fashion. In the process, inmate leaders and some of the jail guards learn to patronize each other. A jail officer, for example, supports the inmate *nanunungkulan* in securing his position while the inmate provides for the needs (e.g., money) of the jail officer.

But as a whole, the *panunungkulan* has made it easier for the management to govern the inmates. Management simply has to talk to inmate leaders to implement new rules. The *nanunungkulan* network can also be mobilized to disseminate information and to gather feedback from inmates.

JUDICIAL STRUCTURE

The existence of social and political structures inside Quezon City Jail is fortified by a judicial system called *Batas ng Kulungan*. This system does not only ensure law and order inside the Jail but also supplants the Jail's lack of a program for conflict mediation and a grievance mechanism.

Batas ng Kulungan is spelled out in the *patakaran*, which is a set of rules and regulations that include giving respect to jail officers, fellow inmates, and visitors; avoiding conflict by doing away with intrigues, excessive jokes, *baryo baryo* or cliques, and by settling obligations on time; participating in jail activities; observing cleanliness; and maintaining security.

Failure to observe these rules calls for punishment. There are different forms of punishment devised by the *pangkat* and *querna* themselves that are meted out depending on the degree of the offense committed. First-time offenders get kinder treatment compared to second- and third-time offenders.

Inmates consider the *patakaran* as rules and regulations that should guide them in their conduct inside the Jail. Some of the cells in the Bahala na Gang call these rules *Sampung Utos ni Tartaro* or the 10 Commandments of Tartaro after the 10 Commandments in the Holy Bible.

All inmates, immediately after they are committed, are given an orientation on the *patakaran*. A cell *bastonero* asks the inmate to read the *patakaran* aloud. The *bastonero* will then explain what every provision means and entails. If the inmate professes that

he understands what each provision means, he will be asked to make an oath to follow the rules and accept punishment if he violates any of them.

Foremost among the provisions under the *patakaran* is according jail personnel and cell officers utmost respect. Their orders should be followed without question. Arguing with jail officers and cell officials, even if the member has a valid point, is an act of disrespect and, therefore, merits punishment.

Respecting fellow inmates as respecting oneself is a golden rule. The underlying principle here is that inmates should love and help one another because nobody else will. Inmates should therefore respect one another's personal belongings by not stealing or using these without permission. They should not enter a cellmate's cubicle or *kubol* if the tenant is not inside. Similarly, inmates should see to it that their things are not scattered around the cell so as not to inconvenience others.

Respect extends to visitors, who are the inmates' link to the outside world. After all, visitors provide inmates with money, food, and supplies. Respecting visitors involves keeping visiting areas clean, looking their best (tattoos should be hidden), and being in their best behavior (bow one's head when talking to visitors or, better, avoid talking to other inmates' visitors altogether).

Cleanliness does not only mean keeping visiting areas tidy or personal belongings organized. It also involves observing proper



The patakaran ensures law and order among inmates.

Table 5.6: Mga Patakaran sa Loob ng Selda at Brigada

PATAKARAN (RULES)	Descriptions of APPLICABILITY	Severity of punishment
1. <i>Igakang ang kabat ng empleyado at nanggungahdan.</i> Respect all jail personnel and inmate officers.	Lahot All brigades	XXXXX
2. <i>Pawatidhing malinis ang selda at brigada.</i> Keep the cells and brigades clean.	Lahot All brigades	
3. <i>Hinay ang pakikilala ng gamit kalo na kung walaing pahintulag.</i> Do not use others' things without permission.	Lahot All brigades	
4. <i>Ganapin ang inang tungkulan.</i> Do your duties.	Lahot All brigades	
5. <i>Hinay magung bakumbal sa gamit.</i> Keep your things organized.	Lahot All Brigades	
6. <i>Sa mga bagong inmates, one week bago lumabas ng selda.</i> Inmates may not go out of the cell at least after one week upon commitment	4 days - pangkat 4 days - gang members	
7. <i>Basan ang biruang kabis kalo na sa oras ng dakaw.</i> Avoid excessive jokes especially during visiting hours.	Lahot All brigades	
8. <i>Basal ikabat ang sasapang pang-selda at brigada.</i> Keep issues within the cell and/or brigade.	Lalo na ito sa pangkat Especially for the Gangs	
9. <i>Basal matulog sa oras ng dakaw kalo na sa pasibo.</i> Do not sleep during visiting hours especially in the hallways.	Maliban sa Sputnik Except for Sputnik	
10. <i>Basal nakahubad sa oras ng dakaw kalo na sa pasibo.</i> Do not go out of the cell shirtless during visiting hours.	Maliban sa Sputnik Except for Sputnik	
11. <i>Igakang ang kabat ng dakaw.</i> Respect all visitors.	Lahot All Brigades	XXXXX
12. <i>Basal ang magpapasok ng taga-ibang brigada at selda kalo na kung walaing pahintulag sa nanggungahdan.</i> Cells and brigades are off limits to non-members	Lahot All brigades	
13. <i>Hinay gagawa ng aksyon na hindi alam ng nanggungahdan.</i> Inform officers of any action or decision that concerns the entire cell or brigade.	Lalo na sa pangkat Especially for the Gangs	XXXX
14. <i>Hinay gagawa ng trismo na nakakasira sa kakasa.</i> Do not slander fellow inmates.	Maliban sa Annex Building Except for Annex Building	
15. <i>Hinay ang pumasok sa kubol kalo na kung patay ang ilaw.</i> Avoid entering a fellow inmate's cubicle especially if the lights are off	Lahot All brigades	
16. <i>Hinay ang maghahanap ng gamit kalo na kung hindi alam magpapalit.</i> Refrain from borrowing things especially if one does not know how to return them to the owner.	Lahot All brigades	
17. <i>Hinay ang magbaryo-baryo o magtuguhan.</i> Cliques are discouraged.	Lalo na sa pangkat All brigades	XXX
18. <i>Mahalal mo ang inang kasama o kakasa.</i> Love your cellmate.	Lahot All brigades	
19. <i>Hinay ang alitan sa kasama o kakasa.</i> Avoid being in conflict with cellmates.	Lahot All brigades	
20. <i>Kung may problema, mag-imbayan alam sa nanggungahdan.</i> If there are problems, consult cell officers.	Lahot All brigades	XXXX
21. <i>Ang sinumang hanabag sa patakaran ay tatinggap ng kanakakang parusa.</i> Anyone who violates these rules are meted out corresponding punishment.	Lahot All brigades	

Legend: X = strictly implemented rules

hygiene. A cell barber or *barbero* is designated to give inmates a haircut on a regular basis. Inmates who refuse to take a bath are forced to take a bath.

Inmates are required to settle their obligations at the appointed time, usually on Sundays. Inmates who fail to pay their *utang sa tindahan* or debt from the cell store are penalized by getting paddled every Sunday until they settle their obligation. An inmate should do everything (even if it means selling his clothes, shoes, or other belongings) to pay his debts to avoid conflict.

There are certain activities in the Jail that inmates are required to participate in. These are reciting the Holy Rosary every 6 p.m., the headcount, and the morning exercises. Nobody, unless the inmate is sick or is not a Catholic in the case of praying the Rosary, is exempted from these activities. It is the cell officers' pride, especially for those in *pangkat*, that all their members attend these activities. Otherwise, it would mean that they do not wield enough influence and authority over their constituents.

Like a family, inmates are encouraged to confide their problems to cell officers and not their cellmates. If two inmates are in conflict, the cell officers will help resolve their differences. The cell officers may conduct an investigation to determine who is at fault. Inmates are also prohibited from discussing problems and issues with inmates from other cells and brigades. It is important that cell members keep sensitive information to themselves or these could be used by other cells against them.

Grievance Mechanism

Their exposure to the criminal justice system has given inmates ideas on how to deal with grievances that arise from the implementation of *patakarán*. They follow certain rules before they come up with a decision.

An inmate first informs his cell *nanunungkulan* of his grievance. He does not take matters in his own hands. Upon hearing the complaint, the *mayor* immediately tasks the *bastonero* to conduct an investigation. The *bastonero* gets the testimonies of both the victim and the accused. He also gathers information from the witnesses.

The *bastonero* dismisses the charges if the complaint does not constitute a violation of the rules and is simply a product of a misunderstanding between the two inmates. He then mediates the conflict. But if the *bastonero* finds that an infraction has indeed been committed, he makes recommendations to the *mayor* based on the gravity of the offense. The *mayor* decides on his own if the offense is light and convenes the jury if the offense is grave.

THE EXISTENCE OF SOCIAL AND POLITICAL STRUCTURES INSIDE QUEZON CITY JAIL IS FORTIFIED BY A JUDICIAL SYSTEM CALLED BATAS NG KULUNGAN. THIS SYSTEM DOES NOT ONLY ENSURE LAW AND ORDER INSIDE THE JAIL BUT ALSO SUPPLANTS THE JAIL'S LACK OF A PROGRAM FOR CONFLICT MEDIATION AND A GRIEVANCE MECHANISM.

PROCESS OF PUNISHMENT



1. The mayores explains to the group why an erring inmate should be punished.



2. The bastonero executes the punishment.



3. For a major offense, an inmate is subjected to takal, where he is paddled 50 times, rendering him incapacitated for at least one day.



4. After the punishment is meted out, an inmate found guilty of violating the cell rules seeks absolution from the mayor and cellmates.

In the case of a grave offense, the erring inmate is publicly tried, meaning all other inmates are made to observe the procedures. The jury members, who are permanently appointed, usually consist of a chief jury and two member juries. The jury evaluates the case. Both victim and complainant are given the chance to explain their side. Jury members ask questions to verify or clarify the veracity of the inmates' statements. The jury maintains a logbook containing all the infractions that had been done before and compare these for their guidance in making their decisions. Decisions are usually arrived at unanimously, which means the accused is either guilty or not.

If the jury finds the accused guilty, the *mayor* decides on what penalty to impose. He may choose to impose the harshest imposable penalty or he may review the decision of the jury and practically nullify it by imposing a very light penalty.

Should the *mayor* decide to impose *takal* on the inmate, the *bastonero* will be the one to execute it in the presence of all the other inmates. First, the erring inmate is made to publicly apologize to his victim and to the *nanunungkulan*. Then, the *takal* is administered. In closing, all inmates present are reminded to follow the rules.

Every cell and brigade has its own set of punishments. In *querna*, however, these are the most common forms of punishment that are implemented in cells of *brigadas*:

1. **Padlock.** The inmate is prohibited from getting out of the cell; he is not allowed to talk to other inmates, as well. Sometimes, the inmate is brought to another cell and there he is locked up and not allowed to talk to his fellow inmates. This could last from one week to one month.
2. **Bartolina.** The inmate is isolated in an old, barren, small, dark, musty comfort room for one whole day or for months. The higher form of padlock, *bartolina* is administered to inmates whose offenses can jeopardize security conditions in the Jail, such as an attempt to escape.

As many as 15 inmates are placed in the *bartolina* in one week.

3. **Lipat Selda.** An inmate who has made enemies of his cellmates is transferred to another cell. Alongside his transfer is the loss of all the rights and privileges (such as owning a *kubol*) accorded him in his former cell.
4. **Burahan.** An inmate is expelled from his *pangkat*. His tattoo is erased by ironing the portion of his flesh where it was drawn. He is then transferred to *querna*.
5. **Baba sa panunungkulan.** A *nanunungkulan* inmate is stripped of his post. He, however, maintains all the privileges accorded a cell officer.
6. **Biyahe sa Bicutan.** The inmate is transferred to the widely dreaded Metro Manila Rehabilitation Center in Bicutan where conditions are supposedly worse than in Quezon City Jail. Aside from stricter implementation of rules, Bicutan is also less accessible to visitors.
7. **Pumping.** As in the military, the inmate is asked to do 100 pumpings. This is the preferred form of punishment by the members of *querna*.

A variation of pumping is **facing the wall**. Erring inmates are made to stand in front of the wall for hours, without rest. Pumping and facing the wall are non-contact punishments.



Management has converted a comfort room into a *bartolina*.

Table 5.7: Mga Uri ng Parusa (Kinds of Punishment)

BRIGADA		1st OFFENSE	2nd OFFENSE	3rd OFFENSE
Annex Building	<i>Di Mabigat</i> Light Offense	Warning	5 takal	10 takal at iba pang parusa
	<i>Mabigat</i> Heavy Offense	5 takal	10 takal	10 takal at iba pang parusa
Batang City Jail	<i>Di Mabigat</i> Light Offense	4 takal	8 takal	16 takal at iba pang parusa
	<i>Mabigat</i> Heavy Offense	16 takal	32 takal	Basag at iba pang parusa
Commando	<i>Di Mabigat</i> Light Offense	6 takal	11 takal	22 takal at iba pang parusa
	<i>Mabigat</i> Heavy Offense	11 takal	22 takal	Basag at iba pang parusa
Sputnik	<i>Di Mabigat</i> Light Offense	10 takal	25 takal	50 takal at iba pang parusa
	<i>Mabigat</i> Heavy Offense	25 takal	50 takal	Basag at iba pang parusa



Inmates are deterred from violating the rules and regulations of the Jail by being subjected to several forms of punishment, like pumping, which can render an inmate unable to work for at least one day.



An inmate subjected to basag by his kakosa.

8. **Takal.** An inmate is paddled as many as 50 times, leaving him incapacitated for at least one day. He is made to lie down on a bench, his head and feet tightly held by two other inmates. This is the preferred form of punishment by *pangkat* officers.
9. **Basag.** A most extreme form of punishment, an inmate who is repeatedly warned of his offenses but keeps on committing the same mistakes gets skull-breaking flogging.
10. **Bingo.** The inmate gets a death sentence in the form of *basag*. Every year, at least two inmates in each *pangkat* are reportedly meted out this ultimate form of punishment.

A light offense includes arguing with an inmate officer, not joining the headcount, sleeping during visitation hours, verbal squabbles with a fellow inmate, and inability to settle obligations. A serious offense, meanwhile, includes stealing, involvement in a fistfight, slander, and taking action to resolve one's problem without informing the cell officers.

Offenses that may warrant *basag* include peeping on visitors, stealing the cell's fund, involvement in a mutiny to overthrow the current cell or *brigada* leadership, and instigation of a riot without the knowledge of cell officers.

Social Code

Inmates are effectively deterred from committing offenses by the harsh penalty and the swift process of the *nanunungkulan's* judicial system. But for the newly committed inmates, it may take a lot of acculturation before they fully understand how things are done inside the Jail. Aside from the written rules (*patakarán*), inmates also observe unspoken ones (a code of conduct). The newly committed inmate must shake off the *ugaling laya* or the attitude of a freeman to be able to imbibe these social codes.

When an inmate is new to the jail experience or *pangungulangan*, it is important that he learns to act according to his position or *alam lumugar*. He should first familiarize himself with his new environment. If he is a lowly *buyonero*, then he should willingly accept the role of a *buyonero*. He should follow the

instructions of the *nanunungkulan* and pay respect to the inmates who have to be respected.

An inmate must wait for the proper time before he gives his opinion on issues. Even if his intentions are good, an inmate may give opinions that are not popular and may hurt the sensibilities of the cell leaders. It is advised that inmates listen to everything but say nothing.

Inmates are wont to using idioms and words or phrases with double meanings to keep people guessing what they mean. An inmate must therefore learn the art of reading between the lines. He must be able to interpret certain symbols and gestures. A *nangungulungan* should know when there is tension among the *pangkat* by simply watching how the *asintado* and *panlabas* position themselves in front of their *brigada*.

Inmates are advised not to be show-offs. They are better off keeping a low profile because in jail, it is believed that no one or nothing else should “shine” except the sun (*ang araw lang ang sumisikat, lumulubog pa*). Newly committed inmates should not endear themselves to the jail guards or the more senior inmates might get jealous.

Similarly, inmates should know who they are dealing with. *Querna* officers have to be careful in giving punishment to a lowly *buyonero* because that *buyonero* may have affiliated himself with a *pangkat*. A jail guard also has to be careful in dealing with inmates because some of them may have a powerful politician for a *padrino* (godfather). An inmate is measured not only by his personal capabilities but by his connections, as well. One must be aware of such connections first before making any move. Never underestimate an inmate.

Fear of God is the source of all knowledge. This adage is lifted from the Holy Bible. Since many inmates are into reading the Bible, they use this adage as a parallelism for gaining knowledge in jail. Fear of God runs parallel with fear of inmate leaders and rules. If an inmate obeys the rules, he will learn the jail life.

Huwag lalampas sa guhit. This means that an inmate should never forget that he is an inmate and will never be a jail guard even if he works for one. Even the *pangkat* know where the boundary between them and management is drawn. The *nanunungkulan* inmates know the limits of their powers. Ordinary inmates know better than to usurp authority.

Inmates observe a code of silence—*ang bakal at rehas ay di nagsasalita*. An inmate hears, does, and sees everything but says nothing. An inmate does not ask questions as to why things happen. They simply observe by keeping their eyes open.

**INMATES ARE EFFECTIVELY
DETERRED FROM
COMMITTING OFFENSES BY
THE HARSH PENALTY AND
THE SWIFT PROCESS OF
THE NANUNUNGKULAN'S
JUDICIAL SYSTEM.**

Kung ano ang tugtog yun ang sayaw. Inmates are advised to dance to the tune of the music, which means they must blend with the group and not show any sign of opposition. Inmates who are independent-minded and who question the policies of the *nanunungkulan* are ostracized. Inmates are told not to emulate them.

Inmates are taught to always ask permission before doing something or they might find themselves bypassing their leaders. In other words, *marunong makiraan*. Not going through the proper channels can be easily misconstrued as an act of disrespect. Before complaining to the *mayores*, for example, an inmate must first consult with the *mayor*.

Among the *nanunungkulan*, it is understood that they should be mutually supportive of each other. They should not rock the boat they are riding lest they all perish. They should then be able to live peacefully despite their disagreements.

Kung di ka nila kayang unawain, unawain mo sila. Patience is virtue. An inmate should be able to control his temper, for losing one's temper only spells trouble.

This code of conduct defines the fabric of the inmates' social existence. The *Batas ng Kulungan*, which is deeply instilled in their minds and hearts, is an effective gauge in distinguishing the *bagito* or newly committed inmates from the *nangungulungan* or old-timers. The *bagito* are usually rough and unruly, while the *nangungulungan* do not talk much and are observant.

ECONOMIC STRUCTURE

As a remedy to the Jail's inadequate budget which translates to the management's inability to implement its programs, all cells maintain their own funds. The treasurer records the amount and keeps it in a *kaha* or vault, which is publicly displayed but properly guarded. The fund is also publicly audited during cell assemblies, where all inmates witness the vault being opened, the money counted to the last cent, expenses deducted, and incomes accounted.

**AS A REMEDY TO THE
JAIL'S INADEQUATE
BUDGET WHICH
TRANSLATES TO THE
MANAGEMENT'S INABILITY
TO IMPLEMENT ITS
PROGRAMS, ALL CELLS
MAINTAIN THEIR OWN
FUNDS.**

The *mayor* has the sole authority to disburse the funds for cell expenses, which include supplies (detergent and bath soap, toiletries, etc.); *matik* (inmates' share in jail expenses, such as transportation, gasoline, snacks of custodial officers); repair of the cell, medical supplies, recreation, and subscription to cable TV.

The cell funds are also used for the allowance of inmate officers. In *querna*, for example, inmate leaders get a weekly allowance. It is considered as their salary, which is deemed necessary for the

nanunungkulan to refrain from generating income in an illegal manner, such as extortion.

Pangkat officers do not get any allowance, but they get their income from their black-market activities inside the Jail. They are involved in business ventures that range from operating a food stall to peddling illegal drugs.

Inasmuch as inmates have a lot to spend for, their sources of income are plenty as well. The sources include the inmates themselves, particularly the VIPs, visitors, volunteers, and NGOs. There are affluent inmates who take it upon themselves to better the living conditions inside their cells by donating electric fans and medicines. Some NGOs and religious groups, meanwhile, sponsor certain projects initiated by a *brigada*.

Inmates have devised several ways to raise funds.

1. **Calling Fee.** When an inmate has a visitor, it is assumed that the former gets some money from the latter. He thus contributes P10 to the cell funds every time he has a visitor. This, however, only applies to inmates who have been in jail for less than six months. Cell leaders, meanwhile, are exempted.
2. **Tax.** Inmates, particularly the *nanu-nungkulan*, are allowed to put up businesses inside the jail. Some of them operate a



Cell funds are kept in a vault that is publicly displayed but properly guarded.

