



Republic of the Philippines
Province of Cavite
City of Bacoor
OFFICE OF THE SANGGUNIANG PANLUNGSOD



DISTRICT I

HON. ROWENA BAUTISTA MENDIOLA
City Councilor

HON. MIGUEL N. BAUTISTA
City Councilor

HON. EDWIN G. GAWARAN
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ALEJANDRO F. GUTIERREZ
City Councilor

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HON. GAUDENCIO P. NOLASCO
City Councilor

HON. LEONRO A. DE LEON
City Councilor

HON. ROBERTO R. JAVIER
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. HALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS D. DE CASTRO

Acting Presiding Officer/ President Pro-
Tempore/City Councilor

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

CITY ORDINANCE NO. CO 1-2019
Series of 2019

AN ORDINANCE INSTITUTING STRINGENT SECURITY MEASURES IN ALL DETENTION CELLS, JAILS, REFORMATORY CENTERS AND HALFWAY HOUSES OPERATING WITHIN THE CITY OF BACOR, PROVIDING FUNDING SOURCES FOR THE MAINTENANCE AND IMPROVEMENT OF THE SAID PENAL FACILITIES AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Authored by: **Councilor ALEJANDRO F. GUTIERREZ**
(Chairman, Committee on Peace and Order and Public Safety)

WHEREAS, paragraph (II) (1) Article 99, (Powers, Duties and Functions of the Sangguniang Panlungsod) of the Implementing Rules and Regulations (IRR) of Republic Act No. 7160 (also known as the "Local Government Code of 1991") empowered the Sangguniang Panlungsod to enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of the same law;

WHEREAS, detention cells, jails, reformatory centers, and halfway houses are facilities designed not only to prevent criminals and persons in conflict with the law from endangering public order but also to help such individuals become productive members of society once again through the rehabilitative purpose of our country's judicial system;

WHEREAS, the persistent and continuing presence of contraband (illegal, prohibited and regulated) items/materials within custodial facilities endanger the security and lives of Persons Deprived of Liberty (PDL) as well as their visitors and custodial personnel in such detention cells, jails, reformatory centers and halfway houses – a direct opposition to the principles of good governance, public order and safety;

WHEREAS, lax security measures being implemented in the said detention cells, jails, reformatory centers, and halfway houses result in jail breaks – such as the one that happened on 28 July 2018 where 23 inmates escaped from the detention center of the Bacoor City Police Station –



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that cause public panic and diminish the confidence of the people in the ability of its government officials to uphold the law and to protect the public good;

WHEREAS, the possession and trafficking of certain contraband items and materials are specifically indicated as illegal under existing laws particularly deadly bladed weapons, guns (manufactured or improvised) and illegal substances or drugs and its paraphernalia;

WHEREAS the continuing physical entry and possession by PDL of such contraband items and materials in spite of existing systems of physical security control against it necessitate the legislation of a city ordinance that will effectively deter or discourage would-be traffickers and possessors of contraband items/materials and make the consequences thereof more specific, exacting and prohibitive;

WHEREAS, the enactment of a City Ordinance will promote peace and order, enhance the physical security within detention cells, jails, reformatory centers and halfway houses by eradicating as well as effectively deterring the trafficking, use, and possession of contraband materials;

NOW THEREFORE, be it ordained by the 3rd Sangguniang Panlungsod of the City of Bacoor in regular session assembled that;

Section 1. Short Title. This Ordinance shall also be known and cited as the **"Jail Management Reform Ordinance of the City of Bacoor"**.

Section 2. City Government Policy. The city government shall improve the administration of justice within its jurisdiction by instituting a sound, secure, and effective jail management system in all detention cells, jails, reformatory centers, and halfway houses within the City of Bacoor that aims to rehabilitate valuable human resources, respect and safeguard the dignity and human rights of inmates and that of their relatives and loved ones, prevent the proliferation of criminality and gang violence in the said facilities, improve the capabilities and equipment of personnel assigned to the said facilities, and enhance the security thereof.



