

Republic of the Philippines
Department of Justice
BOARD OF PARDONS AND PAROLE
DOJ Agencies Building, NIA Road corner East Avenue
1100 Diliman, Quezon City

BOARD RESOLUTION No. OT-04-15-2020

APRIL 15, 2020

INTERIM RULES ON PAROLE AND EXECUTIVE CLEMENCY

WHEREAS, pursuant to Republic Act (RA) No. 11469 or the "Bayanihan to Heal as One Act", the country has been placed under a State of National Emergency due to the Corona Virus Disease (COVID-19).

WHEREAS, one of the declared policies under the Bayanihan to Heal as One Act is to mitigate, if not contain, the transmission of COVID-19.

WHEREAS, it is the policy of the Department of Justice to address the congestion and overcrowding of National Penitentiaries, in line with the implementation of the declared national policy under the said law, to ensure the health and safety of Persons Deprived of Liberty (PDLs).

NOW THEREFORE, in consideration of the foregoing premises, pursuant to Act No. 4103, otherwise known as "The Indeterminate Sentence Law," as amended, and of Section 19, Article VII of the Constitution, and in order to expedite the existing process of release of PDLs through parole or executive clemency, the Board resolves as it is hereby Resolved to enact the following Interim Rules on Parole and Executive Clemency.

Section 1. Cases Covered by the Interim Rules on Parole and Executive Clemency – PDLs who are eligible for parole or executive clemency review under the Rules on Parole and the Amended Guidelines for Recommending Executive Clemency shall be covered by these Interim Rules during its effectivity.

PDLs who are sixty-five (65) years old and above who: (i) have served at least five (5) years of their sentence; or (ii) those whose continued imprisonment is inimical to their health as recommended by a physician of the Bureau of Corrections Hospital and certified by the Department of Health or designated by the Malacañang Clinic Director, shall likewise be eligible for executive clemency.

PDLs who have been convicted of Heinous Crimes or Illegal Drugs-related offenses, or are otherwise classified by the Bureau of Corrections as "**high-risk**", shall not be covered by these Interim Rules.

In the processing of parole or executive clemency review, priority shall be given to PDLs who are already of old age, sickly or are suffering from terminal or life-threatening illnesses, or with serious disability.

Section 2. Requirements – For parole review cases and executive clemency cases, ordinary documentary requirements are hereby dispensed with except for: (i) Court Certification of No Pending Case/s (CNPC); (ii) Court Certification No Appeal (CNA); and NBI Records Check.

CNPC, CNA and NBI Records Check shall be required, regardless of whether the PDL-petitioner is already of old age, sickly or suffering from terminal or life-threatening illnesses, or with serious disability.

Section 3. Board Meetings. – All Board members shall take up twice the amount of their regular load in order to expedite the grant of parole and recommendation for executive clemency, on the premise that the Bureau of Corrections shall forward the adequate number of carpeta and updated prison record of PDLs eligible for parole or executive clemency review, for the Board's consideration.

Section 4. Board Recommendation, Resolution and Certification. – Resolutions for recommendation for the grant of executive clemency will be in a single and general form (not individual) in order to expedite the transmittal thereof to the Office of the Secretary of Justice.

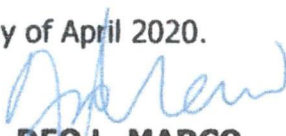
Section 5. Reporting Requirement After Grant of Parole or Executive Clemency. – The requirement to report to the designated Parole and Probation Office of all parolees and pardonees shall be dispensed with while the State of National Emergency is in effect, subject to further regulations which may be issued by the Board.


Section 6. Separability. – If any part of this Resolution is declared invalid or unconstitutional, other provisions not affected thereby shall remain valid and subsisting.

Section 7. Repeal. – All issuances, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Resolution are hereby repealed or modified accordingly.

Section 8. Effectivity. – This Resolution shall take effect immediately upon approval by the Secretary of Justice and shall govern while the State of National Emergency is in effect, unless sooner revoked.

Done in Quezon City, this 15th day of April 2020.


DEO L. MARCO
Undersecretary-in-Charge
Acting Chairman


NATIVIDAD G. DIZON
Member/Presiding


MONINA AREVALO ZENAROSA
Member


HILDA FANTASTICO-IBUYAN
Member

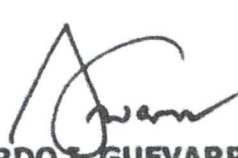

JOSEFINA M. SANTOS
Member


RACHEL D. RUELO
Member

(VACANT)
Member

(VACANT)
Member

APPROVED BY:


MENARDO I. GUEVARRA
Secretary of Justice

ATTESTED BY:


REYNALDO G. BAYANG
Executive Secretary of the Board

CERTIFIED XEROX COPY
OF RECORDS ON FILE:


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