Table 5.8: Gastos ng Brigada Ayon sa Inmates

BRIGADE OPERATING EXPENSES	
FORMS OF EXPENSES	
1. Supplies	seeper, soap
2. Matik sa empleyado	fare, gasoline, etc.
3. Food of newly committed inmates	
4. Repair of the brigade	medicines, fare
5. Medical expenses	
6. Pamasaha ng lumaya o nagbiyaha	
7. Expenses for celebrating certain occasions	
8. Donation to the family of inmates who die	
9. Cable TV subscription fee	
10. Maintenance of the brigade	water and electricity supplies
11. Allowance of officers	

Table 5.9: Weekly Allowance of Querna Cell and Brigada Officers

WEEKLY ALLOWANCE OF QUERNA CELL / BRIGADA OFFICERS	
A. Cell Officers	
Mayor	P150
Vice Mayor	P100
Treasurer	P70
Coordinator	P50
Asst. Coordinator	P50
Adviser	P50
Chief Buyon	P30
TOTAL	P500
B. Brigada Officers	
Mayor de Mayores	P150
Adviser 1	P100
Adviser 2	P100
Treasurer	P100
Auditor	P100
Chief Bastonero	P100
Asst. Bastonero 1	P75
Asst. Bastonero 2	P75
TOTAL	P800
Walis Plasa	P15/person
Bantay Pinto	P70 (additional)
*Allowance is given every Sunday; sometimes, it is waived depending on the availability of funds	

billiard table, a food stall, a beauty salon. In return, they are asked to pay a certain percent of their income to augment the cell funds. Cigarette vendors, for example, pay P80 a week.

- Palakpak.** The night before a convicted inmate is transferred to Muntinlupa, his cell- and brigademates are gathered not only to party but also to contribute P5 each as *pabaon* (parting gift). Those who do not have the means to contribute are, instead, asked to dance while the other inmates clap their hands, hence the term *palakpak*.
- VIP Fee.** Some inmates choose to be exempted from carrying out their cell duties, such as cleaning the comfort room and doing errands for the cell officers, by paying P50 every week. These inmates are called Very Important Preso or VIPs. There are three kinds of VIP—regular, big time, and super big time—depending on the amount they pay weekly. The more they pay, the more privileges are accorded them.
- Store Income.** All cells and brigades maintain a store, which inmates are obligated to patronize. Like a cooperative, these stores allow credits but on the appointed payday, usually during Sundays, inmates must be able to settle their obligations.
- Commitment Fee.** When a newly committed inmate is not affiliated with any



Inmates are required to patronize their cell store.

Table 5.10: Cell/Brigade Funds

PONDO NG BRIGADA		
Source of income	Estimated amount (average)	Remarks
1. Caling	P1,100/week	P10/inmate
2. Tax (vendors)	P80/week for 4 persons	Depends on the business
3. Palakpak	P500/week	P5 per inmate
4. VIP	P2500	P50 per inmate per week
5. Tindahan	P10,000	Bigger amount during obligahan
6. Commitment Fee	P2500 (not compulsory)	Depending on the inmate
7. Benta ng tarima	P2,000-P3,000	Happens once a month
8. Benta ng kubol	P6,000-P8,000	Happens once a month
9. Solicitations	P1,000-P2,000	During special seasons

of the four *pangkat* inside the jail, he is brought to the *querna* where he is auctioned among the cells. The desk officers determine the initial price from a low of P50 to a high of P10,000 based on the information they had gathered about the inmate. The inmate then automatically becomes a member of the cell that posted the highest bid.

7. **Kubol Fees.** As noted earlier, the cells are further subdivided into *kubol* or cubicles, which are sold to inmates for P3,000 to P4,000 (single bed) and for P6,000 to P8,000 (twin beds). Those who can afford only the *tarima* or a bed bunk fork over P2,000.
8. **Donations.** Some cells are able to solicit money from NGOs, jail volunteers, or even from inmates who are affluent enough to donate electric fans and medical supplies.
9. **Fund-raising activities.** The most popular of these activities are Bingo Socials, raffle draws, and sponsored movie viewing.

On the average, a regular cell of 100 inmates has a weekly income of P3,000. But in the case of Batang City Jail, its funds can accumulate to as much as P100,000, especially during December or the Christmas season.



One source of income for cells is operating a business inside the jail.



For P2,000 to P5,000, an inmate can buy the rights to own a kubol and make his stay in the jail more comfortable.

Table 5.11: How the Commitment Fee is Distributed

URI NG COMMIT Type of Commit	BINABAYARAN NG COMMIT Amount paid by the commit	NAPUPUNTA SA EMPLEYADO Amount that goes to the jail employees	NAPUPUNTA SA PONDO Amount that goes to the cell funds	REMARKS
Buyonero	---	P 50.00	- P50.00	<i>Abono ang sekla.</i> The cell shells out an amount.
VIP	P500.00 - P1,000.00	P250.00-P500.00	P250.00 - P500.00	<i>May napagunata rin sa mayor.</i> The mayor of the cell also receives an amount.
Big-Time	P1,000.00 - P5,000.00	P500.00- P2,500.00	P500.00 - P2,500.00	<i>May napagunata rin sa mayor at mayores.</i> The cell mayor and the brigade mayores also receive an amount.
Super Big-Time	P5,000.00- pataas	P2,500.00- pataas	P2,500.00 - pataas	<i>May napagunata rin sa iba pang mga nanaunghukan.</i> Other inmate officers also receive an amount.

VIP System

There are groups of inmates who are known for their economic status. The Very Important Preso or VIPs, who constitute around 20% of the inmate population, are the financially affluent inmates who are exempted from performing certain jail duties, such as cleaning the comfort room, fetching water, and cooking, by paying weekly dues. The *buyoneros*, on the other hand, are called the “lost boys” because they do not have money and are thus made to perform the dirty work for the VIPs.

The role of the VIP is primarily that of financing the cell operations. If there are activities or projects that the cell wishes to



A VIP enjoys the luxury of a

undertake, the *mayor* will usually pass around the “contribution” hat among the VIPs. In turn, cell rules are quite accommodating to the whims of VIPs. They can sleep anytime they want in their *kubol* or *tarima*. They can also easily get out of the cells without the *bantay-pinto* harassing them.

Buyoneros, on the other hand, are limited in their movement. They cannot go out of the cells unless necessary. They are not allowed to sleep during visiting hours, especially if they cannot borrow a *kubol* or *tarima*.

Support Groups

Aside from *pangkat* and *querna*, inmates have also created groups that are self-governing and self-sufficient.

The Rancho or Kasalo System is the smallest political unit in the cell. Within each cell, inmates are formed into food-sharing groups called *rancho* or *kasalo* with four to six members each. Members, always a mix of Very Important Presos (VIPs) and *buyuneros*, find ways to improve the ration they get from the Jail. The VIPs provide additional food, condiments, kerosene, and other needs. The *buyuneros*, for their part, cook the meal, wash the dishes, and do some errands for the VIPs.

Not all *ranchos* have VIP members who are affluent enough to provide all the things the group needs. To keep their boat afloat, members render services to VIPs from other *ranchos*. They, for example, fetch a pail of water for a VIP who wants to take a bath in exchange for a bottle of kerosene. Or the *buyunero* can give a VIP a good massage for some condiments. *Buyuneros* usually do such services to the affluent members of the Chinese inmates who have a group and cell of their own. This is called the *responde* system.



Inmates enjoy peace and quiet by the grotto.



The rancho system provides for a socialized food distribution among inmates.



Members of the affluent Chinese community have a laundry area at their disposal— a luxury under normal jail conditions.

Table 5.12: A Discussion on Kubol Policies by Inmate Leaders of the Annex Building

POLICIES ON KUBOL			
1. An inmate pays not for the ownership but only for the right to use the <i>kubol</i> for the entire duration of his stay in such cell.			
2. Owner has no right to sell his <i>kubol</i> unless approved by the <i>mayor</i> and the <i>mayores</i> .			
3. Former <i>mayor</i> and <i>mayores</i> have the right to sell their <i>kubol</i> based on standard price but they should secure prior approval from the present officials of the cell and the brigade.			
4. Any renovation made on the <i>kubol</i> will be shouldered by the buyer but he must first secure approval from the <i>mayor</i> .			
5. Former vice <i>mayor</i> , <i>bastonero</i> , adviser, and treasurer are not allowed to sell their <i>kubol</i> without approval from the present officials of the cell and the <i>mayores</i> of the brigade. If these officials are convicted, they are entitled to 30% of the standard price of the <i>kubol</i> while the 70% is added to the cell and brigade funds. If acquitted, the present <i>mayor</i> could only give the former officer a considerable amount as <i>pabaon</i> or parting gift.			
An inmate with <i>kubol</i> who has financial problems, with the consent of the <i>mayor</i> and <i>mayores</i> , can decide whether or not to sell his <i>kubol</i> . Price must be based on standard rates and 30% will be given to cell and brigade funds.			
STANDARD PRICE			
Panalang (inmate who cleans the <i>buyon</i>)		P300	
VIP (determined by the <i>mayor</i>)		P500 to P2000	
Chinese (upon the purchase of a <i>kubol</i>)		P500 plus P1000 additional	
A. KUBOL			
Single:		P3,000 - P4,000	
Double:		P6,000 - P8,000	
Tarima:		P2,000	
B. VIP OBLIGATIONS:			
Ordinary VIP		P50 per week	
VIP with double-bed <i>kubol</i>		P100 a week	
Special VIP		P100 a week	
DISTRIBUTION OF THE INCENTIVES OF NANUNJUKULAN			
Brigada Share	20%	Of the 20% brigada share	
Cell Funds	20%	Brigade funds	35%
Cell Officers		Brigade officers	
Mayor	20%	Representative	20%
Vice-Mayor	7.5%	Adviser 1	10%
Basto	7.5%	Adviser 2	7.5%
Asst. Basto	5%	Treasurer	5%
Coordinator	5%	Auditor	5%
Asst. Coordinator	2.5%	Chief Bastonero	5%
Treasurer	5%	Asst. Bastonero	2.5%
Adviser	5%	Asst. Bastonero	2.5%
Chief Buyon	2.5%	Kulturero	5%
TOTAL	100%	Asst. Kulturero	2.5%
		TOTAL	100%
To be distributed every 17th and 2nd day of the month or upon the discretion of the <i>Mayor</i> or <i>Mayores</i> . Source: Minutes of the Meeting of Annex Building Officers			

A derivative of *responde* is the *palakad* system, which originated from the practice of NGOs and volunteer organizations, particularly religious groups that bring food and other supplies to get the inmates to participate in their programs. It was Butch Belgica, a former inmate who is now a city councilor of Manila, who coined the term *palakad*. It was always his practice to share whatever food he has to his cellmates by passing it around.

Income from Kubol

Cell funds get a boost when one of the inmates with *tarima* or *kubol* is released. That inmate's *kubol* is auctioned to other inmates. Owners who are convicted and transferred to Muntin-lupa are entitled to a percentage of the sale of their *kubol*.

Chinese Community

Members of the Chinese community actually come from Taiwan, Hong Kong, and other countries. The community's membership ranges from 40 to 60 inmates who are distributed among the different cells in the Annex Building.

Members of the Chinese community are jokingly called "geese that lay golden eggs." This is because they contribute significantly to the expenses of the Jail, e.g., shouldering the transportation expenses of jail guards. They could be called upon anytime to donate for the painting of the Jail's buildings and fences, the purchase of water equipment, and many other projects. They



Members of the affluent Chinese community are housed in spacious cells.

also plunk down bigger commitment fees that range from P5,000 to P10,000 or higher.

In recognition of their many contributions, members of the Chinese community are accorded special treatment. For example, they are given their own place—the rooftop of the Annex Building—which used to be the sunning area of inmates. The rooftop is more spacious than the overcrowded cells. Members of the community are also exempted from such cell rules as regularly taking a bath and sleeping on time. They also have their own facilities such as a kitchen and a lavatory.

The Pyansador

Some inmates are willing to spend just to secure a bail. This is where some jail officers, former inmates, and enterprising individuals who work as *pyansador* come in. These people facilitate an inmate's bail for a fee. Inmates prefer hiring the services of *pyansadors* because of the tedious process involved in posting bail. Among many other requirements, one must have certification of no pending cases, identification cards, and a surety company.

Here is how a *pyansador* does his business:

First, he contacts his asset in a surety company who gives him a discount for every case he brings in. For example, a drug related case involves a cash bond of P100,000. If an inmate applies for a surety bond, he pays 10% of the amount (other surety companies charge as high as 20%) or P10,000. A *pyansador* can get the bond at 8% or P8,000 but he charges his client-inmate with a service fee of 12% to 13% of the cash bond, or P12,000 to P13,000. This means that if the inmate hires the services of a *pyansador*, he shells out an additional P4,000 to P5,000. But because the *pyansador* has connections in the surety company, the records section of the Jail, and court employees, the inmate is assured that his documents will be processed fast.

CULTURAL STRUCTURE

Inmates have their own way of articulating their feelings, needs, attitudes, and beliefs. They have their own language.

A word as innocent as *tinapay* (bread in English) actually refers to a knife or ice pick among inmates. So when inmate escorts always bring *tinapay* with them, it is not for stuffing their empty stomachs but for security purposes. They also combine two entirely unrelated words to come up with an entirely new concept. An example is *patay parada*. *Patay* means dead and *parada*, parade—with these words combined, one does not get a “parade of the dead” but a “lazy oaf who does nothing but bum around.”

Inmates also subscribe to certain “Golden Rules” that serve as their guiding principles in living the jail life. They advise, for example, that *huwag kang magtitiwala maliban sa sarili mo* (trust nobody else but yourself). These apothegms also reflect their philosophies or how they view life now that they are inside the



jail, e.g., *ang takot sa Diyos ay simula ng karunungan* (fear of God is the source of wisdom).

These terms and phrases give one a picture of the general psyche of inmates. Their take on security is reflected in cautionary phrases like *magbasa kahit walang letra* or, loosely translated, “read between the lines.” This applies to the inmates’ uncanny ability to determine whether tension is brewing simply by looking at the movement of other inmates.

At the same time, inmates have terms invoking order and discipline. They have *takal*, *basag*, *balila*, and *padlock* to refer to several forms of punishment. These terms suggest the inmates’ own idea of a justice system.

The psychological state of mind of inmates may be gauged through the prevalent use of such term as *buryong* or boredom. They have their own coping mechanism as expressed in the adage “*Kung hindi ka nila kayang unawain, unawain mo sila*,” which encourages inmates to take on a mature and selfless attitude in life: Understand others if they do not understand you.

Certain practices in jail are described in such terms as *balukol*, *matik*, *hirit*, and *buraot*. These all refer to the different forms of bribery, the most effective means of getting things done in jail. Inmates already know by instinct when to give jail officers money without being asked.

INMATES HAVE THEIR OWN WAY OF ARTICULATING THEIR FEELINGS, NEEDS, ATTITUDES, AND BELIEFS. THEY HAVE THEIR OWN LANGUAGE.

Table 5.13: Jail Jargon

JAIL JARGON	
A. EXPRESSIONS THAT REFER TO THINGS	
1. Tinapay	Knife or ice pick
2. Mahaba	Long knife
3. Banig	Sling and arrow
4. Kubol	Cubicle within the cell
5. Balila baston takal	2' x 2' club used to paddle erring inmates
6. Tarima	Small bed
7. Buyon	Comfort room
8. Bahay	Cell or brigade
9. Granada	Molotov
10. Dilaw na T-shirt	Yellow shirt used for court hearings or when airing protests
11. Rancho	Food (from the Jail)
12. Palakad	Food (from the volunteers)
13. Pasilyo	Hallway in the cell
14. Patakaran	Rules and regulations
15. Matalas	Sharpened spoon
16. Nagpapalipad ng baraha	Sling and arrow
17. Bakal	Firearms
18. Responde	Additional food (from fellow inmates)
19. Robbery papa	Stolen food
20. Karton	Makeshift sleeping mat
21. Tsinelas	Sleepers used as pillows
22. Parating	Food (from visitors)
23. Armory	Place for hiding deadly weapons
B. EXPRESSIONS THAT REFER TO ACTIVITIES AND ATTITUDES	
1. Patay Parada	Negligence of duties
2. Balatuba	Neglect of personal belongings
3. Pasaway	Insubordination
4. Boraot	Freeloader
5. Balukol	Abuse of authority
6. Bundol	Sow intrigues to create conflict
7. Garahe	Stay put in one place
8. Takal	Paddle, a form of punishment
9. Symbol	Cell assembly or meeting to discuss certain issues, new policies, funds, appointment of new officers
10. Padlak	Cell detention
11. Tiryado (from the words battery, baterya, terya, and teryado)	An inmate who earns the ire of nanunungkulan
12. Matik (from automatic)	Grease or bribe money
13. Bulilyaso	Bungled illegal activity

Fire: Structural Responses

JAIL JARGON	
B. EXPRESSIONS THAT REFER TO ACTIVITIES AND ATTITUDES	
14. Endulto	Unsettled debt
15. Estapa	Shabby work output
16. Aberya	Unresolved problems
17. Buhos	A unified action or concerted effort
18. Ranchohan	Lunch or dinner time
19. Bista	Court hearing; also refers to an investigation conducted by cell officers to determine the guilty party in a conflict
20. Pwesto	Formation during headcount; also refers to the social hall
21. Lima-lima	Formation by fives during headcount
22. Sabay-agos	Joining an activity or organization without any knowledge about the activity or organization
23. Sawi	Caught in a crossfire during riots
24. Buyong	Extreme boredom
25. Alagwa	Roam around the jail premises
26. Tablado	Dismissed petition
C. IDIOMS/APHORISMS	
1. Alam dapat ang pinasukang butas.	One must know the way out of tricky situations.
2. Ang bakal at rehas ay hindi nagsasalita.	The Jail's Code of Silence: Thou shall not squeal.
3. Dapat magkaroon ka ng taingang tulad ng sa lobo.	One must be cognizant of things happening around him.
4. Tanging araw lamang ang sumisikat sa kulungan; lumulubog pa.	There is no place for heroism in Jail.
5. Magbasa kahit walang letra.	Read between the lines.
6. Kung kailan magulo, doon tahimik; kung kailan tahimik, doon mainit.	Silence may portend conflict among the pangkat
7. Kung ano ang tugtog, iyon ang sayaw.	Do what your leaders tell you to do.
8. Huwag padi-dribol.	Don't take things at face value; look beyond the surface.
9. Laro lang.	It is all a game, nothing personal.
10. Ang paa ay dapat nakatuntong sa lupa.	Know who your true friends are.
11. Ang takot sa Diyos ang simula ng karamunigan	Fear of God is the source of wisdom.
12. Pinapadama ka lang.	You are only being led on (you think you are winning, but you are actually losing).
13. Dapat ikaw ang mag-reyal.	Do things without being told to; have initiative.
14. Iwasan ang pagbangga sa pader.	Know who your enemies are.
15. Kapain mo ang sitwasyon; huwag maging bulag sa mga pangyayari.	Know the real situation; don't be blind to what is happening around you.
16. Ilagay sa lugar ang sarili	Know your place in the community and act accordingly
17. Ang manggang namumunga ng hitik, tiyak na binabato.	Beware of jealousy
18. Ang mga preso ay katulad ng sili - hanggang hindi kinakagat hindi malalamang maanghang	No one knows how dangerous inmates can be unless one provokes them.

Freedom and Death Inside The Jail

JAIL JARGON	
C. IDIOMS/APHORISMS	
19. Huwag kang lulutang.	Keep a low profile in times of conflict.
20. Ang kulungan ay hindi para sa taong makasalanang kundi para sa mga taong kinapos ng kapalaran.	Not all inmates are criminals, some are just victims of circumstance.
21. Masikip ang daan, huwag nang pasikipin pa ng higit.	The jail is dangerous enough, try not to create any more enemies.
22. Tulad ng mga asong ulol, ang tao - pag di pinapakain - nangangagat.	Starve the inmates and they will retaliate.
23. Huwag kang lalampas sa guhit.	Don't break the rules.
24. Kang hindi ka nila kayang unawain, unawain mo na lang sila.	If they cannot understand you, understand them.
25. Alam na!	You just know it.
26. Magkaroon ka muna ng kasaysayan.	Prove yourself first before aiming for the top.
27. Huwag kang magtitiwala maliban sa sarili mo.	Don't trust anybody.

STRUCTURAL RESPONSES: IMPLICATIONS ON JAIL MANAGEMENT

The alternative structures created by the inmates have come to define the brand of management that is presently at work in Quezon City Jail.

The Jail's formal rules (directives in the BJMP Manual) are sacrificed to accommodate the informal rules (by-products of the alternative structures). The policy that prohibits fraternization between jail officers and inmates is conveniently discarded to implement the mutual support setup. The recognition of the *pangkat* overrides the classification system provided in the BJMP Manual. The policy that disallows inmate leaders to exercise power over their fellow inmates is ignored to make room for the Panunungkulan System.