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Section 3. Definition of Terms. The following words and phrases as used in this Ordinance shall mean as follows:

3.1. **Communicate** means to make any shout, cry, or other spoken words; any handwritten or typed note, letter, or sign, regardless of whether it is electrically or electronically transmitted or enhanced; or any signal or other motion or gesture; or to create any public disturbance or disorder.

3.2 **Contraband** means any of the following described items, including any imitation, counterfeit, or toy version of the item concerned, or any combination thereof:

- A. Any firearm or ammunition, including gas and air guns, and all gas emitting devices;
- B. Any electric stunning device, and any other instrumentality capable of storing or discharging electrical energy of any form;
- C. Any axe, cleaver, saw, file, knife, scissor, shear, or other edged, sharp, sharpened, pointed, serrated, or cutting instrument of any sort or size;
- D. Any telephone, cellular telephone, two-way radio, pager, or any other signaling or communications device which an inmate could reasonably utilize to communicate with unauthorized persons outside of jail premises, including sound or vision, magnification, amplification or enhancement devices.
- E. Any other device reasonably adapted to use by an inmate to pass, transmit, or communicate signals, data, or messages of any form to any person(s) outside the jail, detention facility, or halfway house premises;
- F. Any pointed instrument or spear, including pins and needles, regardless of size;
- G. Any rocks, stones, pieces of paving, cement, building material, lumps or pieces of metal, pieces of plastic or wood, or any bat, club or other item capable of inflicting damage or injury if used as a striking instrument;
- H. Any form of narcotics, controlled substance, syringes or other drug paraphernalia,



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prescription or non-prescription drugs, tobacco products, alcoholic beverages, or any pornographic or other sexually explicit printed material, or any film, tape, video, discs, or other items carrying such material/s, including any device adapted to the playing or listening thereof;

- I. Any codes or cipher, and any plan, map, picture, drawing, tape, disc, or other data relating to the location, shape, dimensions or other characteristics of any jail, detention facility, halfway house, buildings, property or equipment, or any other materials showing or marking escape routes from the jail premises or showing the immediate environs of a detention cell, jail, reformatory center, and/or halfway house;
- J. Any tool, including but not limited to heating, melting, cutting, prying, or grinding tools, saw files, hammers, climbing gear, lock picks, keys, or key making material, keyless entry devices or other tools or equipment reasonably suited for use in jail escape or custody break, or the attempt thereof, including any mask, protective gloves, ropes, wires, clothing or footwear;
- K. Any flammable, corrosive or explosive material or substance, including matches, fuses or other initiating devices, grenades, bombs, and all forms of fireworks and pyrotechnics;
- L. Any clock, chronometer, watch or timing device including cell phones and other electronic gadgets with timing devices or applications;
- M. Any electric, electronic or photo-optical parts or components, including cameras, recording devices, computers, planners, calculators and their accessories;
- N. Any chemical or substance capable of disabling, poisoning, debilitating, sickening, or killing another person, including related handling or delivery systems;
- O. Any unauthorized clothing, footgear, blanket, sheet, bag, box, rope, line, pipe, hardware, cable, chain or ladder, regardless of size, weight, length or function;



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P. Any compass, transit or any other locating, positioning or navigational device including electronic gadgets equipped with global positioning systems or that has the capability of operating such positioning or navigational devices or that contains, or that has the capability of containing, computer applications that can be used as position or navigational devices;

Q. Any camera, binocular, telescope, or night vision device;

R. Any laser device or other device capable of emitting any type of beam, ray, or wave including TV remote controllers and the like;

S. Any kind of radioactive substance or device;

T. Any aircraft, rocket, or other type of flying or lifting device, regardless of size, lifting capacity, range or function, and any motor-powered or pedal or hand-operated vehicle or craft meant for surface or water transportation including toys or drones that have the same characteristics;

U. Any precious stones or gems, and any and all Philippine or foreign money or currency, regardless of form or amount;

V. Any material or item capable of use in concealing, altering the appearance of, or disguising the human face or body, including masks, makeup, dyes, canes, crutches and prostheses;