As such, the BJMP Manual is nothing more than a set of pro forma policies that is followed in paper but is not implemented in practice. Implementing the Manual only creates conflict among jail officers. There are jail officers who believe in strictly implementing the Manual but others think that some elbowroom is necessary. For example, the former do not allow visitors to enter the cells for security purposes while the latter allow such practice as long as visitors pay a certain amount for practical reasons.

Cognizant of the non-applicability of the Manual, the management gives jail officers wide latitude in performing their tasks. Jail officers decide how to implement certain policies based on their evaluation of the situation. Some jail wardens allow the entry of children as legitimate visitors, others do not. Some wardens allow the entry of kerosene, others do not. Among the inmates, the *mayor* has the last word on issues. He decides, for example, when to spend the cell's fund for which project.

There is, therefore, a need for a different set of criteria if one is to determine the performance of jail officers. In Quezon City Jail, a jail officer is considered good if he knows how to play around the system and deliver results for his department. An officer who produces an air conditioner unit, for example, is lauded by his peers even if he has acquired the equipment by extorting money from inmates and visitors; he is hailed as *madiskarte* (one who knows how to capitalize on his abilities) and a real asset to his department. Meanwhile, a jail guard who dutifully performs his duty and refuses to accept *pamasahe* (bribe money) from inmates is considered *walang pakisama* and is thus unpopular even among his fellow officers.



Now that the fire has been set, it is time to take the pot out. The pot takes all the heat, giving purpose to the firewood and fire. But what if the pot has cracks?

In Quezon City Jail, the structures that were put up in response to the community's problems gave birth, in turn, to certain practices. While some of the practices give the structures a good reason for being, others do not. Some practices provide inmates empowerment, creativity, and responsibility; others give room for wanton abuse, corruption, and discrimination. Some of the practices allow Quezon City Jail to fulfill its mandate; others hold it back from doing so.

In a sense, certain practices give inmates some freedom—the opportunity to do things on their own, but other practices lead them to their own “death” also—when inmates are trapped in the vicious cycle of corruption, exploitation, manipulation, and other forms of abuse.



THE FREEDOM ASPECT

On a positive note, the structures have become a tool for empowering the inmates. They have become self-reformation mechanisms. The *panunungkulan*, for instance, instills a sense of leadership in the *nanunungkulan* and a sense of respect for authority in the members. Leaders and members both understand the responsibility that comes with their respective positions in the community.

Self-Help Mechanisms

Inmates believe that it is their responsibility to look after themselves and to take care of their own needs. It is a painful realization that “we know we cannot rely on the government or we will die with our eyes wide open,” says Mariano Bacolod, 23, in Filipino.

Because jail food is not properly prepared and served, inmates choose to cook again their ration in their own cells. Sometimes they just get the raw ingredients and cook their own meals. The problem is that not all inmates have cooking utensils. Not all inmates can afford a gas stove, rice cooker, and other cooking appliances. Besides they have to pay the jail guards *matik* to allow them to bring such items in their cells.

Pangkat members, particularly of Batang City Jail, have a more systematic approach to the problem. They have designated an area in their *brigada* for the kitchen where all cooking ingredients and utensils are stored for members to use. They apply the same mechanism in addressing the lack of sleeping facilities in the Jail—members are provided old cartons which they can use to improvise beds. In Batang City Jail, members are even provided sleeping mats made of plywood.

Cell Upkeep

Through the cell funds, inmates are able to make jail life a lot more bearable. The cell fund enables inmates to buy cleaning materials, cooking utensils, comfort room deodorizers, etc.



Cells operate a store to build up their coffer.



BCJ maintains its own kitchen where cooking paraphernalia are made accessible to its members.



Inadequate medical supplies and facilities in the jail led BCJ to put up its own infirmary.



A cell barber is tasked to give inmates a haircut on a regular basis as part of proper hygiene.



Sigue-Sigue Sputnik generates funds by selling cold water to its members.



Inmates share food through the Rancho system.

The cell fund is sometimes used to purchase additional electric fans to improve ventilation in their cells, repair electrical facilities, or replace dilapidated toilet bowls. Inmates even construct their own lavatories and kitchens.

When Kapit Bisig 2000, Inc. was still in operation, inmates conducted innovative fund-raising activities like Mr and Ms Quezon City Jail, Munting Bulaklak sa Mayo (Little May Flower), Bingo Socials, and many others. Proceeds were used for the construction of tables at the visiting areas, comfort rooms for visitors, garbage areas, and a grotto. To this day, inmates still benefit from these structures.

Bayanihan and Damayan

Two distinct Filipino cultural traits are very much alive in Quezon City Jail—*bayanihan* and *damayan*. Aside from taking care of their own needs, inmates also look after the welfare of their *kakosa*. Thus the favorite adage among inmates: “Walang tutulong sa isang preso kundi kapwa preso.”

Inmates take care of their sick *kakosa*. The medical coordinators are responsible for bringing sick inmates to the clinic for medical checkup. The *mayor*, meanwhile, is always informed of the health condition of his constituents so he can allot a budget for their medical expenses. If an inmate is gravely ill, the *mayor* also makes the arrangements with the management so the inmate can be brought to the hospital.



Funds enable inmates to shoulder the cost of repairing or installing amenities in their cells.

Inmates also spend for the food of newly committed inmates, at least a day's meal. And when poor inmates are released or transferred to Muntinlupa, they are given money as *pamasahe* or *pabaon*; the amount they get depends on how well they got along with their cellmates. When one of the inmates or one of their family members dies, the cell helps defray the funeral expenses.

There is also a system that originated from the practice of NGOs and volunteer organizations, particularly religious groups that bring food and other supplies to get inmates to participate in their program. It was always the practice of these groups to share whatever food they bring with them with the inmates by passing it around.

Aside from material provisions, inmates also give each other moral support. During *sembols*, inmates discuss their individual concerns and try to come up with solutions. The paralegal coordinators, for example, are tasked to help inmates prepare for their hearings. During the assembly, they would conduct mock trials.

Convicted inmates are told not to lose hope and are encouraged to appeal their case in higher courts. When an inmate gets a life sentence, they try to cheer him up with such droll remarks as: "Life is beautiful, double life is doubly beautiful."



Inmates help management maintain the jail's facilities by donating paint and by doing the painting themselves.



Inmates celebrate Independence Day.



BCJ has its own kitchen where cooking utensils are made available to its members.



Religious activities help bring inmates closer to God.



Some inmates avail of the QCJ gym equipment to keep themselves physically fit.

Empowerment

Leadership is one valuable skill that inmates acquire from the Panunungkulan System. Inmate leaders learn how to deal with different kinds of people. They also learn to craft policies and come up with decisions even in difficult situations.

On the economics front, livelihood projects allow inmates to acquire new skills, especially those that they think they could use once they are released. For other inmates, livelihood projects are a venue to improve the skills and talents that they already had even before their incarceration.

These skills enable inmates to earn their own keep and this, somehow, gives them a sense of dignity. They do not have to rely on the government to provide them their basic needs, such as food, clothes, etc. Moreover, they feel proud that even in detention, they are still able to provide for their families. Vicente Caspar says proudly: "*Kahit papaano nagagampanan ko ang katungkulan ko bilang ama sa aking mga anak* (At least, I am able to provide for my children's needs)."

Another means for inmates, particularly the *nanunungkulan*, to earn money is putting up a business right inside the Jail. They can operate a food stall or a magazine stand, or they can finance a cigarette vendor. Some inmates are engaged in "5-6," which is a lending scheme where every loan comes with a 20% interest rate. Other inmates earn by acting as middlemen when their fellow inmates want to sell their possessions.

The Functional Literacy Class, meanwhile, gives inmates a chance to finish their studies, get a degree, and be able to find work as soon as they are released from jail. "*Para sa ganoon...ay mayroon kaming maipagmamalaki sa aming magulang* (So that our parents will be proud of us)," says Marlon Alabanza, 19.

Getting a medal may seem trivial to most but it is very important for inmates. "I never imagined that my mother would pin a medal on me during graduation day. In fact, I never thought I would graduate because I am now in jail," says Nestor de Castro, a graduate of the program. "But

it felt so good I actually cried. So did my mother.” Getting such an honor, continues Nestor, made him realize the meaning and purpose of his existence.

Self-Reformation

Many inmates believe that genuine reformation should come from within. The penal institution can only show them the door; they have to open and walk through it. Thus, they take advantage of the Jail’s programs to put their talents and skills to good use. After all, there are inmates who are licensed nurses, lawyers, and even priests. Those who have a college degree volunteer in the Jail’s Functional Literacy Class as instructors. Former drug dependents become counselors to fellow inmates.

These inmates get affirmation for their good deeds during recognition programs, where management gives awards to those who have been active in the Jail’s projects. The awardees are made role models for the other inmates.

Community Values

Through the structures, inmates have transformed themselves into a closely-knit community. More than a leader, the *mayores* is seen by inmates as a “father” who looks after their welfare. The jail officers are endearingly called *tata* (father) or *nana* (mother). The senior inmates are called *tatay* even if they are much younger. Inmate teachers are appropriately addressed as “sir” or “professor.” Respect, in other words, is accorded every inmate depending on the position he holds in the community.



Basketball fosters harmonious relationship among inmates from different brigades.



Income obtained from the food stalls, the pay phones, the billiard hall, and the cooperative store augments the salaries of jail officers and alleviates

Inmates also follow a social code to how to act and behave according to their stature—*alam lumugar* in jail parlance. Ordinary inmates do not use the comfort rooms designed for the *nanunungkulan*. They do not go out of their cells without asking permission from the *bantay-pinto*. The *buyonero* does not go directly to the Warden to air his sentiments; he consults with the *nanunungkulan* first.

As a community, ties among inmates are reinforced through social affairs. Inmates would get their *kakosa* and jail officers as godfathers of their children. During the wedding of an inmate's son or daughter, the Warden and the *mayores* are made principal sponsors. These practices transform the relationships between jail officers and inmates from being professional to being personal.

Fund-Raising Drives

The Warden and escort officers are sometimes forced to shoulder the operational expenses of the Jail. An example is when they need to hire a jeepney to bring inmates to court for their hearings. But more than money, escort officers are concerned about the impression they leave on the public every time they would hire a jeepney and ask its passengers to disembark in the middle of the road. "But we do that only when our service vehicle suddenly breaks down and inmates are already running late for their hearing," explains an escort officer. "Still, we get those harsh and castigating looks from the passengers as though we were abusing our police authority for our per-



The Jail management had to be "creative" in raising funds for the construction of this new cell.



A politician funded the installation of this pump well.

sonal gains. But we don't have a choice so we just endure it.”

Thus, jail officers, have come up with their own fund-raising schemes. One is soliciting support—in cash or in kind—from other government agencies, NGOs, and the inmates themselves. The Medical Section, for example, usually asks the Quezon City Hall, the QC Rotary Club, and pharmaceutical companies for additional supplies. The Rehabilitation Section sponsors contests and special programs among inmates and visitors. It also gets 10 percent of the monthly income generated by the beauty parlor and other livelihood services inside the Jail. Since the Record Section is in constant need of printing ribbons, envelopes, yellow cards for booking records, and bond papers, the Jail requests additional supplies from the Quezon City Hall and the Hall of Justice. With the photocopying machine out of order, records officers ask inmates to help defray the cost of photocopying the latter's documents. According to one record officer, the following amount is necessary to produce and/or reproduce the documents for the release of an inmate—P10 for the picture, P20 for the release papers, and P20 for the certificate of detention.

Jail management also operates a cooperative store, which acts as wholesaler to the smaller stores run by inmates in their cells and brigades. Only the cooperative store is authorized to bring commodities in bulk inside the Jail.

Creative Solutions

Since it poses too much risk to transport inmates to and from the court without handcuffs, escort officers are forced to buy handcuffs using their own money. Locally made handcuffs, which are defective most of the time, cost P400 to P500. Quality handcuffs,

meanwhile, cost P1,500. For government employees, these amounts can burn a hole in their pockets.

Some escort officers use plastic straw in lieu of handcuffs. The problem is that inmates can easily untie the straw by burning it with cigarette. Thus, inmates are not allowed to smoke while being transferred to and from the court.

There have also been instances, according to escort officers, when court personnel have misconstrued the use of straw on inmates as a form of inhumane treatment. Escort officers, therefore, have to untie the inmates first before they are taken inside the courtroom. When inside the courtroom, inmates are given strict instructions to refrain from moving from one place to another. Escort officers, meanwhile, conduct a headcount every now and then. To easily identify the inmates, they are required to don a yellow shirt.

Other escort officers have their own ways of addressing the problem. There are officers who ask inmates to hold each other's hands the whole time they are being transferred to and from the court and while inside the courtroom. An inmate who lets go of another's hand is severely punished by subjecting him to pumping or *takal*.

THE FREEDOM ASPECT: IMPLICATIONS ON JAIL MANAGEMENT

The structural responses have positive impact on the management of Quezon City Jail. The responses enable the management to address its problems such as the inadequacy of budget, personnel, and facilities. In turn, jail life is made bearable for inmates. Jail officers, for their part, are able to pursue certain projects. Contrary to the experience of Western countries, the relationship between jail officers and inmates is not one of animosity but cooperation. That is why, despite the jail's limitations, riots and incidents of escape are minimal.

As a result, Quezon City Jail has evolved from a 'closed' institution to an 'open' community. Visitors (or outsiders) come in and out of the Jail almost freely. Goods - both legal and illegal - are allowed inside. The Jail has a 'commercial hub' where inmates and visitors enjoy the luxuries of food stalls, magazine stands, billiard hall, payphones, mini-gym, and beauty salon. These allow inmates to recreate the lifestyle they used to enjoy as a free man.

As a result, 'prisonization' has a different effect on the inmates of Quezon City Jail compared to those in 'closed' penal institutions in Western countries. In Western countries, where the rules on non-contact between inmates and visitors are strictly observed, cases of violent assaults against jail officers and sexual assaults against inmates are rampant. In Quezon City Jail, these offenses are virtually unheard of.

Functional Literacy Program

Since 1996, classes have been held under the Functional Literacy Program in Quezon City Jail. The main beneficiaries are inmates who did not finish elementary or high school. A group of jail volunteers headed by Fr. Anthony J. Ranada of the PRESO Foundation set up the program. Initially, the teachers were inmates themselves using a syllabus provided by the Department of Education. Eventually, NGOs became aware of the program and are now providing assistance by sending volunteers as non-formal instructors. The program gets a budget released every three months from the Presidential Management Staff under the Office of the President of the Republic of the Philippines.

The three-month program has already produced a number of graduates who have taken the Accreditation and Equivalency Tests administered by the Bureau of Non-Formal Education. The graduates are accelerated to a higher grade or year level (depending on the program they enrolled in) if they pass the exam. Upon graduation, they receive a certificate of completion duly signed by the director of the Bureau of Non-Formal Education.

The Non-formal Education Program

Number of instructors:	3
Number of learners:	75
Age of learners:	25 to 54 years old
Length of the Program:	3 months
Place of study:	Chapel Area, Quezon City Jail
Organizers of the Program:	Preso Foundation Rehabilitation Section of the BJMP-QCJ Volunteers (Sister Dette Carino, Sister Auxillium Sayle)
Financier:	Office of the Presidential Management Staff

Learners have this to say: "We wish to be morally upright citizens. We wish to fulfill our obligations as members of the family, of the community, and of society."

Learners of the Non-Formal Education have a wide range of modules to choose from. The most popular modules among the learners include How to Put Up a Business, Planting, Social Studies and History, Computer Program, Filipino, Math, Paralegal Studies, and Dealing with Other People (Social Skills and Value Formation). All learners are enrolled in these

modules.

Most of the modules are theoretical, which means the learners cannot apply these inside the jail. This does not mean that these modules are useless. They cannot be applied in Jail only because there are no facilities (e.g., for planting trees), there are no instruments (e.g., telescope for solar system studies), and there are no venues (e.g., for sample business).

According to learners, there are modules that they find interesting and there are also those they find boring. By interesting they mean they gain a lot of new information. The modules that they find interesting are How to Come Up with a Business, Planting, Computer Program, Filipino, Math, Paralegal Studies, Value Formation, Use of the Calendar, What to Do During Earthquakes, and How to Avoid AIDS. On the other hand, they find some modules boring because the topics are alien to them and they do not see any need for them. An example is the study of mountains. "I don't see why I should study mountains when, from where I stand, I don't see one," comments one learner. "Besides, I don't see myself going to the mountains when I regain my freedom."

In other words, learners prefer modules that can help them adjust to life outside the Jail, provide them knowledge to put up their own business, help them get employment, and help them improve their communications and analytic skills, such as Filipino and Math. They are fascinated by computers because these are "the wave of the future." They want to study how the legal system works, saying that if only they had known their rights before they were detained, they could have easily made a good case to prove their innocence.

Learners who are gang members have the additional responsibility of looking after the "safety" of their fellow inmates. After all, it is these *kakosa* of theirs who cook food for them. Being a learner does not exempt them from the rules and regulations of the cell. They still have to seek permission from the *bantay pinto* or gater before they are allowed to go out. They must finish their jail duties first like cleaning the comfort rooms before they attend to their studies.

Non-gang member students have more leeway. They can roam the jail grounds more freely. They are more independent in their decisions. But they have to attend to their needs like cooking their own food. Also, they have to look for a place to review their lessons and then get some sleep before attending their classes. In a way, these students are in a more difficult situation than their counterparts in *pangkat*.

Functional Literacy Program (cont'd)

Learners only have two hours a day and five days a week to attend their classes. Instructors feel that this is not enough considering the number of modules the students have to take up. A look at the schedule of the students reveals that there is no adequate place and time for them to review and prepare their homework. They have to study in their cells which are crowded with noisy people. Needless to say, the cell is not conducive for learning.

Students reveal that what they learn in their classes under the Non-Formal Education Program does not run parallel to what they learn inside the cells. For example, a learner remarked that in Value Formation, he is taught to “love other people and respect their views.” But his chief escort tells him that *huwag dapat pagkatiwalaan* ang kabila or to never trust members of rival *panangkat*.

Table 6.1: Lessons Learned in the Non-Formal Education Program

MGA PINAG-AARALAN SA NON-FORMAL EDUCATION				
Mga Nilalaman ng Module Contents of the Module	Sino ang mga nag-aaral? Students	Nagagamit ba ang pinag-aralan sa kulungan? Applicability of Lessons in the Jail Situation	Gaano karami ang natutunan? Knowledge Gained	Gaano magagamit ang pinag-aralan sa paglaya? Applicability Outside the Jail
1. <i>Katuturan ng Bundok</i> History of the Mountain	One learner	Theoretical.		
2. <i>Pano magtayo ng negosyo</i> How to put up a business	All the learners	Theoretical. No Money to put up a business.	▶▶▶▶	▲▲▲▲▲
3. Solar System	One learner	Theoretical.		
4. <i>Pagtatanim</i> Planting	All learners	Theoretical. No place to plant.		
5. Science and Technology	One learner	Theoretical.		
6. Social Studies and History	All learners	Theoretical.		▲▲
7. Computer Program	All learners	Hands on.	▶▶▶▶▶	▲▲▲▲▲
8. English	Few learners	Theoretical. English not spoken in class.	▶	▲▲▲▲▲
9. Nervous System	One learner	Theoretical.		
10. Filipino	All learners	Hands on.	▶▶▶▶▶	▲▲▲▲▲
11. Math	All learners	Hands on.	▶▶▶▶	▲▲▲▲
12. Spelling	Some learners	Hands on.	▶	▲▲▲
13. Practical Arts	Few learners	Theoretical.	▶	○○○○
14. Computer	Same as computer lessons			
15. <i>Dejasa Kadaknan sa Kaso</i> Paralegal Studies	All learners	Hands on.	▶▶▶▶	▲▲▲▲
16. <i>Pag-angap</i> Healing	Some learners	Theoretical.	▶	▲▲▲▲▲
17. <i>Pakisakay sa ibang tao</i> Value Formation and Social Skills	All learners	Hands on.	▶▶▶▶	▲▲▲▲
18. <i>Pagpapahalaga sa kalikasan</i> Environmental studies	One learner			
19. <i>Kalendaryo</i> Use of the Calendar	Many learners		▶▶▶	▲
20. <i>Layal</i> What to do during earthquakes.	Some learners	Theoretical. No drills.	▶▶▶	▲
21. How to avoid getting AIDS	Some learners	Theoretical. No materials.	▶▶▶	▲

▶ - How much students learned from the modules
▲ - How applicable the modules are.

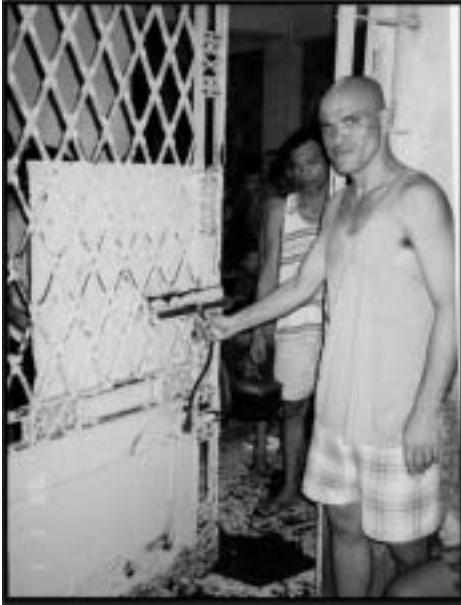
Inmates acquire practical skills from the QC Jail Literacy Program.