W. Any license, permit, passport, visa, false court document, any cards or documents of identity, and any and all ATM cards, credit or debit cards, and other financial transaction devices;

X. Any infectious or bio-hazardous items, substance, or equipment;

Y. Any stock or bond certificate or any other negotiable instrument or letter or card of credit, such as might be useable to obtain favors, services, goods, or property;

Z. Any material constituting any component or part of any item of contraband, and any material, manual, or instruction for the making or use thereof; or



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AA. Any material prohibited under the rules and regulations of the Bureau of Jail Management and Penology (BJMP), the Philippine National Police (PNP), the Department of Social Welfare and Development (DSWD), the Dangerous Drugs Board (DDB), or the Department of Health (DOH) including all items not issued to the inmates upon the start of their incarceration or detention.

3.3. **Fraternizing** refers to any act that will allow a jail official to be friendly, emotionally attached to, or physically intimate with a jail inmate, his/her visitors, or his/her relatives. The term shall also include the act of asking for the cellphone number, email address, or social media details of such inmate, visitor, or relative and/or the accepting of gifts or foods regardless of its value, quantity, nature, or reason for giving from such inmate/s, his/her relatives, or visitors. The term shall also include the sending by jail officials or jail personnel of text messages, emails, calls, or social media messages to such inmates or to their visitors or relatives. **Provided that:** text messages, emails, calls, or social media messages sent by a relative or visitor of an inmate to a jail official or city government official for the purpose of reporting acts of abuse perpetrated by jail personnel or jail officials in violation of this Ordinance shall not be considered as fraternizing.

3.4. **Gangs** are groups of individuals formed for the purpose of mutual protection against other gangs within jail premises or to institute a hierarchy intended to place an inmate under the control of other inmates.

3.5. **Jail inmate** means any person who is sentenced to a term of incarceration in any of the jails or detention centers within the city, any pre-trial detainee or arrestee held in any of the jails or detention centers within the city, and any other person who is housed as an inmate in the halfway houses or rehabilitation centers owned, managed, and/or operated by the city government.

3.6. **Jail Inmate Reformation Programs** are projects or activities designed by jail officials, city government officials, or national government agencies or proposed by non-government organizations, with the express approval of the City Mayor intended to help in the reformation of jail inmates and in their eventual reintegration into society.

3.7. **Jail Livelihood Programs** are projects designed by jail officials, with the express approval of the City Mayor, intended to provide livelihood opportunities for jail inmates for their personal benefit or for the benefit of their relatives or dependents.



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3.8. **Jail officials** refers to the jail warden, the jail guards, and other government personnel under the employ of the BJMP, DSWD, DOH, DDB, PNP, or of the city government who are tasked to maintain order and security within jail premises.

3.9. **Jail premises** means any indoor or outdoor premises of any of the jails, detention centers, halfway houses, or rehabilitation centers within the city or other facilities leased or owned by the city government for the housing, confinement, training, transportation or movement of jail inmates, including motor vehicles.

3.10. **Legally Incapacitated Persons** are natural persons who have been judicially declared, or medically diagnosed, as legally incapacitated due to a mental illness or mental retardation.

3.11. **Minors** are natural persons below 18 years of age.

3.12. **Nuisance contraband** are items, though authorized, that have become excessive in quantity as to constitute a fire hazard, a threat to the facility's security, or sources of unsanitary refuse.

3.13. **Secrete** means to deposit an item in a hiding place.

3.14. **Security Check** is the process of verifying the trustworthiness, criminal background, or threat posed to security of any person visiting any jail inmate.

3.15. **Security Clearance** is the certification to be issued under this Ordinance by the Chief of the Bacoor City Police Station, the Chief of the Bacoor City Jail, the Head of the City Social Welfare Development Office, the Head of the City Health Office, or by the City Mayor in instances where the same is applicable.

3.16. **Security Checking Area** is the place within the jail premises segregated from the areas where inmates are detained or incarcerated where visitors and their belongings are scrutinized for the existence of contrabands.

3.17. **Support personnel** are persons allowed by the BJMP, PNP, DSWD, DDB, DOH or the city government to perform clerical, janitorial, or maintenance tasks including the cooking of food or the laundry of jail officials and inmates.



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3.18. **Visitors** are any people authorized under this Ordinance or under any of the regulations of the BJMP, PNP, DSWD, DDB, DOH or the city government to visit any jail inmate.

3.19. **Visitors Area** is the place within the jail premises segregated from the areas where inmates are detained or incarcerated where visitors can meet and socialize with jail inmates under the constant observation and supervision of jail guards and officials.

Section 4. Legal Framework. This Ordinance shall be implemented in conjunction with Republic Act 7160 and its implementing rules and regulations, as well as the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva, Switzerland in 1955 and approved by the Economic and Social Council by its resolutions 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977 including various circulars and issuances of the national government and its various agencies in relation to human rights and the treatment of persons in detention.

Section 5. Rules on Interpretation. In case a conflict in the interpretation hereof arises between the English version of this ordinance and its Filipino translation, the provisions of this ordinance and its annexes appearing in English shall prevail.

The following rules shall be observed in the interpretation of this ordinance:

5.1. Words used in singular also include the plural. The reverse is also true;

5.2. Words used in the present tense shall also include the past tense. The reverse is also true;

5.3. The words "must", "shall", "will" and "may not" as used in this ordinance are mandatory;

5.4. The word "may" is permissive while "should" is advisory and not mandatory or required;

5.5. When used with numbers, "Up to X," "not more than X" and "a maximum of X" all include X;

5.6. Words or phrases not defined herein shall be interpreted in the context it was used in this



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ordinance and in consideration of the reason why the Sangguniang Panlungsod used the said terms;

5.7. In interpreting words and phrases not defined herein, the meaning of the said terms as popularly understood at the time the ordinance was approved shall be used;

5.8. Any word, phrase, or term not enumerated above but used in this ordinance shall be interpreted by taking into account the context in which it was used, its meaning as popularly understood, or its definition in either Black Law Dictionary or in the 2018 edition of Merriam-Webster Dictionary; and

5.9. Unless otherwise specified, any reference to the male gender in any provision of this ordinance shall also include the female gender and vice versa.

Section 6. Prohibition Against the Possession of Contraband.

(a) No person entering or attempting to enter any of the detention cells, jails, reformatory centers, and halfway houses within the City of Bacoor shall possess, attempt to possess, or secrete any item of contraband as defined and enumerated in Section 3 and its sub-sections above;

(b) No person shall deposit, store, place, secrete, hide, throw in or upon, or leave any item of contraband in the jail premises of any jail, detention facility, prison, halfway house, or rehabilitation center within the City of Bacoor;

(c) No person shall ship, send, mail or otherwise transmit or secrete any item of contraband to the premises of any jail, detention facility, prison, halfway house, or rehabilitation center within the City of Bacoor for the possible use or benefit of any jail inmate. No jail inmate shall be allowed to receive any mail, parcel, or item without a proper security clearance. The security clearance shall only be issued after a thorough inspection of the mail, parcel, or item has been conducted by the jail officials concerned or by their authorized representatives. The failure of jail officials, or by their duly authorized representatives, to strictly comply



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and enforce this provision shall be deemed a violation of this ordinance.

(d) No inmate, detainee, ward, or rehabilitation patient detained, incarcerated, held, or being treated in any jail, detention facility, prison, halfway house, or rehabilitation center within the City of Bacoor shall order, procure, receive, possess, or make any item of contraband, or attempt to do so, while incarcerated in the said facilities.

Section 7. Prohibited Conduct: Communication, Limited Access of Visitors, Abusive Searches, Use of Electronic Gadgets, and Membership in -- or Formation of -- Gangs in Jail Premises.

(a) Except as specifically permitted by the written rules and policies of the Bureau of Jail Management and Penology, the Philippine National Police, the Department of Health, or the Department of Social Welfare and Development no person shall, from any location within any jail, detention facility, prison, halfway house, or rehabilitation center within the City of Bacoor, or from any public street, sidewalk, alley, or building adjacent to or contiguous with the said facilities, communicate or attempt to communicate with any jail inmate, detention prisoner, halfway house ward, or rehabilitation patient incarcerated, detained, held, or being treated in the said facilities.