PHOTO COURTESY OF GMA

Table 6.2: A Schedule of a Student Inmate

Over Time	ISKEDYUL NG ISANG ESTUDYANTE	
	Gawain Activity	
	Student Gang Member	Student Non-Gang Member
6:30 am	<i>Bilangguan</i> . Headcount.	Headcount.
7:00 am	<i>Almusal</i> . Breakfast.	
7:30 am	<i>Ligo</i> . Bath.	<i>Almusal</i> . Breakfast.
8:00 am	Escorting. (Serves as a bodyguard to inmate leaders who go out of the cell.)	<i>Safunsa ng bigas at ulam</i> . Get rice and viand from the ranchero.
9:00 am		<i>Magtatag at maghuto ng ulam</i> . Cook one's food.
10:00 am	Attend class.	Attend class.
12:00 nn	Lunch.	Lunch.
12:30 pm	<i>Pahinga</i> . Rest or sleep.	
1:00 pm		Rest or sleep.
3:00 pm	<i>Bilangguan</i> . Headcount.	Headcount.
3:30 pm	<i>Mag-aral sa loob ng brigada</i> . Study inside the Brigade.	<i>Meryenda</i> . Snacks.
4:00 pm		<i>Pahinga</i> . Rest or sleep.
4:30 pm	<i>Tingnan kung naka-duty ang mga tao</i> . Monitor inmates on duty.	
5:00 pm	<i>Bilangguan</i> . Headcount.	Headcount.
6:00 pm	Duty.	<i>Rotarya</i> . Praying the rosary.
6:30 pm		Cook for dinner.
7:30 pm	Dinner.	Dinner.
8:30 pm	<i>Sigal, mood TV, sulat, aral</i> . Gamble, watch TV, write letters, study.	Rest and sleep.
11:00 pm	<i>Bilangguan</i> . Headcount.	Headcount.
12:00 mn	Sleep.	Sleep.



A bantay-pinto has the power to restrict the movements of lowly inmates.

THE DEATH ASPECT

On the downside, the structures have become a venue for some inmates and jail officers to abuse the skills, talents, privileges, and powers they have acquired.

Corruption of Power

The *mayor de mayores* has absolute command over all inmates under his brigade that even management does not have a say on his decisions. In fact, before a jail guard enters the brigade, he has to ask permission from the *mayores*. If the latter says no, then the jail guard cannot enter the brigade.

With such power, some inmate leaders use their authority for personal gains. If they want to make money, for example, they can easily find fault in a VIP for the flimsiest of reasons (e.g., taking a bath during visiting hours) and strip him of his rights to own a *kubol*. The leader would then sell the *kubol* to an inmate with whom he already had a previous arrangement.

Struggle for Power

Bundulan (sowing of intrigues) may just be a pastime among inmates, but it is actually a potent tool for effectively ousting an inmate leader. The VIP who has been stripped of his right to own a *kubol* could get back at the cell leader by spreading rumors against the latter. If the cell



Inmate leaders employ their tao to operate their business inside the jail.

leader is not able to contain the gossip, he can be summoned by the *mayor de mayores* for interrogation.

The ousted leader can also get back at the inmate who initiated the intrigues against him in the form of *tiryahan*. The leader will mobilize all his resources and use his influence so that the *tiryado*, or the inmate who is the subject of his ire, would be found guilty of a grave offense and thus be subjected to *takal*.

That is why it is imperative that a cell leader builds a strong power base so he can survive *bundulan*. If he does not, he will still have enough power to effect *tiryahan*. One way to build a strong power base is the *bata-bata* system, where the leader appoints to the *panunungkulan* only those whose loyalty he is sure of. Perhaps he can choose those who also come from the same home province as his or those who have been his *ka-kosa* for a long time. Another way is the *padrino* system, wherein an inmate or a group of select inmates is assured of the leader's protection for their projects or activities. Still another way of building a power base is by controlling the juicy positions in the *panunungkulan*.

Favoritism is also an effective means to get an inmate's loyalty. The *chief rancho* or food distributor, for example, has the discretion to give more food to inmates who are in his favor. Though he tries to keep a semblance of order by requiring his cellmates to follow the line just like the rest, there are a few (his *kadikit* or friends) whom the *rancho* exempts.

Insecurity Over Security

The struggle for power has made inmates insecure over their safety inside the Jail. They have made enemies of each other. They need instruments they can use to protect themselves, especially when riots occur. The inmate barber would seek permission to own scissors. The kitchen boys would collect nails from the firewood they use. Inmates would use kerosene to concoct Molotov bombs.

Rivalry among the *pangkat* reinforces such concerns for security. The *pangkat* have become



A chief jury with his "protege."



An inmate coordinator has the discretion in deciding who receives the food donated by volunteers.



Available kerosene can be used either for cooking or for concocting Molotov bombs.



Scissors which are used for cutting hair can be used as a weapon during a riot.

Asintados of BCJ are always on guard in case a riot erupts.



“tribalistic.” Members are fiercely loyal to their *pangkat* so that the problem of one is considered the problem of all. Any conflict that involves a member, therefore, is settled by the entire *pangkat*, which stands by its members at all costs. The *mayor de mayores* who fails to give protection to his constituents is deemed a lame-duck and, therefore, is not fit to lead the group.

The *pangkat* have also become “militaristic.” They have formed a group of “warriors,” whose primary role is to lead the *pangkat* during riots. These warriors, who maintain an armory of instruments, are willing to sacrifice themselves for the glory of the *pangkat*.

Aside from the warriors, there are also the *asintados* and *tira-dors*, or the *pangkat* hitmen during periods of conflict. These members, just like the warriors, are willing to sacrifice their lives for their leaders. The *tiga-amin*, meanwhile, are inmates who would willingly own up to the crime committed by a *nanunungkulan*. *Tiga-amin* are usually those who are most likely to be sentenced with life imprisonment. It would not matter much to them if they get another sentence from the court.

In a capsule, the *pangkat* have become a macho organization. Members are made to believe that their *pangkat* is superior over all other groups. Accordingly, they believe that they too are superior to inmates who belong to other *pangkat*. To maintain their supremacy, they understand that they must protect all information that could incriminate their group. Their operations are thus anchored on secrecy. All things that transpire among them are kept within their cells.

Drugs and Liquor Galore

While the black market has enabled inmates to become self-reliant in terms of providing for their own needs, it has also given rise to an underground economy inside the Jail. This structure has introduced inmates to liquor, drugs, and other illegal material.

Control of the drug trade comes from the top echelons of the *panunungkulan*. The *mayores* usually has an army of *kabayo* or pushers, from whom inmates get their supplies of illegal substances. Some *mayores*, however, prefer not to be directly involved in the drug trade. They simply provide protection to inmate-pushers and, in turn, get a certain amount from the profits. Other *mayores*, meanwhile, have nothing to do at all with the trade. They do not even know that they have constituents who are selling drugs despite the rule that inmates should inform their leaders of their activities.

Some jail guards are involved in the illegal drug business. These officers are the main reason why there are drugs inside the Jail. They are in cahoots with dealers in facilitating the entry of illegal drugs into the Jail.

Drugs are brought into the Jail sometimes through the purchasers. Since they are allowed to buy supplies for inmates, some purchasers take advantage of this privilege and include illegal drugs in the items they bring to inmates.

The code of secrecy, which is strictly observed among the *pangkat*, makes it terribly difficult among jail officers to uncover the drug trade. In these instances, jail officers have to use their inmate-assets to do the probing for them.

Liquor follows the same route as that of illegal drugs in getting into the cells. The sale of liquor is, in fact, more rampant in that even inmate leaders of lower rank are allowed to participate in the trade.

Matik and Hirit

Matik and *hirit ng empleyado* drain cell funds significantly. *Matik* is from the word “automatic” and is used to facilitate a request made by an inmate to a jail officer. When inmates request special favors from jail officers, it is automatically understood that the former will give the latter some amount of grease money. It is the inmate who initiates this practice.

Hirit, meanwhile, refers to the practice of jail officers of asking favors from inmates. Inmates do not ask for something in

Table 6.3: Different Forms of Matik and Hirit

ACTIVITY	RANGE OF AMOUNT	VENUE
Entries of appliances		
Electric Fans	P50.00 - P100.00	Gate and Desk Officer
Televisions	P100 - P200.00	Same
VCD/Playstation	P50.00 - P1,000.00	Same
Refrigerator	P500 - P1,000.00	Same
Stereo (Component/Cassette)	P100 - P200.00	Same
Cell phones	P300 - P500.00	Gate or any jail officer contact
No ID card	P20.00	Gate
Entry After visiting hours	P100 - P200.00	Gate
Entry of alcoholic beverages		
Beer in can	P700 per box	Gate
Ginebra San Miguel (Gin)	P250 - P300	Gate
Imported	P100/bottle corkage	Gate
Stay in	30% of stay fee	Desk
To recover ID of stay in	P20	Gate
Entry of material for construction	P500 - P1,000.00	Gate
Matik for non-visiting days	P20 - P100	Gate
Hirit	1 pack of cigarette	Per guard
Tubos (to recover confiscated cell phones)	P100	Any jail officer who was able to confiscate
To recover confiscated charger	P50	Same
Entry of drugs	P1,000 - P2,000.00 per 5 grams of shabu	Some daring jail officials
Xerox of papers before release	P20 - P50	Records section
Matik to expedite the release of documents	P100.00	Escort officer who verify in the warrant section
To be brought to hearings without handcuffs	P50 - P100	Escort
Fare going to the hospital	P200 - P300	Escort
Pantaxi expenses	P50 - P100	Custodial / Escort
Birthday of jail officer	P100 - P500	Any officer
Merry Christmas	P100 - P500	Any officer
Happy New Year	P100 - P500	Any officer

return right away; they save it for future needs. In other words, it is the jail officers here who initiate the practice.

Inmates view *matik* and *hirit* as necessary mechanisms to get things done in Jail. When a sick inmate needs to be brought to the hospital, inmates have no problem shouldering the transportation expenses of escort and custodial officers. This they call “laughing money” because it benefits both jail personnel and inmates.

At the same time, inmates admit that *matik* and *hirit* have become a means for corrupt jail personnel to take advantage of them. These personnel ask money to sustain their vices such as drinking and smoking. Sometimes, even the visitors become victims of the system. A visitor who fails to produce an identification card, for example, is asked to cough up P20 before he or she can get in. This they call “crying money” because inmates and visitors find themselves at the receiving end of an exploitative system.

“Convertible-to-Cash” Attitude

Jail officers also make money by simply performing their tasks because, in the course of doing so, they uncover anomalous practices by inmates that they can “convert” to cash. To illustrate: during “Operation: Greyhound” or the routine inspection of cells, the officers may confiscate, as they usually do, illegal items in the cells; if the inmates want to recover such items, they will have to pay the officers.

Since it is left to escort officers to determine who among the inmates will need to be handcuffed when the latter are transported to the courts for their hearings, some officers decide on the basis of the trustworthiness and character of the inmates. Others decide on the basis of who among the inmates can contribute P50 to P100 for the “snacks” of escorts.

Some jail officers, employees, inmate leaders, and former inmates also have the savvy of an entrepreneur. They operate recreational facilities inside the Jail and rake in profits. In the billiard hall alone, every table is said to collect around P500 a day or P15,000 a month. The videoke, meanwhile, charges P5 per song. The gym charges an annual membership fee of P200 or P20 per use.

Experiences of Jail Paralegal Officers

There are also a few unscrupulous jail officers who are in cahoots with police officers who declare that an inmate has no pending case in exchange for money. Sometimes it is the inmates themselves who know that they have pending cases who initiate this practice. They seek a jail officer who would be willing to escort them. If they agree on the terms and conditions, the jail officer will request the police officer to simply declare the inmate free of any pending case. Then the jail and police officers will divide the money among themselves.

Paralegal officers, however, complain of some inmates who use them just to get out of jail. The officers would facilitate the application of the inmates for bail, look for possible guarantors or surety companies, and secure other bail requirements. However, once the inmates are released, they no longer attend their hearings.



Inequality and Injustice

Lowly inmates have difficulty getting a good sleep because of cellmates who are into drugs and who keep on walking around the room. Illegal drugs are a common commodity in Quezon City Jail. Almost half of the Jail's inmate population are drug dependents. Inmates say they do drugs because of boredom and peer pressure. Others use drugs to forget their problems and to feel happy somehow. *Kubol* and *tarima* owners are commonly into drugs because they can sleep during daytime. Cell leaders tolerate the use of drugs as long as the inmate knows how to handle its effects. Those who do not are subjected to disciplinary actions.

This situation is double injustice to lowly inmates who are already deprived of a sleeping area because the *kubol* and *tarima* occupy most of the space in the cells. *Kubol* and *tarima* owners who are drug dependents deprive others of sleep even more by walking around or by holding gambling sessions inside the cell at night. The lowly inmates cannot complain as *kubol* and *tarima* owners are influential inmates. They are not called VIPs for nothing.

Warped Values

Since jail officers are responsible for any incident of escape, escort officers find a way out when the inmate who escapes happens to have been charged with a bailable offense. They can make it appear that the escapee is released on bail by actually posting bail with money they have raised. This way, they avoid investigations and interrogations from the BJMP.

Some inmates agree to be converted to a certain religion just to avail of *palakad* or free food. Some inmates even go the extra mile of introducing their daughters to the *mayor* or the *mayor de mayores* just so they would be in the good graces of the latter.

Medical officers report that there are inmates who ask for medicines and then sell these to their fellow inmates. They then use the money to buy food or cigarettes. As a result, inmates take in the wrong medicine and, in the process, complicate their illness.

Inequality is exemplified by accessibility to kitchen equipment.

In the top photo, hundreds of underprivileged inmates have to make do with a communal kitchen.

In the middle photo, pangkat members have the luxury of being able to cook for themselves.

The Chinese community members have it best—a well-equipped kitchen in the comfort of their cells!



This inmate (extreme right, eyes covered) has already been released, but visits the jail often to play pool and make money through bets.



Marie (not her real name) was introduced by her father to the cell mayor. The mayor took a liking for Marie and sired her a child. Marie now lives in an apartment near the QC Jail so she can visit the mayor regularly. The mayor provides for all of Marie and their son's needs. Marie's father, meanwhile, was made the mayor's right-hand man.



THE DEATH ASPECT: IMPLICATIONS ON JAIL MANAGEMENT

If the alternative structures have positive effects, they also have negative impact on the management of Quezon City Jail. These structures have exposed jail officers to corrupt practices and abuse of power. Food rations, for example, are used by some jail officers to play favorites among inmates - those that are in their favor get the bigger share, those that are not hardly get a morsel. In mediating conflicts, there are jail officers who accommodate only the side of the *nanunungkulan* they are comfortable with.

Moreover, instead of developing long-term reformation programs, the jail management is preoccupied with meeting the needs of the community on a day-to-day basis. The management allows black market activities because these help generate funds for the Jail's projects such as the construction of additional cells and the painting of buildings. Accordingly, some of the management's projects and activities are created not because they are important to the Jail's reformation programs but because they are expected to generate additional income. The area for livelihood projects, for example, was reduced substantially to make room for the billiard hall and the mini-gym.

As a result, some inmates have developed a warped sense of values. Inmates, for example, join a religious group not to address his spiritual needs but to become recipients of *palakad*. Some inmates introduce their daughters to the mayor and other *nanunungkulan* in exchange for favors.

The culture of corruption has made it difficult for well-meaning officers, particularly the neophytes, to introduce new projects in the Jail. They fear that their projects might encroach on the activities of senior officers. They cannot afford to go against the old hands who can pull enough strings in the bureaucracy to get them sacked.

This has resulted in the unprofessional behavior of some officers. They are no different from inmates in the way they talk and think. They even dress like the inmates while on duty, which prompted one visitor to remark that she had a difficult time distinguishing between the jail officers and the inmates.

With a blurry demarcation line between the formal and informal rules, it is difficult to establish accountability among the members of the Quezon City Jail community. When an inmate is found dead, for example, the management rarely conducts an investigation. The inmate could have died of a lingering illness or of extreme hunger or of an assault by his fellow inmate. The management does not bother to find out because the inmates refuse to testify for fear of reprisal or simply out of indifference.

Barely Legal: Functions of Inmate Paralegal Coordinators

Inmate paralegal coordinators stress that their responsibility is to help inmates regain their freedom by whatever means (legally or illegally). They share their knowledge of legal procedures and basic criminal laws with other inmates. First-time offenders are oriented on the mechanics of the criminal justice system and on some valuable tricks about the way things are done in jail—how to practice bribery with subtlety, how to deal with police officers, and how to elude arrests. The inmates are exposed to the tricks of the criminal trade commonly called *ang gulang ng kulungan* so that by the time they are released, they are already fully educated on how to go around the legal system. The downside, of course, is inmates are emboldened to commit other crimes. They metamorphose from petty to hardened criminals.

Sample Inmate Paralegal Advice (According to Socio-Economic Status)

POOR COMPLAINANT vs. POOR ACCUSED				
Is the Offense Bailable?	Truthfulness of the Accused	Example of Criminal Charge	INMATE PARALEGAL ADVICE	Effect on the Administration of Justice
Bailable	Truly Guilty	Slight Injury Stander	Since the accused will be set free on bail, the accused should fight for the case. He should wait till the complainant is worn out. When the complainant already loses steam in fighting for the case, then the accused offers to settle the case amicably. The settlement will be on the terms of the accused.	Most of the accused are eventually acquitted or the cases are dismissed. Doesn't serve justice.
	Not Truly Guilty	Trespassing. These are cases filed because of other motives (Away Kapitbahay or neighbor's quarrel)	The accused will be set free on bail. Since he is truly innocent, then he should fight to get an acquittal. He must wait till the complainant desist from pursuing the case. He must not enter into a compromise.	Justice is realized but by default
Non-Bailable	Truly Guilty	Murder, rape. Crime of passion (vs. uneducated people)	The accused will be put in jail. The inmate hope for an acquittal. Generally, punished by the duration of criminal procedures. (May puhunan na pagdating sa Munt.) or they have already served a good part of their sentence when they are transferred to Muntinlupa Penitentiary. Since they are in jail, settlement will be on the terms of the complainant.	Justice is realized by default even if the accused is acquitted; he has already served sentence.
	Not Truly Guilty	Murder, rape. These are cases filed with the interference of other parties. Politically motivated.	The accused will languish in jail, hopes to get an acquittal. He should get ready with presenting all the witnesses in his behalf and prepare himself for any eventuality.	The accused has already suffered even if acquitted, worse if the accused is convicted. The government has no compensation for his long stay in jail.

Sample Inmate Paralegal Advice (According to Socio-Economic Status)

POOR COMPLAINANT vs. POOR ACCUSED				
Is the Offense Bailable?	Truthfulness of the Accused	Example of Criminal Charge	INMATE PARALEGAL ADVICE	Effect on the Administration of Justice
Bailable but no money to post bail	Truly Guilty	Snatching, Theft. These are cases of those "pushed to the wall" and caught in the cycle of crime	Since the accused does not have the money to post bail, he will have to wait to serve the minimum of the sentence, then avail of a plea bargain. The inmates should wait for the non-appearance of the complainant for three consecutive hearings. (Daanin sa tiyaga). When the accused has already stayed in jail for a sizeable number of months, he will avail of jail decongestion programs on the pretext that he already has served the minimum sentence. These are especially true for cases of recidivists.	The punishment imposed is usually the minimum penalty. They will avail of jail decongestion programs.
	Not Truly Guilty	Child abuse, qualified seduction. These are cases where courts are used to get back at the other party	Fight for the case. Wait for the acquittal. But in mid-stream admit to avail of lesser penalties.	Most of the accused stay in jail longer than the time imposed as a penalty. Some have already served the entire sentence but the trial is still going on.
RICH COMPLAINANT vs. RICH ACCUSED				
Bailable	Truly Guilty	Homicide, estafa, BP 22,	The accused will be released on bail. Most of the time, the accused jumps bail and hides to avoid conviction. Richer accused leave the country. The lawyers of the accused will file all motions that could be filed to delay the case. The complainant will try all means to make the charge against the accused a non-bailable offense. The accused on the other hand will have to fight for a bailable offense (especially on hairline cases like murder and homicide). The accused will work for a settlement of the case but on his terms.	The complainant is at a disadvantage. Most of the time, out of disgust, they will accept the settlement of the case on the terms of the accused. Seldom will there be a conviction.
	Not Truly Guilty	Slander, conflict among the rich and famous	The accused is set free on bail. He should regularly attend the hearings. He should wait for the acquittal. He should find means to prolong the case. Only the lawyers of both parties attend the hearings. Sometimes the court recommends for a settlement of the case.	The cases are usually dismissed. Justice is served but by default. If found guilty in the local court, they could always appeal to the higher courts.

Sample Inmate Paralegal Advice (According to Socio-Economic Status)

RICH COMPLAINANT vs. RICH ACCUSED				
Is the Offense Bailable?	Truthfulness of the Accused	Example of Criminal Charge	INMATE PARALEGAL ADVICE	Effect on the Administration of Justice
Non-Bailable	Truly Guilty	Frat-related violence, rich kids getting in conflict with their peers	<p>The accused is put in jail. He should try all means to get out of jail by settling the case, e.g., by bribing the police, prosecutors and judges. On the other hand, the complainant should always be careful. The complainant may suddenly learn that the case had been ginapang or manipulated. Settlement is reached on the terms of the complainant.</p> <p>While in jail, the accused will "re-create" the lifestyle he used to enjoy prior to incarceration. The accused may also purposely delay the proceedings of the case to avoid a sure conviction and wait for a favorable judge who could decide in his favor.</p>	Justice is served by default. The accused is punished while undergoing trial. Even if the accused is acquitted, he had already served his sentence.
	Not Truly Guilty	Wrong identification in high profile cases	The accused is put in jail. He should try all means to get out of jail, fight for his case until he is acquitted. Mid-stream, he may be forced to plead guilty to a lower offense and settle amicably. While in jail, he should get all the amenities possible.	The accused had suffered even if acquitted. There is no compensation from the government for the harm done to the accused.
RICH COMPLAINANT vs. POOR ACCUSED				
Bailable	Truly Guilty	Household maids stealing from their complainants	The complainant will make the case non-bailable in cahoots with the police and prosecutors. If it does not work out, the complainant will make sure all pieces of evidence are presented in court. Complainant will make sure the accused cannot jump bail.	Justice will be swift. The accused will be punished; but sometimes the punishment is very severe. For example, stealing P2000 can put an accused in jail for 6-12 years.
	Not Truly Guilty	Trespassing, rich neighbors fighting with poor neighbors	The accused will fight for his case. The accused can be charged with other offenses (patong kaso) so that he will rot in jail. Eventually, the accused will ask for forgiveness and admit guilt.	Sometimes the accused gets convicted. The courts are used as the police arm of the rich.

Sample Inmate Paralegal Advice (According to Socio-Economic Status)

RICH COMPLAINANT vs. POOR ACCUSED				
Is the Offense Bailable?	Truthfulness of the Accused	Example of Criminal Charge	INMATE PARALEGAL ADVICE	Effect on the Administration of Justice
Non-Bailable	Truly Guilty	Kidnap for ransom, robbery with homicide	The complainant will ask for the maximum penalty. He will visit the jail to ensure that the accused are not given special treatment. The complainant makes sure that the accused will not escape. The accused can be subjected to "salvaging". The inmates should be careful with his dealings inside the jail.	Justice is swift. Sometimes, if the accused are acquitted because of insufficiency of evidence, the complainant can file a new case. The accused will languish in jail.
	Not Truly Guilty	Fall guys in heinous crimes, presented by the police just to beat their deadline	The accused languishes in jail. Sometimes the complainant does not follow up the case because he does not completely believe in the testimony of the police.	Even if acquitted, the accused already suffered long period of incarceration. No compensation from the government.
Bailable but no money to post bail	Truly Guilty	Robbery Snatching	The accused are advised to wait till the complainant gets tired of following up the case. Then, when the opportune time comes, the accused are advised to plead guilty to a lower offense.	The accused are released after serving the minimum sentence; will avail of jail decongestion programs
	Not Truly Guilty	Vandalism, destruction of properties, alarm, and scandal, Harassment cases	The accused will fight for his innocence but in the middle of litigation will plead guilty just to avail of probation. He waits till the complainant is no longer interested in the case.	These are mechanisms of the rich to put the poor on their toes.
POOR COMPLAINANT vs. RICH ACCUSED				
Bailable	Truly Guilty	Serious physical injuries, power trip by rich persons over poor ones	The poor complainant fears that the accused will turn the case against him. The accused is out on bail. The complainant will receive reparations for damages done. He is advised to settle the case out of court.	Conviction seldom happens.
	Not Truly Guilty	The poor complainant must have been "used" by the enemies of the accused to commit a certain crime.	The rich accused will definitely get back at the poor complainant.	The criminal justice system is used for political battle.

Sample Inmate Paralegal Advice (According to Socio-Economic Status)

POOR COMPLAINANT vs. RICH ACCUSED				
Is the Offense Bailable?	Truthfulness of the Accused	Example of Criminal Charge	INMATE PARALEGAL ADVICE	Effect on the Administration of Justice
Non-Bailable	Truly Guilty	Illegal recruitment, pedophilia	Accused will settle the case. The accused can purposely delay the case and wait for the issues to settle down; will try to bribe the police, prosecutors, and judges to make the case a bailable offense; wait till the complainant's resources are depleted.	There will be conviction only if there are pressures from the media and other sectors.
	Not Truly Guilty	These are "politically motivated" cases. Poor complainants who have legitimate grievances against certain personalities are used by the enemy of these personalities to blow the case out of proportion	The accused will fight for his innocence. He will employ all resources available to get his name cleared. While in jail, he will "re-create" an environment that will approximate the lifestyle he used to enjoy prior to incarceration. He will play as patron to the inmates and jail guards until he gains political power inside the jail. Then, he could use his resources in the media to portray a positive image of him inside the jail. The inmates will advise him to shift the battle not only in the courtroom but in media as well.	The criminal justice system is but a venue for political struggle. The case is not decided on the merits but on other factors like political expediency.
STATE vs. POOR ACCUSED				
Bailable	Truly Guilty	Concealing deadly weapons, illegal gambling, and illegal possession of firearms	The police will ask for a pang-areglo. If the accused cannot produce one, he will be officially charged (tuluyan). The accused jumps bail. He doesn't attend hearings. Case will be archived. When the accused is charged with a new case some time in the future, the old case will crop up.	Cases are usually archived/ or police do not attend the hearings; case dismissed for lack of evidence.
	Not Truly Guilty	Anti-tattoo, vagrancy. (Walking in the park late at night; being caught during a raid of jueteng operators, but innocent.)	The police will ask for pang-areglo. The accused will fight for his case; but he should be aware that the police will file additional charges against him. When the trial commences, the accused does not attend hearings. Case will be archived. When the accused seeks for police and NEI clearance, he will be surprised to learn that he still has a pending case after many years.	Cases are usually archived. The police officers will not pursue the case.

Sample Inmate Paralegal Advice (According to Socio-Economic Status)

STATE vs. POOR ACCUSED				
Is the Offense Bailable?	Truthfulness of the Accused	Example of Criminal Charge	INMATE PARALEGAL ADVICE	Effect on the Administration of Justice
Non-Bailable	Guilty	Drug related case. RA9165 Shabu pushing or selling of more than 10 grams of shabu	Police will ask for <i>lagay</i> or bribe in order to reduce the offense to a bailable one. The inmates are advised to talk to their arresting officers and not to attend three consecutive hearings so that the case will be dismissed by the court.	The courts and penal systems are used as means to threaten the accused with possible incarceration.
	Not Truly Guilty	Frame-up in drug cases, being in the wrong company during buy-bust operations	The accused are advised to go slow against the police officers. The accused may have done something wrong that is why he earned the ire of police officers or " <i>napag-initan siya.</i> " The accused should do everything to settle the case amicably.	Accused languishes in jail for a long time but may eventually be found innocent.
Bailable but no money to post bail	Guilty	Rugby sniffing, Shoplifting	The inmate does not have money to settle the case. He is advised to plead guilty to a lower offense; or advised that the penalty should be qualified for the requirements of probation or " <i>pasok sa probation.</i> "	The inmates usually stay in jail longer than the maximum imposable penalty.
	Not Truly Guilty	City ordinance 5900 or anti-tattoo	The inmate will have to patiently wait for the termination of the case. He will wait for the serving at least six months and then seek the provisional dismissal of the case. He is advised to talk to his arresting officers and to convince them not to attend the hearings.	The inmate may eventually be declared innocent but only after already languishing in jail for a couple of months or years.
STATE vs. RICH ACCUSED				
Bailable	Guilty	Drag race, traffic violations, illegal possession of firearms	The accused are advised to settle the case amicably; do everything to make the case "disappear." He can drag the case till the police officers will no longer pursue the case.	The laws are not respected. The attitude of accused is "come and get me if you can".
	Not Truly Guilty	Planted evidence	The accused fights for the case. Since he is out on bail, he can pursue the case and can get back at his complainants.	The resources of the accused can balance the disparity of the situation.
Non-Bailable	Guilty	Drug related, especially Ecstasy, computer hacking	The accused languishes in jail; has to temporarily accept the harsh penal conditions; is advised to wait for an opportune time to settle the case.	The accused is punished by default. He will languish in jail during the trial.
	Not Truly Guilty	Frame-up charges on drugs cases	The state laws are used by state authorities not for purpose of implementing the laws but to advance their personal interests.	



The boiling water reflects the relationships among jail officers, inmates, and outsiders (visitors, volunteers, NGOs). They are either in conflict or in connivance in carrying out certain activities.

Jail officers, inmates, and outsiders are in conflict because of certain issues. For example: with the economic structures in place, the question is: Who controls the resources? With political structures: Who controls power? With judicial structures: Who determines what is right and wrong? Everyone, it appears, wants control.

Inmate vs Inmate

Law and order mechanisms exist in cells and brigades because there are conflicts among inmates that need to be addressed.



Table 7.1: Causes of Conflicts

CONFLICT	PREVALENCE	FREQUENCY
1. Bundol o sulol Intrigues	Nangyayari sa lahat ng brigada Happens in all brigades	
2. Pila sa pagkain Queue for food	Nangyayari mas madalas sa Commando at Sputnik Happens mostly in Commando and Sputnik	
3. Agawan sa tulugan Struggle over sleeping space	Nangyayari maliban sa BCJ Happens in all brigades and cells except in BCJ	
4. Walang paham/sa pagkukita ng gamot Getting or using a fellow inmate's personal things without permission	Nangyayari sa lahat ng brigada Happens in all brigades	XXXX
5. Pila sa paglago Queuing for taking a bath	Nangyayari sa lahat maliban sa BCJ Happens in all brigades except in BCJ	XXX
6. Pagpalya sa pagbayad ng utang Inability to pay debts at the appointed time	Nangyayari sa lahat maliban sa Annex Building Happens in all brigades except in the Annex Building	
7. Sobrang binuan Excessive leasing	Nangyayari sa lahat ng selda at brigada Happens in all cells and brigades	
8. Binastos ang dalaw Disrespecting a fellow inmate's visitor	Nangyayari sa lahat ng selda at brigada Happens in all cells and brigades	
9. Lumalaban sa panungkulan Disobedience to inmate officers	Nangyayari sa lahat ng selda at brigada Happens in all cells and brigades	
10. Pagnakaw ng pagkain ng iba Stealing fellow inmates' food	Nangyayari sa lahat ng selda at brigada Happens in all cells and brigades	
11. Away dahil sa babae at sa pagbenta ng ipinagbabawal na gamot Rivalry over women and market for illegal drugs	Nangyayari sa lahat ng selda at brigada maliban sa Annex Building Happens in all cells and brigades except in the Annex Building	
12. Away sa bilangan Pety squabbles during headcount	Nangyayari madalas sa Annex Building Happens mostly in the Annex Building	
13. Away ng bakla sa lalaki Rivalry between gay inmates over straight inmates	Nangyayari sa lahat ng selda at brigada Happens in all cells and brigades	



The inmates' early struggles include securing a space near the electric fan in their cells.

This cell used to belong to querna. Sigue Sigue Sputnik, however, managed to recruit most of the querna members and took over the cell. Batang City Jail protested the takeover. When Sigue Sigue Commando supported BCJ, a riot nearly ensued among the pangkat, were it not for the timely intervention of the management.

The inadequacy of facilities and the absence of recreational activities give inmates plenty of opportunity and reasons to be in conflict with one another. Inadequate food rations, for example, always leave inmates in a state of discontent. Some inmates are tempted to steal others' rations.

The problem about lack of sleeping space is particularly true with Sige-Sige Sputnik, which has the biggest number of inmate members. All 500 of them are housed in a building that can only accommodate 100 individuals. The Annex Building, meanwhile, has 1,500 occupants, which is a drastic increase from the 500 it used to accommodate. Inmates say that in their constant struggle for a sleeping space everyday, conflict is almost always inevitable even among cellmates. Even at two in the morning, a riot may erupt simply because of two inmates fighting over sleeping space.

Another common cause of conflict among inmates is *bundulan* or intrigues (a favorite topic are cell officers and their supposed extortion activities). Another is excessive bantering that, more often than not, ends up in a squabble. Still another cause of conflict is the formation of cliques, which cell officers feel are a threat to the stability of their leadership. The belief is that a clique may grow into a group formidable enough to challenge the authority of cell leaders.

Inmate leaders are in conflict mostly over positions—who gets to be the *mayor de mayores* or the *mayor* or the coordinator? Indeed, electing new leaders can prove to be very contentious. Influential inmates are the ones who usually vie for positions in the *panunungkulan* and, if decisions or election results are not in their favor, they can create disturbances.

Cell leaders also fight over privileges—who gets the bigger share or more control of, say, the black market? The sale of *kubol* is one source of conflict among the leaders. Some unscrupulous leaders secretly deal with interested buyers and pad up the real value of the *kubol*. This practice, quite expectedly, does not sit well with other *nanunungkulan*. As a result, they have come up with a definitive policy on the sale and transfer of *tarima* and *kubol*. They have also come up with a formula in which both the officers and the cell funds would equitably benefit from the proceeds of the sale.

There are several indicators of conflict among inmates: from the overt (e.g., fistfights) to the covert (e.g., *tablahan*, whereby a *nanunungkulan* gets back at the subject of his ire by denying the latter favors). To resolve conflict and to deter the aggrieved inmate from taking matters in his own hands, leaders subject the erring party to *takal* or *basag*. However, since *basag* and *takal* are two of the most severe forms of punishment, some erring inmates usually resort to *takbo*, or the act of seeking refuge from another *pangkat* or from jail personnel.

Pangkat vs Pangkat

Among the gangs or *pangkat*, conflicts usually arise due to territorial disputes (which group has the bigger cell), recruitment (which has more members), and economic power (which has the bigger share of the black market).

As noted earlier, the practice of torture in police stations has an enduring effect on the peace and order in the Jail. Inmates would naturally relate their experience of being tortured by some of their fellow inmates—so that when there are newly committed inmates in the Jail, old timers would examine their faces to determine if they are torturers.

Table 7.2: Tattoos and Their Meanings

PANGKAT	SYMBOL	BUO	SIGNIFICANT NUMBER	NAME OF HEAD	MOTTO
Batang City Jail	Four balls	Bugs Bunny	32	Mayor de Mayores	Kami ay International!
Sigue-Sigue Sputnik	Five balls	Spaceship	1	Mayores	Sputnik Number One!
Sigue-Sigue Commando	Three balls	Musang or Tiger's Face	22	Commando or Mayores	Do or Die Commando!
Bahala na Gang	One ball	Tartaro or Viking's Head or Question Mark	13-11-67	Mayores	When, where shall I die?



Members of Batang City Jail sport a “Bugs Bunny” tattoo.

Recruitment is a big issue among the *pangkat*. Every newly committed inmate is a prospect for recruitment and every opportunity to take in a new member must be readily seized. A newly committed inmate, as mentioned earlier, automatically becomes a *pangkat* member by virtue of a tattoo or tattoos found on the right side of his body (those on the left are considered meaningless). A small dot or *maliit na tuldok* can spell the difference in the membership of an inmate. For example, a rose tattoo with three petals can be interpreted by Sigue-Sigue Commando to mean any figure with three balls. On the other hand, Batang City Jail may contest the interpretation by claiming that the rose's thorn is an additional dot, thus making it four balls. This is why it takes a veteran inmate or *namamangkat* to interpret correctly the tattoos associated with every *pangkat*.

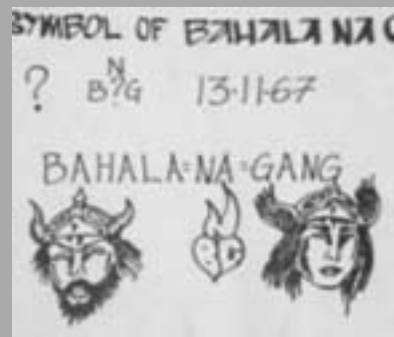
Jail officers are, therefore, very careful in reading the tattoo of an inmate. Assigning a newly committed inmate to a brigade that does not reflect his tattoo means trouble. Trouble happens usually when an inmate's tattoo is a combination of two *pangkat's* symbols—say a spaceship (Sigue-Sigue Sputnik) and Bugs Bunny (Batang City Jail). Naturally, both Sigue-Sigue Sputnik and Batang City Jail would lay claim to the inmate. Quezon City Jail, to avoid conflict, usually transfers the inmate in question to Bicutan.

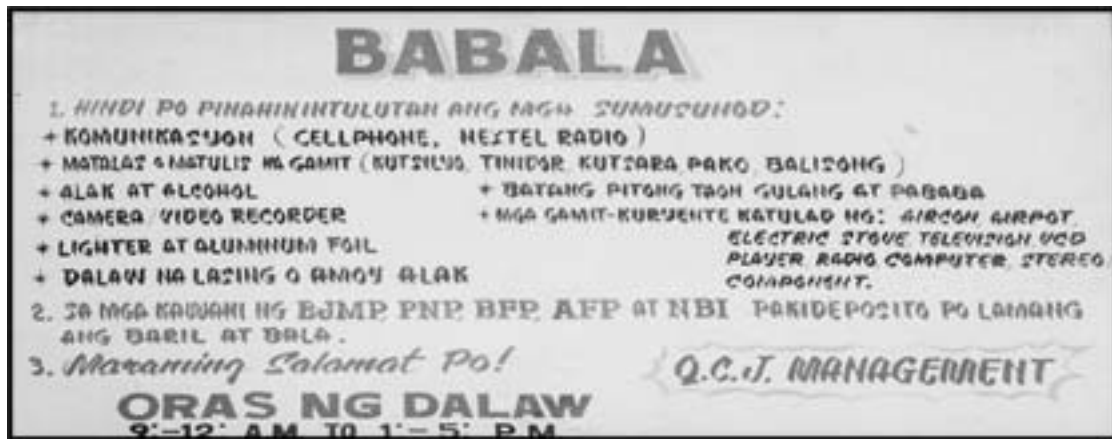
Being rival groups does not prevent the four *pangkat* from transacting business with one another. In the illegal drug trade inside the Jail, for instance, one *pangkat* gets its supplies from another *pangkat*. Problems occur when one of the other fails to pay. Naturally, the supplier would want to recoup its “investment,” otherwise it means trouble.

The inability of jail officers to contain these conflicts can result in riots. Contrary to popular belief, however, riots do not always mean total chaos inside the Jail. Riots only involve a few members of the warring *pangkat* and last usually for only a few minutes. Riots are a contained form of confrontation between warring *pangkat*.

Nevertheless, jail officers are constantly on the lookout for the slightest hint of a brewing conflict.

Inmates' illustrations of their Pangkat's Symbol





Do's and don'ts for visitors.

jail officers. Some inmate leaders, however, do not declare the total amount truthfully. When jail officers get wind of this, they would declare the fund-raising activity illegal and confiscate all the proceeds which they divide among themselves.

Some jail officers are *pangkat* members or are affiliated with a certain *pangkat* (*pusong pangkat*). Being one, they naturally have a bias for their group. This bias is made evident in certain jail activities. The jail officer, for example, will not allow members of a rival *pangkat* to get out of their cells during visitation days under the pretext that the visiting area is already crowded. The *pangkat* would get back at the jail officer by not allowing the latter's trustee to report to him under the pretext of a heightened security threat.

Inmate vs Jail Management

There are issues in Quezon City Jail that are too contentious as to bring all or a significant group of inmates up in arms against the entire management. One such issue is the livelihood program which, at the time this research was being conducted, was experiencing some unsettling changes. The space allotted for livelihood programs was reduced to almost $\frac{3}{4}$ of its original size to give way to recreation facilities. This has had debilitating effects on the workers who now limit their operations by cutting down on their output. Other workers feel demoralized, thinking that they are not getting any support from the management.