(b) Except in the visitors area, no visitor shall be allowed to enter or remain in any part of the jail premises at any given time and for whatever reason or purpose. Support personnel authorized to perform menial tasks or maintenance works by jail officials shall be escorted by jail officials at all times while performing such tasks. No inmate shall be allowed to approach or have any form of interaction with such support personnel. No support personnel shall be allowed to enter or work within jail premises covered by this Ordinance without a valid security clearance issued in his/her favor by the appropriate person in authority. The support personnel must wear the said security clearance at all times while performing his/her tasks within the jail premises. Visitors' areas shall be equipped with closed circuit television cameras which will be operated and monitored 24/7.

(c) Jail officials and personnel shall not sexually, physically, or psychologically abuse or threaten any



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DISTRICT I

HON. ROWENA BAUTISTA - MENDIOLA

City Councilor

HON. MIGUEL R. BAUTISTA

City Councilor

HON. EDWIN G. GAWARAN

City Councilor

HON. MICHAEL E. SOLIS

City Councilor

HON. ALEJANDRO V. GUTIERREZ

City Councilor

DISTRICT II

HON. NERNANDO C. GUTIERREZ

City Councilor

HON. GAUDENCIO F. NOLASCO

City Councilor

HON. LEONARDO A. DE LEON

City Councilor

HON. ROBERTO R. JAVIER

City Councilor

HON. VICTORIO L. GUERRERO, JR.

City Councilor

HON. ALDE JOSELITO F. PAGULAYAN

City Councilor

HON. REYNALDO D. PALABRICA

City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU

City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. HALIDA A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS D. DE CASTRO

Acting Presiding Officer/ President Pro-
Tempore/City Councilor

Approved by:

HON. LANI MERCADO - REVILLA

City Mayor

visitor or inmate while conducting searches while implementing this Ordinance. The human rights of jail inmates shall always be respected and protected by jail officials. Minors detained or visiting the facilities covered by this Ordinance shall not be branded, labeled, or referred to as "young criminals", "juvenile delinquents", or "prostitutes". Neither shall any other derogatory names be attached to such minors or used when referring to them. Likewise, no discriminatory remarks and practices shall be allowed particularly with respect to the child's class or ethnic origin. Moreover, the following and any other similar acts shall be considered prejudicial and detrimental to the psychological, emotional, social, spiritual, moral and physical health and well-being of the child in conflict with the law and therefore, shall be prohibited under this Ordinance:

(i) Employment of threats of whatever kind and nature;

(ii) Employment of abusive, coercive and punitive measures such as cursing, beating, stripping, and solitary confinement;

(iii) Employment of degrading, inhuman and cruel forms of punishment such as shaving the heads, pouring irritating, corrosive or harmful substances over the body of the child in conflict with the law, or forcing him/her to walk around the community wearing signs which embarrass, humiliate, and degrade his/her personality and dignity; and

(iv) Compelling the child to perform involuntary servitude in any and all forms under any and all instances.

(d) Jail officials are prohibited from using cellphones, laptops, tablets, or any other electronic device or gadget while on duty or while within the jail premises. All such devices shall be turned off and placed in the custody of the person in charge of the facility at the start of the shift of a jail official who elects to bring such devices to work. The person in charge of the jail premises shall issue a receipt to the jail official that own the said gadgets or devices. The concerned jail official shall return the said receipt to the person in charge of the jail premises at the end of his/her shift in exchange for his/her device or gadget. The failure of the person in charge of the jail premises or of any jail official to strictly comply with



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DISTRICT I

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City Councilor

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City Councilor

HON. EDWIN G. GAWARAN
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ALEJANDRO P. GUTIERREZ
City Councilor

DISTRICT II

HON. HERNANDO C. GUTIERREZ
City Councilor

HON. GAUDENCIO P. NOLASCO
City Councilor

HON. LEANORO A. DE LEON
City Councilor

HON. ROBERTO R. JAVIERO
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

HON. ALDE JOSELITO F. PAGULAYAN
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. WALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS D. DE CASTRO
Acting Presiding Officer/ President Pro
Tempore/City Councilor

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

this provision shall be deemed a violation of this Ordinance.