Another issue is the implementation of the BJMP Manual's directives. Some jail officers subscribe to the school of thought that prescribes a strict implementation of the Manual to achieve efficiency and effectiveness. Accordingly, they crack down on the black market, drug trade, and all other illegal activities inside the Jail. They do not allow the visit of children below seven years old, the entry of money higher than P2,000, and the entry of metal objects even if these are eating utensils such as spoons and forks.



Livelihood workers complain about their work area being reduced so as to accommodate the mini-gym.



Visitors are sometimes the casualties of conflicts between Jail management and inmates.



Visitors may not be allowed to enter until inmates yield to the demands of the management.

Other jail officers do not believe in the Panunungkulan System. To these officers, it is against the Jail's rules and procedures for some inmates to have authority over the others.

Inmates, particularly the *nanunungkulan*, naturally resent these jail officers. These inmates would defy the orders of jail officers by calling a "sit down strike" whereby they will refuse to go out of their cells during the headcount. At times, inmates would not be allowed by the *nanunungkulan* to attend their court hearings putting jail officers at the risk of being cited for contempt. Inmates can also use the inadequacy of jail facilities (overcrowded cells), services (bad food), and programs (lack of support for livelihood projects) as issues to make it appear before the media and the BJMP that the management is ineffective. Cell leaders would ultimately initiate a noise barrage and demand the transfer or replacement of jail officers.

Management, for its part, has its own tricks against inmates. They can counter silent protests, for example, by imposing a non-visiting day. Or, they will allow visitors to enter but only those of inmates who are not part of the protest. This tactic effectively divides the ranks of inmates. Other jail officers are more vicious. They can lock all inmates in their overcrowded cells and cut off the power supply to deny them of ventilation. They also implement disciplinary actions in the Jail through oppressive means so as to instill fear among inmates.

Sometimes, the management can simply request the courts to transfer inmate leaders or an entire brigade to Bicutan, just as what they did to Bahala na Gang in 1997. But if worse comes to worst, they could just shoot the inmates in cases of extreme disturbances.

Jail Officers vs Jail Officers

Jail officers have issues among themselves, as well. These issues usually involve control over the business ventures and the exercise of power over the cells. They know that each

cell maintains a fund and they must have their share of it through *matik* and *hirit*.

They are also aware of how profitable putting up a business inside the Jail can be, so they compete for the rights. A billiard table, for example, is said to earn as much as P500 on a single day of operation. The question now is: who has the right to operate a billiard table? As of this writing, there are six billiard tables in Quezon City Jail. Obviously, not all jail officers can own one.

Jail officers are sometimes also in conflict with each other because of their functions. While rehabilitation officers encourage participation by the inmates in its programs, custodial officers always check the movements of inmates so as to avoid disturbances. A cultural program, for example, will be canceled at the slightest hint of tension among inmates.

Jail Officers vs Jail Management (Intra-jail Management)

It is not only inmates who dislike the presence of a law-abiding Jail Warden and his officers. Rogue jail officers, too, especially those who profit from the black market inside the Jail, want to maintain the prevailing system which allows them to continue their enterprising activities. What inmates and these jail officers do is stage a riot to make it appear that the Warden is unable to manage the Jail properly.

The jail officers may also contact the media through anonymous letters “exposing” the supposed corrupt practices in the Jail. After the exposes are done, life in the Jail would be back to normal. But this time, the instigators are now the ones in power.

Wardens who know how to play their cards, however, are able to avoid such disturbances by being strict with the officers. Records officers are made to explain why some inmates are still staying in Jail when, in fact, they should have been released a long time ago. The medical section would be asked to explain why inmates are getting sick and dying. Custodial officers are asked to explain why liquor, drug, and other



Management had to slice three-fourths off the livelihood area to accommodate the construction of this mini-gym.



Since the chapel is the only viable venue for activities that require big crowds, it becomes a regular gathering place of volunteers, inmates, and management.



A billiard table rakes in P500 a day.

contraband proliferate in the cells. Inability to explain would earn the officers a corresponding punishment—from reprimands to being charged with administrative and criminal offenses.

If punishments do not work, the Warden would transfer instigators and firebrands to other jails.

Jail Officers vs Other Sectors

One problem of paralegal officers is the presence of mentally challenged inmates. They say that most of these inmates are sent to jail by their own families or relatives who cannot afford to send them to a mental hospital. Since getting these inmates to a hearing entails a long and tedious process, they just rot in jail.

Nonetheless, here is how a paralegal officer can get the case of a mental patient heard in court:

- One must first secure a referral from the Bureau of Jail Health Service endorsing the inmate as fit for a hearing;
- The Warden's office must request a court order asking for the continuance of the hearing;
- The court asks the National Center for Mental Health to evaluate the inmate;
- A psychological report-evaluation certifying the inmate's capability to attend the hearing must be issued by the National Center for Mental Health;
- Finally, the court order for the Continuance of Trial for the inmate must be issued.

Snooty and uncooperative court clerks make work even more difficult for paralegal officers by delaying the release of necessary papers. Court clerks look down on jail officers as lower class government employees. "They see us as mere security guards," relates one paralegal officer. They are often made to wait for hours outside the courtroom only to be told to come back again the following day. Yet, some of these overbearing court clerks do not know the law on preventive imprisonment, which provides that if an inmate has already served the maximum imposable penalty, he may be released but will have to continue attending his trial.

Paralegal officers also note that there are judges who take the cases personally. They base their verdicts on personal biases. For example, a judge whose daughter was a victim of rape issues a guilty verdict on almost all suspects charged with rape. In jail parlance, this is called *tiryado ng judge*.

Inmates vs Volunteers

Some volunteer organizations have been working with Quezon City Jail for a long time now and they already know how things work in the community. These organizations know who among the inmates and which among the *pangkat* are in a position to help them carry out their projects. They become selective in dealing with inmates, which results in limiting their beneficiaries to certain inmates and *pangkat* only.

Organizations that are new to Quezon City Jail also commit the same mistake of limiting their recipients to certain inmates or gangs but only because they do not know how things work in the Jail. There was one group, for instance, that conducted a medical outreach in the Jail and chose only members of one *pangkat* as recipients. When the other *pangkat* learned of this, they protested and made a big issue of it. Had the Warden not been able to handle the issue properly, a riot would have ensued.

There are also instances when one organization would initiate a project but would fail to sustain it. This disappoints inmates so much so that when another organization introduces a project of a similar orientation, they would now have difficulty convincing inmates to participate.

Indeed, inmates can become uncooperative and can even abuse the kindness of volunteers. One volunteer intimates that an inmate requested a pair of slippers, which she happily granted, only to find out that the inmate sold the slippers and used the money to buy a pack of cigarettes.

Jail Officials vs Volunteers

Custodial officers can be a problem to volunteers, at least to the legitimate ones. Volunteers naturally want to have as many inmates as possible to participate in their programs. When they conduct cultural shows, for example, they want inmates out in the plaza where programs are usually held. When they conduct Bible studies, they want inmates to be inside the chapel. Custodial officers, however, always want to keep inmates in check, which means that, as much as possible, inmates should stay only in their cells.

Volunteers vs Volunteers

Even among NGOs and jail volunteers, conflict exists. Religious organizations, for example, are heavily engaged in turf wars. For these organizations, inmates are an easy target for conversion.

They attract the inmates' attention and interest by bringing food and other provisions to them. As expected, the Catholic Church, being the dominant religion in the country, strongly opposes such practices and pressures jail officers into banning these "other" religious organizations from the Jail. If it is any indication of the Catholic Church's influence, the Jail has only one chapel—that of the Catholic Church.

Quezon City Jail is also plagued by fly-by-night NGOs, or organizations that use inmates to solicit monetary support from private corporations and funding agencies. They bring food and medicine to a small number of inmates, take pictures they can submit as evidence of their "good deed" to the funding agency, and run away with the money. This modus operandi puts legitimate organizations in a bad light.

Relationships between volunteers and inmates can get personal sometimes. There are volunteers who eventually become an inmate's common-law wife. Other volunteers feel strongly against such relationships, especially if the inmate involved is already married. They feel that such practice puts volunteerism in the Jail into question.

JAIL CONFLICTS AND THEIR IMPLICATIONS ON JAIL MANAGEMENT

Conflicts among jail officers, inmates, visitors, and volunteers have created a culture of fear in the community. Both the jail officers and inmate leaders instill fear among the ordinary inmates to maintain law and order. Inmates, for example, would rather keep silent on the malpractices they observe in the Jail lest they court the ire of the powers-that-be. This practice has resulted in the discriminatory dispensation of justice - with the lowly but innocent inmates usually at the receiving end of punishments.

Indeed, jail officers, inmate leaders, ordinary inmates, visitors, and volunteers know their respective roles in the community. No one - particularly the jail officers and inmate leaders - complains as long as their interests are protected. The volunteers choose to go with the flow as long as they are allowed to implement their programs for which they get funding assistance from various agencies.

It is a disturbing and alarming situation but the Quezon City Jail community is thriving in conflict.

How the Problems of the Students Participating in the Functional Literacy Class Program Reflect the General Conditions and Socio-Political Structures in Quezon City

The problems of the students reflect the general conditions and socio-political structures in Quezon City Jail. The lack of space and facilities, for example, redounds to the efficacy and quality of the Jail's reformation programs in general.

The social structures and prevalent culture in the Jail impact on the conditions of inmates. Security threats and the discretionary practice of inmate leaders to wield their powers over their fellow inmates are the two main impediments to the full implementation of the Jail's programs. There are instances when exams conducted by the Bureau of Non-Formal Education have to be temporarily shelved due to "peace and order problems" among the *pangkat*.

Being able to get out of the cell to attend their classes may be a relief but it actually puts the learners in a dangerous situation. Outside their cells, they are easy prey to members

of rival *pangkat*. The brigades have, in fact, devised two mechanisms to protect their learners. One is providing learners with escorts who are armed with *tinapay* or knives; another is that learners go to their classes as a group accompanied by their cell coordinator.

On the other hand, because of lack of manpower, bureau officers and NGOs have to make use of inmate leadership structures. They have to rely on cell coordinators for the recruitment of students, the continuous attendance of inmate learners, and facilitating administrative matters. These coordinators are appointed by the *mayores* of the different brigades. They could work only if they are duly authorized by the *mayores*. The *mayores*, therefore, have the power to put the Jail's education program on hold. If they wish to make a statement against the Warden, they can easily order the learners to boycott the Functional Literacy Class.

NATURE OF PROBLEM	DESCRIPTION	EFFECTS ON THE LEARNERS	IMPACT ON STUDIES
<i>Kakulangan ng tubig</i> Lack of water	Students cannot take a bath, have sweat-smell, sloppy	They feel ashamed of themselves, teachers are distracted by their smell	Motivations are low.
<i>Kakulangan ng lugar ng mga mag-aaral</i> Lack of place to study	Crowded, the chapel area is the only place to study. There are no complementary places such as a library and a laboratory	They cannot concentrate; they are constantly displaced. Their classrooms are transformed into cells.	Studies are hampered.
<i>Mahigpit na bantay pinto</i> Strict gate keeper	They are not allowed to get out especially during periods of tension; also, if they are not in good graces of the inmate officers	They are forced to skip the classes. Teacher cannot conduct lessons.	Study sessions are postponed.
<i>Nagugutom habang nag-aaral</i> Hungry while studying	They have very little for breakfast (bread and coffee). <i>Bitin sa rancho</i> (the food is insufficient and not nutritious).	They cannot concentrate on their studies. Their minds are willing but their stomachs are not	Studies are disrupted.
<i>Kulang sa tulog</i> Lack of sleep	No place for sleeping. Or the headcount sometimes lasts until 2am and they cannot sleep during visiting hours the following day (9am to 5pm)	They are sleepy during class hours. They cannot fully absorb the teachings of the instructors.	Studies are disrupted.
<i>Kulang sa oras ng pag-aaral</i> Lack of time to study	Only two hours of study per day. They have to compete in the hour use of the chapel. The chapel is intended for religious purposes only.	They have to study fast. No quality time for studying. Always in the rush.	The modules may not be completed.
<i>Kulang ang bilang ng mag-aaral.</i> Lack in number of students enrolled	Many students drop out of class. Also, some student are released or transferred to other penitentiaries.	New classmates in the middle of the program in order to maximize the slots	The programs are readjusted. The pacing is not followed.
<i>Paputol-putul na pag-aaral</i> Interruptions in study	There are weeks when classes are cancelled due to slots or the use of the chapel for more important reasons, etc.	The students forget their previous modules. They lose interest in studying.	Poor motivation
<i>Minsan ay may duty sa brigada.</i> They have workload for the cell	They are assigned to clean the buyon or comfort room.	They are forced to skip the classes.	They lag in their studies.
<i>Walang gamot pag nagkakaakit</i> No medicines for sick students	Most learners (like ordinary inmates) get sick.	They attend classes but are unable to concentrate.	Disruptions in class
<i>Mababang pagtingin ng ibang inmates</i> Low regard by other inmates	They are looked down upon. "Kung kelan nakulong, tsaka pa nag-aral. Mga bobo kasi."	Do not get the support from their fellow inmates. They become the butt of jokes.	Low morale while studying



The firewood can only produce a weak fire. The pot has cracks. Water is boiling.

What becomes of the stew?

Quezon City Jail is saddled with problems: inadequate facilities, personnel, and rehabilitation programs; loopholes in police operations; and the slow dispensation of justice. To address these problems, inmates and jail officers have devised social, political, judicial, economic, educational, and cultural structures. From these structures evolved certain practices that have resulted in conflicts among inmates and jail officers.

The upshots?



No Peace of Mind

Despite all the structures that have been put in place, life inside Quezon City Jail remains a big struggle. *Buyuneros* have to constantly fight for sleeping space, food, medical supplies, protection. VIPs and *nanunungkulan* are deadlocked in a power struggle. The *pangkat* are perpetually keeping each other at bay. Jail officers are doing a delicate balancing act between what the BJMP Manual dictates and how the existing system operates.

As a result, many inmates are unable to attend to their cases. Some are forced to plead guilty just to be transferred to Bicutan or to avail of a lower penalty.

Delay in Cases

Inmates remain uncertain of their cases. The courts—with the limited number of judges, lawyers, prosecutors, and staff under their employ—are overwhelmed by the countless cases filed with them. Corrupt police officers aggravate the situation by indiscriminately arresting individuals purely for extortion purposes.

Inmates who have affluence and influence are able to get things moving for their cases, while *buyoneros* have to wait for eternity just to get a hearing. First, the *buyonero* has to ask permission from the *bantay pinto* so he can get out of the cell. Then he must seek the approval of the *bastonero* so he can go to the Records Section. Going to the Records Section, the *buyonero* must seek protection from inmate escorts in case *pangkat* members are out to get him.

Inmates could also be a victim of the power struggle among the *pangkat*. A *pangkat* may deliberately stall the release of an inmate for fear that the number of its members would decrease and that their *brigada* would dissolve and merge with the other *pangkat*.

Voluntary Detention

A *mayores* reveals that he deliberately does not attend court hearings for fear that he might be acquitted or declared guilty and be transferred to Muntinlupa. He says that he prefers staying in Quezon City Jail where he earns more than he possibly could elsewhere. Another inmate says that he is better off inside the Jail. He fears that as soon as he is released, the syndicate he used to work for might kill him since he knows much about the group's illegal operations.

Easy Escape

Still, there are inmates who prefer to be in the world outside. Some find the facilities inside too limiting, others simply cannot stomach the conspiracy between inmates and jail officers. And the vulnerability of security facilities of Quezon City Jail is only too tempting—the window grills are very easy to cut, the walls so thin that they break easily, and the jail guards are too busy fraternizing with inmates and visitors to notice an escape attempt.

Given these conditions, it should not be a surprise that inmates are actually able to escape even while under the supervision of escort officers. When an inmate does escape, the escort officers have a lot of explaining to do to the BJMP higher-ups. The escort officers may be charged with neglect of duty and, if found guilty, will either be suspended or expelled from service. They can also be held criminally liable. In most cases, however, it is the Warden who receives the brunt following the principle of command responsibility which the BJMP strongly subscribes to just like in military organizations. This is, of course, most unfortunate especially when the personnel involved are those who are truly devoted to their jobs but rendered helpless by circumstances over which they have no control.

When the escape is not successful or when the escapee is recovered, the inmate will certainly be subjected to severe punishment. The inmate could be placed in a *bartolina* or be beaten up by his fellow inmates and jail guards. This is done to deter other inmates from committing the same mistake.



Instead of being reformed inside the Jail, inmates learn more tricks of the criminal

Hardened Criminals

Instead of being reformed inside the Jail, inmates learn more tricks of the criminal trade—how to elude arrest, how to fix arresting officers with a bribe, how to avail themselves of probation and jail decongestion programs. Upon release, therefore, inmates go back to their criminal ways confident that they know now how to get away with it. Getting jailed is no longer a deterrent; it is simply considered as some sort of a vacation and an occasion to reunite with former cellmates. Besides, being a recidivist earns one respect from inmates; one becomes a *tayman*, whose “words of wisdom” are highly regarded.

Network Building

The Jail becomes a venue for inmates to expand their network in the community of outlaws. Drug users, for example, establish contact with large-scale pushers. Petty snatchers get acquainted with bank robbers and kidnappers.

The *pangkat*, meanwhile, are able to establish connections in police detention cells, city jails, and Muntinlupa. Through the use of cellular phones and constant visits, leaders are still able to give instructions to their members.

“Corruption”

ABS-CBN reporter Erwin Tulfo once caught on camera a jail guard collecting money from visitors. The jail guard was portrayed as practicing extortion and was immediately fired by BJMP authorities. In QC Jail, however, collecting money from visitors is a common practice to raise funds that would augment the jail’s budget for operational expenses. Outsiders may view *matik* and *hirit* as a form of corruption, but for jail officers and inmates, these are mechanisms that facilitate the delivery of jail services.

Health Problems

Boils and blisters can be deadly but since they are a common disease among inmates, everyone takes them for granted. No one bothers to find out what could be causing them—infernal heat in the cells, unhealthy food, unhygienic environment, lack of medicines.

Resistance to Reform

Most of the jail officers and inmates have, over time, become so comfortable with the existing practices that they would rather perpetuate the system than change it. There have been wardens who tried to abolish the *takal* system, particularly the *basag* and *bingo* as they result in the death of erring inmates, but they were met with fierce protests. The *nanunungkulan* argue that it is better to subject erring inmates to *takal* than to push the aggrieved inmate to take “justice” in his own hands.

Changes may have been implemented but not sustained. In the process, they just create a disturbance in the daily grind of jail life. When a reformist officer tried to abolish the use of collection fees by inmates, for example, the cells became ill-maintained. He also had to use his own money for medicine supplies. After one week, he had to re-institute the collection of funds.

Media Stereotyping

Media organizations report mostly about the riots and breakouts that take place in the Jail. But they rarely publish stories on the jail’s reformation programs. Moreover, they tend to exaggerate the extent of jail disturbances, e.g., fistfights will be reported as full-scale riots.

Also, most media personalities want heads to roll as a fitting “conclusion” to their “expose.” For every incident of a riot or an escape that they report, they point out the officer in charge and lay the blame on him. What they do not bother to find out is if some riots may actually be staged by inmates and officers to discredit an authority that they dislike. Media are thus unwittingly involved in the powerplay among inmates and jail officers.

Custodial officers complain that society readily blames them for anything untoward that happens inside the jail. When an inmate escapes, nobody thinks of the rundown buildings and dilapidated perimeter fences of Quezon City Jail. Or when a riot erupts, nobody thinks of the inmates’ miserable sleeping quarters. Everything is blamed on the custodial officers’ supposed inefficiency and incompetence.



PART NINE TOWARD A REFORMATIVE PENAL SYSTEM

Unique is probably an understatement, but it is the closest one can get to describing Quezon City Jail as the Jail implements a management system that goes sometimes beyond and oftentimes against the parameters set by its own Manual. It is a brand of management that is at once precarious and resolute.

A penal institution is tasked primarily to implement reformation and rehabilitation programs that would prepare inmates for their eventual reintegration into society. In Quezon City Jail, however, inmates are no mere recipients of such programs. They participate, quite significantly, in running the affairs of the Jail. They help augment the Jail's limited manpower and financial resources. Inmates help management pay the Jail's power and water bills, provide transportation allowances to escort officers,



Inmates, particularly pangkat members, do not go out of their cells unarmed or unescorted by asintados for fear of being assaulted by rival groups. Outsiders, like basketball referees and jail guards, however, walk the jail grounds freely and stay unharmed.

and implement construction/repair projects. They help maintain the Jail's facilities (e.g., clean the comfort rooms), prepare the food, perform medical and paralegal services, and even act as personal aides to officers.

In turn, management allows inmates to freely engage in certain activities, such as operating businesses inside the Jail. They are free to cook their own food. Affluent inmates can employ *buyuneros* as their personal aides. Inmates have their own system of governance. The *mayor de mayores*, the most powerful individual in the political hierarchy of inmates, is so much like a town mayor. He is revered by inmates and is given absolute control over the resources, i. e., he decides when, where, and how the brigade's funds are spent.