(e) Jail officials shall not allow jail inmates to become members of gangs. Neither shall jail officials allow the conduct of any gang related activity regardless of their nature or purpose nor allow the formation of such gangs within jail premises. Gang members shall not be allowed to visit or communicate directly or indirectly with jail inmates to prevent the conduct of any gang related activity/ies within jail premises or outside of such premises. Jail officials are allowed under this Ordinance to conduct such programs as may be necessary to dissuade jail inmates from forming or joining gangs or from participating in gang related activities.

Section 8. Mandatory Security Checks. The officers of the BJMP, the PNP, the City Social Welfare and Development Office, or the City Health Office assigned to any jail, detention facility, prison, halfway house, or rehabilitation center within the City of Bacoor are hereby empowered to conduct security checks of the belongings and clothing of all jail inmates in designated security areas within the said facilities. No person – regardless of office, rank, age, profession, or gender – shall be exempted from the said security checks. Only female jail officials trained in the proper way of conducting security checks shall perform the frisking of women and minor children. Persons who refuse to subject themselves or their belongings to the said security checks shall not be permitted to enter the jail premises or to visit anyone inside the said premises. Jail officials who allow any person to enter the jail premises without conducting a thorough check of his/her person or belongings shall be deemed to have violated this Ordinance. Security checks shall only be conducted in security checking areas that will be equipped with closed circuit television cameras which will be operated and monitored 24/7.

Section 9. Prohibited Fraternizing with Inmates and their Visitors and/or Relatives. Jail personnel are hereby prohibited from fraternizing with inmates, their visitors, and/or their relatives in order to prevent familiarization, avoid security lapses, and to insulate jail personnel from possible charges of abuse.


Section 10. Procedure for Implementation. This Ordinance shall be implemented in this manner:




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City of Bacoor
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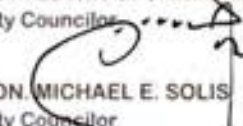


DISTRICT I


HON. ROWENA BAUTISTA - MENDIOLA
City Councilor



HON. MIGUEL N. BAUTISTA
City Councilor

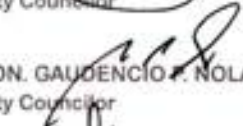

HON. EDWIN G. GAWARAN
City Councilor



HON. MICHAEL E. SOLIS
City Councilor

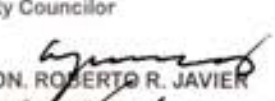

HON. ALEJANDRO J. GUTIERREZ
City Councilor


DISTRICT II


HON. HERNANDO C. GUTIERREZ
City Councilor

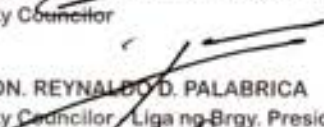

HON. GAUDENCIO F. NOLASCO
City Councilor

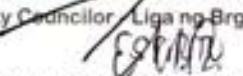

HON. LEANDRO A. DE LEON
City Councilor


HON. ROBERTO R. JAVIER
City Councilor


HON. VICTORIO L. GUERRERO, JR.
City Councilor

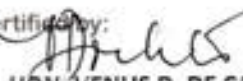

HON. ALDE JOELITO F. PAGULAYAN
City Councilor


HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President


HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS D. DE CASTRO
Acting Presiding Officer/ President Pro-
Tempore/City Councilor

Approved by:


HON. LANI MERCADO - REVILLA
City Mayor

10.1. Persons in charge of detention cells, jails, reformatory centers and halfway houses will post sufficient printed notices and warnings within the premises of the said facilities regarding the possession of contrabands, the performance of prohibited conduct, and the corresponding penalties under this Ordinance and other applicable laws for the full and proper understanding of personnel, inmates and their visitors;

10.2. Upon confiscation of any of the contrabands enumerated herein, the person in charge of the jail facility, or his/her authorized representative, shall cause the preparation of an incident report addressed to the Office of the Mayor informing the latter of the violation of this Ordinance committed by the person/s concerned;

10.3. The person in charge of the jail facility, or his/her authorized representative, shall issue proper receipts to the offender evidencing ownership of the same to be signed by the person who own or who was caught in possession of the contraband item/s;

10.4. The confiscated contraband shall be placed in the custody of the person in charge of the jail facility, or his/her authorized representative for safekeeping and shall be released only (in case of a first time offender) after payment of the fine specified hereunder at the City Treasurer's Office and presentation of an official receipt that payment has already been made; and

10.5. Personnel of such custodial care facilities are prohibited from operating or using cellular and mobile phones or any other gadget or device while on duty or while within the jail premises where the inmates or persons deprived of liberty are quartered.

Section 11. Auction of Contrabands. Confiscated contraband not illegal per se, or are objects of lawful commerce, shall be sold through auction by the Office of the City Treasurer after thirty (30) days or after the appropriate case is disposed of by a competent court - the proceeds of which shall be remitted to the City Treasury.

Section 12. Earmarking of Collected Fees; Appropriation of Necessary Funds. All collection of fees/penalties related to this ordinance shall be appropriated for the operational expanses of the jail/detention facility. The city government shall



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DISTRICT I

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City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. HALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS D. DE CASTRO

Acting Presiding Officer/ President Pro-
Tempore/City Councilor

Approved by:

HON. LAM MERCADO - REVILLA
City Mayor

appropriate such funds as may be necessary to cause the design, construction, operation and maintenance of security checking areas and visitors areas as provided under this Ordinance. The city government shall also appropriate the funds necessary to support Jail Inmate Rehabilitation Programs and Jail Livelihood Programs.

Section 13. Regulation of Jail Inmate Rehabilitation Programs. No activity related to Jail Inmate Rehabilitation Programs shall be conducted within jail premises without the express written approval of the jail official in charge of the facility/ies covered by this Ordinance and of the City Mayor. No activity related to the said program shall be allowed if it promotes sedition, violence, hatred, abuse, intolerance or discrimination against another person or groups of persons. Neither shall the organizers of the said activities be allowed to flaunt the security measures herein provided or those mandated by the PNP, BJMP, DDB, DOH or DSWD. Thus, jail officials must strictly monitor all such activities while they are being conducted to ensure that this provision is properly enforced. Any untoward incident that occurs within the jail premises during the conduct of such activities shall be deemed prima facie evidence of a violation of this provision and shall lead to the prosecution of the jail officials concerned under this Ordinance after the conduct of the appropriate investigation by the Office of the City Mayor.

Section 14. Regulation of Jail Livelihood Programs. No activity related to the conduct of Jail Livelihood Programs as defined under this Ordinance shall be allowed without the express written approval of the City Mayor and of the jail official in charge of the jail premises where such activities are intended to be conducted. All income generated through such activities shall be remitted to the Office of the City Treasurer who shall open a special trust fund account where such incomes shall be deposited. Eighty percent (80%) of amounts contained in the said trust fund shall be used to compensate all jail inmates who actually participated in the livelihood programs as determined by the jail official in charge of the jail premises concerned. The said compensation shall not be paid directly to the jail inmates but to their legal spouses, or dependents who shall be required by the City Treasurer to acknowledge receipt of such payment. The remaining 20% of all amounts deposited in the trust fund including interest earnings accrued by the said account shall be exclusively used to finance the various activities related to the implementation of this Ordinance. The implementation of



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City Councilor

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HON. ADEL ROSELITO F. PAGULAYAN
City Councilor

HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President

HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:

ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS D. DE CASTRO

Acting Presiding Officer/ President Pro-
Tempore/City Councilor

Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

this provision shall be subject to strict compliance to all pertinent government regulations.