Apparently, the relationship between management and inmates is one that is based on patron-client interdependence. One characteristic of this relationship is the discretionary (as opposed to compulsory) implementation of the Jail's policies. Management circumvents its own policies to accommodate the activities of inmates.

In Western countries, such relationship between management and inmates seems unthinkable. To begin with, inmates there do not clean the comfort rooms or serve as personal aides to jail officers or to fellow inmates. This is because Western inmates are aware of their rights. They are aware, for example, that they are entitled to properly cooked and served food and so they demand it. If their demands are not met, inmates fight for these and can be violent and assault jail officers or fellow inmates. In Quezon City Jail, demanding and complaining are simply not the way things are done. These could put inmates in trouble for they would be seen as *wala sa hulog*, or are out to embarrass the management. It is a sacred code in Quezon City Jail that utmost respect be accorded jail officers and inmate leaders for this is the one code that enables management to keep inmates in check and hold everything in balance.

An inadequate budget allocation from the national government leaves Quezon City Jail management not much choice but to utilize the inmates' human and financial resources. The increasing inmate population makes it difficult for management to provide even for the basic needs of inmates. Overpopulation inside the Jail simply overwhelms it of its resources.

One manifestation of such a peculiar situation is the presence of a black market inside the Jail. The Jail has a small marketplace where inmates can enjoy the services of food stalls, magazine and pocketbook stands, a billiard hall, a videoke bar, a barber-shop and beauty salon, a gym, and a cooperative store. It is these establishments that provide for the needs of inmates—for a fee, of course.

Alongside the black market, there sprouted the underground market which provides inmates more than their basic needs. This market gives inmates access to drugs, liquor, and other illegal commodities.

The presence of black and underground markets has created an economic system where moneyed inmates can re-create the lifestyle they used to enjoy outside the Jail. They do not have to depend on the Jail's food rations, they can have their privacy back through the *kubol*, and they can do drugs. They can pay poor inmates to do their cell duties for them, such as cleaning the comfort room and running errands. They can use their money to gain influence and be a *nanunungkulan*. In the end, it is the entire society that is re-created in the Jail - the jail officers and some moneyed inmates occupy the top rungs of the hierarchy and the poor inmates occupy the lower rungs.

In First World countries, the jail is a "closed institution." Government provides for the basic needs of inmates so that management does not have to rely on the contributions of enterprising officers and moneyed inmates. Management, therefore, is free to implement jail rules and regulations fully. It does not have to tolerate the presence of a black market and an underground economy. It also does not have to rely on the contributions of visitors and volunteers who are able to bring contraband into the jail. In fact, volunteers and visitors there do not visit the jail often; if they do, they are limited to the visiting area. Meanwhile, in Quezon City Jail, visitors are all over the compound—from the plaza to the cells.

While local inmates are busy eking out a living to meet their basic needs (e.g., food, clothes, and medicine), their counterparts in Western countries are preoccupied with dealing with the emotional and psychological effects of imprisonment. Thus, "prisonization" has a different effect on these inmates where cases of suicide and sexual assault are prevalent. In the Philippines, prisonization drives inmates to sharpen their survival skills.



Inmates go about their daily chores oblivious to the stench coming from overflowing garbage.



The unregulated entry of money makes gambling a favorite pastime among inmates.



Similar to squatters, houses of jail officers sprout all over the compound.

Possibly because of the lack of support from the government in particular and society in general, Quezon City Jail simulates a poor model of a community—that of squatters or illegal settlers. The Jail is overcrowded, has structures that are dilapidated, and is hardly able to deliver its services (food and water, security, education) and programs (livelihood, reformation, law and order) to inmates. Then again, this could also be so because most of the inmates are from squatter areas.

In contrast, penal facilities in most Western countries have dormitory-like cells (each cell is occupied by two inmates at most), food service is efficient, and inmate students undergo educational programs. They also enjoy the benefit of a speedy trial of their cases.

Indeed, Quezon City Jail reflects the state of Philippine affairs—from economic to political. Management is based on *pakikisama* and thus vulnerable to corruption. Affluence and influence are the rules of the game—moneyed inmates have it easy; poor inmates have to work doubly hard to get a taste of comfort. An elite circle of individuals controls the Jail's resources. Poor inmates are discriminated against.

A Society in Search of Peace

Since the dawn of civilization, every society has already been in search of peace and justice. This is why rights exist—to ensure that every member of society enjoys economic, political, security, and social entitlements. This is also why laws exist—to ensure that such entitlements are not transgressed.

In this, our country, however, widespread poverty seems to make it impossible for the government to protect the rights of every citizen. More than 70% of the population do not have access to education, employment, and security. Such access is limited to and controlled by a small number of families.

As a result, there is a struggle for resources as the rich try to maintain the status quo and the poor cry out for change. To keep the status quo, the rich control the country's economy, politics, education, military, and the justice system. The poor, meanwhile, are sometimes forced to commit crimes. In Quezon City Jail, almost 80 percent of the inmate population come from poor families. The crimes they are charged with are mostly illegal drug trade, robbery, kidnap for ransom—all related to the struggle for control of resources.

Even the most noble of intentions, of course, does not justify crime. In a society of law-abiding citizens, one who breaks the law is taken to a penal institution to undergo rehabilitation and reformation. Once inside the jail, however, one realizes that the programs are only palliative at best and punitive at worst. One is exposed to the abuses of police and jail officers, the underground economy inside the jail, and the exploitative culture of the penal institution. Instead of being reformed, one learns more of the illegal trades in the Jail. So that when an inmate is released, he joins society not as a reformed citizen but as a hardened criminal. In the end, society becomes an alarming mix of law-abiding and law-breaking citizens. Criminality becomes a vicious cycle.

Clearly, there is something wrong with the country's penal system. Inmates, instead of undergoing a reformation program, are trapped in a living hell. What can be done to turn this situation round?

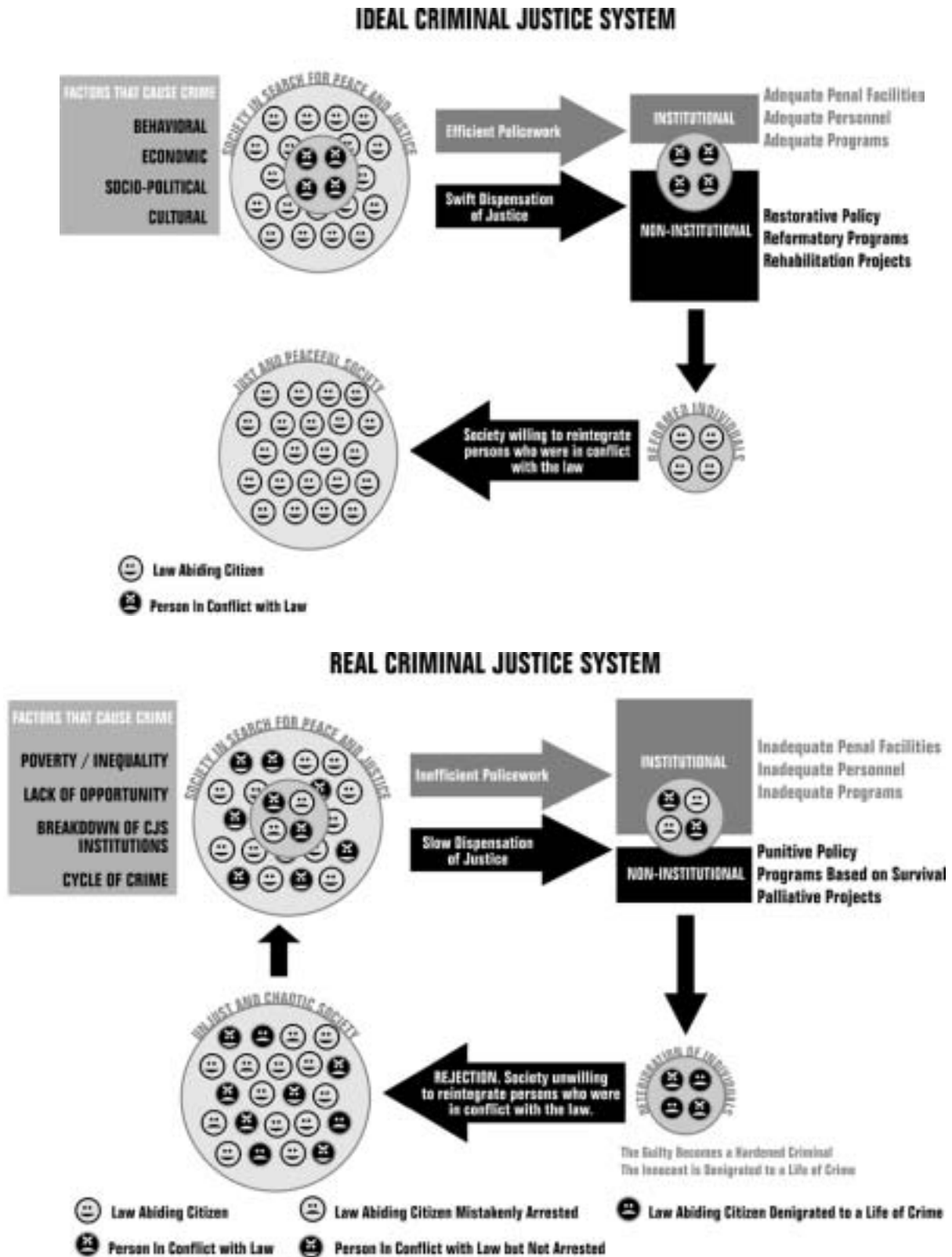
Again, following the argument that nobody understands Quezon City Jail better than its inhabitants, the author conducted PRA activities with jail officers and inmates to find out what they think can be done to better the tattered system they are in.

Inmates

Since inmates are supposedly unable to exercise their right to economic autonomy, Quezon City Jail should provide for, at least, their basic needs. Those that it currently provides should be improved. Inmates, according to the UN Standard Minimum Rules for the Treatment of Prisoners, have the right to dignified living conditions.

In terms of food service, the PRA activities showed that inmates are not getting enough—they are served undercooked or overcooked meals in small rations. Inmates do not know whether this

Fig. 9.1 The Ideal Versus The Real Criminal Justice System



is because of budgetary constraints or mismanagement. They say that not only do jail employees take part in the food ration, the latter also get their share bigger and better prepared, complete with condiments. Apparently, Quezon City Jail needs a competent and creative nutritionist who can design a menu that addresses the nutritional needs of the inmates (and employees) without exceeding the budget allocated by the national government.

When inmates get sick, they should be given proper medical treatment and not just wait for their illness to worsen and kill them. Perhaps there is a need for the creation of a BJMP hospital, similar to those of the Philippine National Police and the Armed Forces of the Philippines. At present, inmates are brought to government hospitals like the East Avenue Medical Center.

There is also a need for programs that can help inmates adjust to life inside the Jail. One such program could be group therapy, which would give inmates a venue to freely talk about their problems, listen to one another, and even give one another pieces of advice. Specifically, the Jail could put up a Therapeutic Community (TC), where inmates are taught to consider each other as members of one family. The TC program is participatory in nature and it promotes restorative justice by encouraging inmates to take responsibility for their actions. The program puts the cell at the center of the reformation efforts and the fellow inmates are key partners in building a community of mutual support and understanding. TC maximizes the talents and skills of the inmates who are given work assignments to keep them busy and preoccupied. It also promotes leadership by giving an inmate opportunity to delegate work to his fellow inmates. Finally, TC is anchored on a merit system wherein inmates who exhibit good behavior are commended and those who do not are immediately corrected.

There must also be a humane way of punishing erring inmates - one that is non-corporal and has a redeeming value. A counseling session should accompany the implementation of a punishment. But, first, there has to be a disciplinary board that will determine whether or not an inmate is guilty of a certain misdemeanor. If guilty, the inmate is sent to an isolation cell (complete with a bed bunk and beddings) and his visitation privileges are revoked temporarily.

Jail Personnel

The Quezon City Jail's 126 personnel are simply inadequate vis-à-vis the 3,200 inmates under their charge. The ratio between custodial officers and inmates, for example, is alarmingly 50 percent off the ideal mark set by the BJMP Manual. This means that 75 custodial officers more are needed for the Jail to effectively enforce security and order in the cells.

Aside from strengthening their number, however, it seems that jail officers themselves need to undergo some reformation particularly in their attitude toward their profession. They need to understand that their job is to help reform and not to look down on inmates. According to the resident psychologist, some officers treat inmates with utmost condescension thinking that the latter are up to no good which is why they are in jail. "Jail officers should assist in the inmates' search for a meaningful life," points out the resident psychologist. "They must have a genuine concern for the well-being of inmates. They should, therefore, be very clear about their motives for joining the jail service."

Such supercilious attitude toward inmates must have been influenced by the training program that all jail officers undergo before they are admitted to BJMP. The training adopts a military orientation where the trainees are made to go through physically rigorous activities and are made to think that they are preparing for war. Officers, thus, think of the Jail as a war zone with the inmates as the enemies they need to crush.

In the military training, officers are taught to be aggressive in their approach to any challenge given them. They are made to subscribe to such military tenets as "the fault of one is the fault of everyone"; "what you see, what you hear, leave it here;" and "command responsibility." As a result, officers develop a punitive culture of instilling fear and silence in the process of "reforming" inmates.

The resident psychologist suggests that jail officers be re-educated in their primary function which is to act as counselors to inmates. Jail officers should help inmates overcome the trauma of imprisonment and, eventually, adjust to life inside the Jail. This requires adequate skill in human behavior, conflict management, and human rights.

Moreover, jail officers particularly those assigned in the para-legal section should be familiar with basic criminal law and legal procedures. They should help inmates understand the legal mess they need to sort out in order to get their freedom back. This means that jail officers have to audit short courses on legal studies.

Changing the jail officers' attitude toward work, however, does not change the fact that they are over-worked and underpaid. They work long hours and beyond their job description but are paid a monthly allowance that is only two-thirds of what their counterparts in the PNP get. To augment their paltry income, some of the jail officers are forced to take part in the black market activities. They operate a billiard table or run a food stall or finance a cigarette vendor or maintain a payphone. There are jail officers who even resort to selling illegal drugs and extortion (*matik* and *hirit*) for easy money. To discourage officers from such

practices, the most logical and obvious step is to increase their allowance. Surely, the national government can, at least, raise their allowance to a level comparable to what PNP employees get.

Jail officers (and inmates, in some cases) should not be made to shoulder the Jail's operational expenses. Administrative personnel still have to ask for office supplies as basic as bond paper and pencils from Quezon City Hall. Escort officers buy their own gun and handcuffs. Paralegal officers shoulder their transportation expenses in following up the inmates' cases. The Jail should have a budget specifically allotted for these expenditures.

Beyond monetary benefits, officers want jail service to be "professionalized." They want to put some order in the Jail's operations. There is a need, for example, for some sort of a merit system. For sure, the Jail has its own share of conscientious workers who do right by their responsibility to inmates. These officers have to be recognized and rewarded somehow so they will serve as inspiration to others.

There should be a mechanism for resolving the grievances of the officers. Before they are acted upon appropriately, complaints should be thoroughly investigated and facts should be solidly established.

Jail officers also want to establish a support system among the different divisions. Escort and paralegal divisions, for example, can help each other make their respective assignments a lot easier. The escort officers are the ones who bring inmates to the courts for the latter's hearing. In doing so, the escort officers are able to observe how the court hearings are conducted. Armed with basic knowledge in legal proceedings, they can help paralegal officers explain the developments of the case to inmates. The paralegal officers will then be able to prepare in advance the documents that inmates will need in their future hearings.

Jail Facilities

Jail officers are the first to admit that they can do better on their job. Custodial officers can effectively prevent riots. Escort officers can bring inmates to their hearing on time. Medical officers can treat sick inmates more efficiently. Paralegal officers can speed up the cases of inmates. They can provide adequate rehabilitation services for inmates.

Quezon City Jail, however, the officers point out, does not have enough facilities to allow them to function to their full

Freedom and Death Inside The Jail

capacity. The Jail needs more buildings to accommodate the inmate population that is growing at a steady rate.

A cell should be occupied by no more than 10 inmates. It should be spacious enough to accommodate a lavatory and a comfort room. Inmates need not buy *kubol* or *tarima*; each of them should have equal access to a bed bunk, blanket, and toiletries.

Aside from the existing infirmary, the Jail should also have a separate room for inmates who are diagnosed mentally ill. The resident psychologist needs to observe these inmates without being distracted by the other countless activities going on inside the Jail.

Inmates need an area where they can freely walk or jog around, bask in the morning sun, and enjoy a gentle breeze. This should help inmates adopt a positive outlook in life. Also, this should give inmates an alternative to the videoke bar and billiard hall, where they have to fork over P5 and P10, respectively, just to while their time away.

There must also be a bigger place for activities that cater to the spiritual needs of inmates. The Jail has a chapel, but the Catholic Church has already laid claim to it. Other religious organizations

Table 9.1: Suggested Solutions to the Lack of Sleeping Space

SOLUSYON (Solution)	PANGANGAILANGAN (Needs)	RANK	KOMENTO (Remarks)
Iligal ang pagsugal lalo na sa gabi Prohibit gambling inside the cells, especially during night time	1	6	Maaaring ipagawa agad Can be easily implemented
Higitan ang pagpapapatupad ng batas laban sa bayal na gamot Strict implementation of policy against the use of illegal drugs among inmates	3	3	Maaaring ipagawa agad Can be easily implemented
Agahan ang bilangan, lalo na sa gabi Headcount should be done earlier, especially at night	2	4	Maaaring ipagawa agad Can be easily implemented
Ibigay ang supply ng banig, kumot, at unan Provide free supplies of sleeping mat, blanket, and pillows	1	6	Medyo matagal ipatupad Will take time to implement
Dagdagan ng espasya, bagong building New building for more cells	5	1.5	Lalong matagal ipatupad Will take longer time to implement
Dagdagan o magpagawa ng panibagong kubol, tarima, sanlag tulagan kahit na maliit lang Construct more kubol and tarima	5	1.5	Lalong matagal ipatupad Will take longer time to implement
Payagan and pagnatulog sa chapel Allow some inmates to sleep in the chapel area	1	6	Maaaring ipatupad agad Can be easily implemented
Bigyan ang labat ng inmates ng parehong tulugan Provide inmates equal sleeping space	1	6	Maaaring ipatupad agad Can be easily implemented

sometimes have to bring curtains to cover Catholic icons each time they use the chapel.

Similarly, NGOs should have a place of their own where they can hold their activities. This is one way of recognizing their efforts to serve inmates.

Livelihood projects should not be limited to paper craft, watch repair, or beauty parlor. Inmates should also be encouraged to grow vegetables and raise poultry. Aside from earning money, the produce could supplement the Jail's food supplies which, at present, are barely enough to feed all inmates.

Instead of having their meals in their respective cells, inmates should enjoy their breakfast, lunch, and supper together in a mess hall. This will foster camaraderie and lessen animosity among them. The mess hall should provide utensils, such as plates, spoons, forks, cups, and saucers.

Entertaining visitors inside the cells flouts the security provisions of the BJMP Manual. Not only is such practice inappropriate (particularly for the female visitors) but poses a big risk, as well, to both the visitors and the Jail itself. Since jail guards cannot possibly keep track of everything that is happening inside the cells, visitors are open to attacks and abuses by inmates, although this very rarely happens in Quezon City Jail. They can also be caught in a crossfire between warring *pangkat* during a riot. On the other hand, such a practice also gives visitors too much leeway for sneaking in contraband, such as illegal drugs and liquor. Quezon City Jail should, therefore, have an area solely dedicated for receiving visitors. While heavily guarded, the visiting area should be just like a park where an inmate and his visitor can enjoy each other's company. This is particularly beneficial for children who, in some cases, are traumatized by the sight of their inmate-father in a grisly place.

Most inmates, according to the resident psychologist, complain about their wives leaving them for another man. Sometimes it is because the wives cannot bear the shame of having an inmate for a husband. But, most of the time, it is because the inmates hardly have the opportunity to perform their duties as a husband. Because of this, there should be conjugal rooms where an inmate and his wife can spend quality time together probably once a week or twice a month.

Jail officers, meanwhile, want a more secure compound so they can easily monitor inmates. To thwart attempts of escape, Quezon City Jail must have a perimeter fence and window bars that inmates cannot easily cut off. They also need a communication system to help them coordinate their actions when responding to disturbances inside the Jail.

Inmate population, in all likelihood, will continue to increase. More facilities and programs may then be needed to accommodate them. For a future-proof Quezon City Jail, management should always have room for expansion and improvement.

In sum: there is a need for a new, bigger Quezon City Jail.

Reformation Programs

Since the primary task of a penal institution is reforming inmates, it is only proper that Quezon City Jail make its reformation programs a priority in terms of resource allocation.

First, the Jail would do well to establish a Reception and Diagnostics Center (RDC) through which it can evaluate an inmate's personal history, medical records, educational attainment, and his case. These data shall be the basis for the creation of a reformation program that is attuned to the needs of the inmate.

Through the RDC, newly committed inmates will be given an orientation on the rules and regulations of the Jail. They will also be informed of their rights and privileges, as well as their roles and obligations.

After an inmate has been properly diagnosed of his condition, he will be transferred to his cell. The RDC diagnosis will be used as a basis for the classification of the inmate, which should consider his medical needs, personal interests, and case. Classification is important in determining the reformation program that every inmate needs.

Education is one of the major components of the Jail's reformation program. While there is a small room assigned for the Functional Literacy Class, inmate learners want a study hall where they can review their lessons comfortably in contrast to their cells, which are cramped, poorly ventilated, and noisy. They also want more instructors so that more inmate learners can be accommodated in the program. At present, the Functional Literacy Class has three instructors: two are part time and only one is full time.

Inmate learners suggest that the non-formal education they are getting be truly appropriate to their needs inside the Jail. As much as they appreciate being introduced to such concepts as putting up a business, they are not sure if they can apply these inside the Jail. On the other hand, some learners wish that there be a continuing program that they can avail of when they are released.

Another major component of the reformation program of Quezon City Jail is livelihood. Aside from the money they earn,

inmates also acquire practical skills from livelihood projects that they can put to good use once they are released—they can either set up their own business or get employment. Inmate workers, however, feel that Jail management is giving its recreation projects too much attention at the expense of livelihood projects. Recently, the area allotted for livelihood has been reduced to give way to a gym that is owned and operated by a group of jail officers.

Inmate workers say that Jail management should seriously take livelihood as an integral part of its reformation campaign and not simply as a tool for getting media mileage or for getting support from funding organizations. While they are happy to have their products used as publicity tools, workers say management should also support them. Workers, for example, ask that they be allowed to bring their raw materials inside the Jail without paying *matik* or “tax” to the gater. They also wish to be exempted from jail duties as they are already preoccupied with their work.

Table 9.2: Suggested Solutions to the Problems of Livelihood Workers

SOLUSYON	TINDI NG PANGANGAILANGAN (urgency)	PUNTOS (points)	RANK
Luwagan ang espasyo Bigger space	0000000000000000	15	2
Tulongan magkaroon ng market Help explore market for the products	0000000000000000	15	2
Kailangan ang suporta ng management Full support from the management	0000000000000000	15	12
Materiyales at pagpapal mula sa NGOs at gobyerno Supply of raw materials from NGOs and government	0000000000	10	3
Bigyan ng prayoridad ang livelihood kaysa sa recreation programs Give priority to livelihood over recreation programs	0000000000	10	3
Magkaroon ng training center Set up a training center for livelihood workers	0000000000	10	3
Ayusin ang pamamalakad sa livelihood upang sipagin ang livelihood workers Improve the management of livelihood projects to boost the morale of the workers	0000000000	10	3
Magkaroon ng volunteer para sa pag-disenyang mga produkto Need for a volunteer to help design the products for marketing	00000000	8	4
Bigyan ng gatepass ang mga workers upang makapagtrabaho sa gabi Allow workers to work at night	00000	5	5
Isauli ang mga nahiram na produkto na ginamit sa mga exhibit Management should return the products it uses for exhibits	00000	5	5
Bigyan ng exemption sa matik ang pagpasok ng raw materials sa Quezon City Jail Raw materials should be exempted from matik or "tax" to gatekeeper	00000	5	5
Damihan ang bilang ng livelihood workers Increase the number of livelihood workers	0000000000	10	3
Pahintulutan ang maliit na bata na makadalaw bilang inspirasyon sa livelihood workers Allow small children inside the jail to help inspire their inmate fathers who are also livelihood workers	0000000000000000	15	2

Other Sectors

Quezon City Jail needs to coordinate with the other sectors involved in the country's penal system to implement its reformation programs more efficiently. The police, for example, play a crucial role in the fate of an inmate inside the Jail. Before turning in an inmate to Quezon City Jail, police allow detainees to be tattooed by their cellmates. This practice, in most cases, becomes a source of conflict among the four *pangkat* whose claim of membership over a newly committed inmate is based on his tattoo. This defeats the purpose of the Jail's classification system, which is that of grouping inmates based on their needs, interests, and cases.

More importantly, the police should do away with arresting individuals for extortion purposes because those who refuse to yield to their *modus operandi* are summarily thrown in Jail. Similarly, police should first verify their information about their suspects. There have been several instances when the suspect is below 18 years of age and should, therefore, be brought to the Department of Social Welfare and Development and not to Quezon City Jail. These are some of the reasons why the inmate population of Quezon City Jail has dramatically increased over the past few years.

Paralegal officers, meanwhile, should work closely with the Public Attorney's Office or PAO as almost 80 percent of inmates avail themselves of the services of the agency's lawyers. Paralegal officers can assist PAO lawyers in the preparation of the inmates' defense. They can also help locate witnesses for the inmates.

Records officers, for their part, should have constant communication with the courts. There are times when the court has already dismissed the charges against an inmate but the release order would be transmitted to the Jail only after a month, or longer if the court's sheriff is preoccupied with other concerns. Records officers and the courts can also work together to speed things up by sharing information vital to the cases of inmates. The

Table 9.3: Suggested Solutions to Avoid Abuse of Inmates in Police Stations

SOLUTION	LEVEL OF IMPLEMENTATION	LEVEL OF URGENCY
Designate a human rights representative in every police station	not implemented	Very urgent
Surprise visits of NGO representatives in police stations	not implemented	Very urgent
Make inmates aware of their rights	implemented only recently	Urgent
Accessibility of lawyers to inmates - rich inmates - poor inmates	being implemented not implemented	Very urgent
Immediately inform relatives of the conditions of inmates	being implemented already	Very urgent
Station commander should recognize the rights of the accused	remote possibility of being implemented	Very, very, very urgent

records officer, for example, can provide the courts a list of inmates who have already been overstaying in the Jail or those who have already served the maximum penalty. The courts may then prioritize the cases based on the inmates' records.

The BJMP and the Bureau of Corrections should coordinate with Quezon City Jail on how to deal with the four *pangkat*. All Quezon City Jail inmates who are sentenced for more than three years are transferred to Muntinlupa Penitentiary. But even when an inmate is already in Muntinlupa, he may maintain his communication with his cellmates in the Jail. The head of the *pangkat* in Quezon City Jail, for instance, submits his decisions to the head of his *pangkat* in Muntinlupa for comments and approval.

The Commission on Human Rights can help the Jail establish a mechanism that will deal with the complaints of inmates and employees alike. The commission can also enlighten jail officers on the rights of inmates.

Aside from pertinent government agencies, Quezon City Jail should strengthen its relationship with the NGOs. Jail management and the NGOs should chart long-term programs that will help inmates reestablish themselves not only while they are inside the Jail but even when they have already been released.

Quezon City Jail should also link up with the business sector for the promotion and marketing of the livelihood products of its inmates. The business sector can help inmates develop their products into marketable items. Companies involved in the tie-up may also employ inmates upon their release.

The BJMP

Quezon City Jail has a “unique” brand of management because it has to accommodate the informal structures that inmates have devised. These structures are so deeply entrenched that they have become a vital component of jail management.

The BJMP, therefore, has to review its manual and come up with one that reflects such reality. Provisions should be realistic enough as to effectively guide jail management in implementing its reformation programs. At present, the Quezon City Jail management applies provisions in the BJMP Manual rather arbitrarily because there are conditions that it has to consider, e.g., inadequate budget and personnel.

Specifically, the BJMP should look into the existence of the *Pangkat System*, the *Panunungkulan System*, the black market, and the underground economy. There might be a way to incorporate these into the Manual in such a way that would maximize their usefulness and minimize the ill effects they bring about.

Inmates who are sentenced with three years and below are rightfully rewarded for their exemplary behavior by being granted Good Conduct and

Freedom and Death Inside The Jail

Time Allowance or GCTA. Only the Bureau of Corrections, however, has the sole authority to award GCTA. The BJMP can only make recommendations. This bureaucratic procedure can be dispensed with if the BJMP will also be given authority to award GCTAs, especially since inmates are directly under its responsibility.

Reforms may not come soon but these suggested solutions, if anything, indicate that the severity of the problems in Quezon City Jail is rightfully acknowledged. That can be a good place to start.

Table 9.4: Suggested Solutions to Improve the Criminal Justice System

STAKEHOLDER	RECOMMENDATIONS
Police	<ul style="list-style-type: none"> - Keep the pangkat system in the precinct in check - Do away with the practice of employing an inmate to harm another inmate - Coordinate the inmates' court records with the jail officers - Share the inmates' profile with the jail bureau - Crosscheck the inmates' cases in the Warrant Section for pending cases before transferring them to the Jail - Check inmates' age before transferring them to the Jail
Prosecution	<ul style="list-style-type: none"> - Consolidate inmates' cases in one court - Develop alternative programs like pre-trial release for inmates - Repeal Presidential Decrees on victimless crimes like PD 1602 (Anti-gambling) - Release inmates accused of petty crimes but have stayed in jail for more than six months already - Lower the bail on petty crimes for first time offenders.
PAO Lawyers	<ul style="list-style-type: none"> - Hire more lawyers; there should be at least two PAO lawyers assigned in one court - Coordinate with jail paralegal officers and volunteers in preparing the inmates' defense - Setup a PAO desk in the Jail
Court	<ul style="list-style-type: none"> - Hire more judges - Set hearings at least once a week - Set promulgation for a maximum of 90 days - Appropriate automatic compensation to the accused who are acquitted but languished in jail for at least a year
Parole and Probation	<ul style="list-style-type: none"> - Conduct regular seminars in the Jail - Implement a pre-trial release program - Together with the BJMP, set up a merit-based program and incorporate it with its criteria of awarding parole/probation to the applicants
Bureau of Corrections	<ul style="list-style-type: none"> - Coordinate with the BJMP on the issues concerning the pangkat - Come up with a merit system based on the records of inmates
Commission on Human Rights	<ul style="list-style-type: none"> - Conduct seminars on human rights in the Jail regularly - Deputize jail volunteers as Human Rights Watchdogs in the police precincts - Set up a human rights desk in the Jail
QC Local Government	<ul style="list-style-type: none"> - Monitor the food subsidy it provides for inmates - Monitor the Jail's health and sanitation practices
Volunteers	<ul style="list-style-type: none"> - Come up with holistic and long term programs for inmates - Be transparent in their finances
Media	<ul style="list-style-type: none"> - Be critical and responsible in their reportage - Desist from propagating the image of jails as haven of gang wars and riots
Business Sector	<ul style="list-style-type: none"> - Come up with livelihood projects that are in line with the reformation efforts of the BJMP - Come up with a program for possible employment of inmates upon their release
Community	<ul style="list-style-type: none"> - Come up with programs that will facilitate the reintegration of inmates into the society - Have a holistic understanding of the plights of inmates inside the Jail



Six years is more than enough to see, know, and do everything in Quezon City Jail. Francis started as a lowly *buyonero* sleeping on the damp floor and scrounging for food. He understood early on the ways of life inside—*kung ano ang tugtog, iyon ang sayaw; ilagay sa lugar ang sarili; huwag kang lulutang*—and steadily worked his way up the ladder of *panunungkulan*.

After six months, he was promoted to chief *buyonero*; then, to paralegal coordinator after another six months. He studied legal procedures and basic criminal laws to help his cellmates go about their cases. He facilitated the release of inmates who had been staying in the Jail longer than they should have. He gained the respect of his cellmates eventually so that when the *mayor* was released, he was the only choice for the post.

As *mayor*, Francis instituted reforms in his cell. He campaigned against human rights abuses, which were commonplace in the Jail. He discouraged the use of *takal* as a means of punishing erring inmates. He discouraged the collection of exorbitant fees from newly committed inmates. He activated the Peace and Order Council, where representatives from the four *pangkat* were empowered to resolve conflicts on their own.

He also helped raise funds for the Jail to acquire more computer units. He was part of the team that devised a waste management system. His cell constructed a grotto of the Blessed Virgin Mary to remind inmates of their commitment to peace.

Over time, Francis became an inspiration to his fellow inmates. Even the management recognized his leadership and rewarded him with certain privileges. He was allowed to operate a food stall and own a *kubol*.

Still, he could not escape boredom. He would get depressed every time he thought of what he could be doing now had he not been put to jail. Perhaps he was now a multi-awarded journalist known for his investigative pieces. Perhaps he was now driving his own car. Or perhaps he was now on scholarship in the University of Cambridge in London.

During these difficult times, he found solace in *shabu*. *Shabu* made him forget his pain. It made him numb to everything. But

Freedom and Death Inside The Jail

he had to stop using *shabu*. He could not think properly and relate with other inmates well if he did not get a sniff. He made enemies of some jail officers and inmates and it nearly got him killed in a riot. He neglected his own health that he contracted tuberculosis. *Shabu* began to control him.

But before *shabu* could destroy him completely, Myla came into his life. Myla, a religious volunteer, introduced him to God. She taught him to pray and read the Holy Bible. She brought him not only love but peace, as well. He found God.

Then everything fell into place. He went back to the *panunungkulan* and initiated more projects. So inspiring were his projects that some of these caught the attention of the media. His mother saw one of his television interviews and, finally, visited him.

In June 2004, Francis received news from his lawyer—after six long years, his case was finally due for promulgation. Life inside the Jail was starting to take on a new meaning.



Inmates head back to their respective cells after the headcount.

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AFTERWORD

A Response from the BJMP

Director Arturo W. Alit
Chief, BJMP

Even as *Freedom and Death Inside the City Jail* focuses essentially on Quezon City Jail, it is able to depict quite successfully—and vividly, at that—the situation that prevails in almost all the jails under the BJMP in urban cities and municipalities. If this were a novel, the main characters would have to be the inmates whose sufferings seem endless. They are portrayed as victims of the harsh realities of jail life that would never allow them to get a taste of justice. If there are victims, as in any story, there must be a cause or causes for their sufferings. In the inmates' case, their sufferings have much to do with the inadequate facilities inside the jail. For example: they are crammed in cells that are simply too small to give them a comfortable sleeping space.

I would love nothing better than to dismiss *Freedom and Death Inside the City Jail* as narrative fiction, but the truth is that it typifies no less than the existing sad realities in most jails today. I will have to limit such observation, however, to the conditions inside the jails. For I certainly do not possess the qualifications nor do I have the authority to make an assessment on the other areas that Mr. Raymund Narag's report touched on—such as those that have to do with the police, the judiciary, and the corrections at large. But the BJMP owes it to the report to react on the recommendations it suggests.

One of the recommendations of Mr. Narag's report is the creation of a new Quezon City Jail with attendant facilities and equipment. Our proposal to relocate the jail is as old as the BJMP itself which celebrated its 13th anniversary last year. Relocating the jail to a more spacious area was premised on the fact that the present site is no longer appropriate for responding to the demands of the present time. We have to bear in mind, however, that the BJMP relies on the support of LGUs in the acquisition of land for establishing a jail facility. This is provided for in Republic Act 6975 (The Act Establishing the Philippine National Police Under A Reorganized Department of the Interior and Local Government and for other purposes) and the Local Government Code, which says: "Notwithstanding the construction outlay for the BJMP, LGUs have to make available the lot in order that a jail may be constructed to make it legally tenable."

Unfortunately, getting our hands on the construction outlay has proved to be quite a formidable challenge. For several years now we have been asking for such fund. The most that we have received is only a fraction of what we actually need. But we cannot give up. In our desire to better the conditions of our inmates, not only in

Quezon City Jail but also in all other urban areas in the country, we came up with the idea of establishing the Integrated Reformatory Center or IRC. The IRC, which will have the Metropolitan Manila areas as the pilot project, consolidates all jails into one center in every urban city or area in the country. In Metro Manila, our proposal is to have this built at a 50-hectare lot in Montalban, Rizal. This will be like a homespun community by itself, with attendant sub-facilities approximating those that can be found in the BJMP National Office—housing for personnel, school house, wet and dry market, warehouse, dental and medical clinics, etc. Its main facility, which is the jail center itself, will have buildings for rehabilitation, recreation, and spiritual activities. It will also enable the inmates to take advantage of educational programs, which is not possible in individually built jails. Moreover, a vast area of land will be used for agricultural production with the inmates constituting the workforce. The idea here is to eventually make the center a self-supporting institution, at least in terms of such basic needs as food.

To be sure, we have promoted the IRC project to LGUs, private and religious sectors like land developers, contractors, and the Catholic Bishops Conference of the Philippines, and other organizations and agencies that we think can help us. The response, so far, has been encouraging. The organizations we have presented the idea to have expressed support and they look forward to its early implementation. And to forestall any legal impediment, we have already drafted a bill and submitted it to Congress for deliberation and enactment.

The Narag Report also recommends that there be additional quality personnel with higher compensation. The passage of the new law—Republic Act 9263 (An Act Providing for the Professionalization of the Bureau of Fire Protection and the Bureau of Jail Management and Penology Amending Certain Provisions of Republic Act Number 6975, providing fund thereof and for other purposes)—came just in time to suit this particular recommendation. Before the law was enacted, BJMP recruits have to possess only 72 academic units in college to qualify; now they have to have a baccalaureate degree. It is worth mentioning also that most of our applicants are board passers and whose eligibility under Republic Act 1080 (An Act Declaring the Bar and Board examination as Civil Service Examination) is equivalent to second level. All of these contribute to that need for quality personnel, although in quantitative terms the BJMP is still having difficulty hiring more on account of the non-provision in the budget of additional personnel. This manpower inadequacy resulting from budgetary constraints has been hurting the BJMP not only in the employment of qualified personnel but also in its overall operations in the light of the overly burgeoning jail population that has now reached up to 54,000 inmates complemented only by about 7,000 personnel. Even then, we try to make up for these inadequacies by upgrading the quality training for our recruits, middle-level

Freedom and Death Inside The Jail

non-officers, and officers through changes in the programs of instruction at the Jail National Training Institute.

Insofar as the BJMP-related matters are concerned, *Freedom and Death Inside the City Jail* is largely objective and impersonal in spite of Mr. Narag being once an inmate in Quezon City Jail for seven years. We owe him gratitude for bringing to light our predicaments, which we have been trying to address for years now. He is able to show that the sad conditions prevailing in the jails, particularly among inmates, is not entirely blamable on the BJMP but mostly on the inadequacies which are not of its own making. I find it noteworthy that Mr. Narag has observed that the BJMP is one of the least supported agencies of the government which explains our inability to adequately attend to the basic needs of inmates.

A LOOK INTO THE CONDITION OF THE QUEZON CITY JAIL



About the Book

This book is a descriptive analysis of the Quezon City Jail. It looks into the dynamics of the relationship between and among the officers, the inmates, and the volunteers/visitors as the principal actors in the ever evolving "unique" jail management. Specifically, it attempts to identify the effects of inadequate facilities, manpower, and resources and external factors like the law enforcement agencies' inefficiency in gathering evidence and the slow dispensation of justice on the systems, procedures, and routine of governance in Quezon City Jail.

The findings of this book have vast implications on the human rights conditions of persons in conflict with the law, the access to justice by the poor, and the efficiency and effectiveness of institutions in administering justice.



RAYMUND E. NARAG

About the Author

A native of Cagayan, graduated cum laude from the University of the Philippines National College of Public Administration and Governance. In 1994, a fraternity-related incident implicated him in a murder case. Three days before his graduation, he was arrested and detained.

After spending six years, nine months and four days in Quezon City Jail, he was eventually declared innocent by the Regional Trial Court on February 28, 2002. The University of the Philippines awarded him his academic honors after his acquittal.

Upon his release, Narag made it his life-long commitment to work for penal and criminal justice reforms. He is currently working as a Program Officer at the Humanitarian Legal Assistance Foundation, a nongovernment organization that advocates for a better treatment of persons in conflict with the law. He also serves as a consultant to the Program Management Office of the Supreme Court, especially to its Access to Justice by the Poor program. He also serves as a Presidential Assistant to the UP President on Student Affairs, initiating projects for peace among members of fraternity groups.

For his works on the criminal justice system, Narag has been cited as a Success Story of 2002 by the television program Jessica Soho Reports on GMA 7, Partner Angel by another television program Partners Mel and Joey also on GMA 7, and Incredible Pinoy by INQTV, an online media outfit.

Narag is happily married to Maria Shella G. Durana with whom he has been blessed with a baby girl, Marta Rayshell Angela. He can be reached at raymund.narag@up.edu.ph or raymund_narag@yahoo.com.