Section 15. Penalties for Adults. Aside from the various penalties provided under Presidential Decree No. 1866 as amended by Republic Act No. 8294 (also known as a law "CODIFYING THE LAWS ON ILLEGAL/UNLAWFUL POSSESSION, MANUFACTURE, DEALING IN, ACQUISITION OR DISPOSITION OF FIREARMS, AMMUNITION OR EXPLOSIVES OR INSTRUMENTS USED IN THE MANUFACTURE OF FIREARMS, AMMUNITION OR EXPLOSIVES, AND IMPOSING STIFFER PENALTIES FOR CERTAIN VIOLATIONS THEREOF, AND FOR RELEVANT PURPOSES"), the following penalties shall also be imposed against any person of legal age who shall violate any provision of this Ordinance:

First Offense	Fine of P3,000.00
Second Offense	Fine of P4,000.00
Third Offense	Fine of P5,000.00
Fourth Offense	One month ban from entering any jail, detention center, rehabilitation center, or halfway house covered by this Ordinance upon the order of a court of law.
Fifth Offense	Imprisonment for thirty (30) days upon the order of a court of law.

Section 16. Penalties for Minors or Legally Incapacitated Persons. Pursuant to the provisions of Republic Act No. 9344, minors covered by the said law shall not be subjected to any form of punishment. Legally incapacitated persons as defined in this Ordinance shall also not be subjected to any punishment under this Ordinance. However, the parents or legal guardians of such minors or legally incapacitated persons shall be held liable to pay the fines provided under the immediately preceding section.


Section 17. Automatic Review. The Sangguniang Panlungsod shall automatically review this Ordinance once every three (3) years after its approval or whenever the need for such review arises.




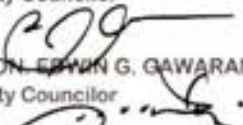
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Province of Cavite
City of Bacoor
OFFICE OF THE SANGGUNIANG PANLUNGSOD

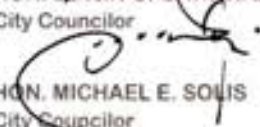


DISTRICT I


HON. ROWENA BAUTISTA - MENDIOLA
City Councilor


HON. MIGUEL N. BAUTISTA
City Councilor



HON. EDWIN G. GAWARAN
City Councilor


HON. MICHAEL E. SOLIS
City Councilor


HON. ALEJANDRO P. GUTIERREZ
City Councilor

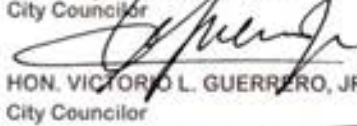
DISTRICT II


HON. HERNANDO C. GUTIERREZ
City Councilor


HON. GAUDENCIO P. NOLASCO
City Councilor

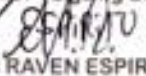

HON. LEANDRO A. DE LEON
City Councilor


HON. ROBERTO R. JAVIER
City Councilor


HON. VICTORIO L. GUERRERO, JR.
City Councilor



HON. ALDE JOSELITO F. PAGULAYAN
City Councilor


HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President


HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:


ATTY. NIALIA A. ATEGA, JR.
Sangguniang Panlungsod Secretary


Certified by:
HON. VENUS D. DE CASTRO
Acting Presiding Officer/ President Pro-
Tempore/City Councilor

Approved by:


HON. LANI MERCADO - REVILLA
City Mayor

Section 18. Due Process Requirements. The rudimentary requirements of procedural due process shall be strictly observed prior to the imposition of any of the penalties specified hereunder. Thus, the City Mayor shall ensure that persons against whom the said penalties are intended to be imposed shall be:

- Notified in writing of the acts committed or not committed that constitute a violation of this Ordinance;
- Given at least 24 hours from receipt of the notice within which to comply with the particular provision of the Ordinance that was allegedly violated or to explain why he should not be held accountable for such offense/s;
- Exempted from facing criminal prosecution after the suspected offender voluntarily pays the corresponding fine for the offense/s allegedly committed; and
- Allowed to defend himself in a proper court of law before the imposition of any fine in case the suspected offender chooses to challenge the allegations against him.

Section 19. Repeal Clause. All ordinances, resolutions, or executive orders in conflict with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 20. Separability Clause. Any provision of this Ordinance nullified by any court of law shall not affect the validity of the remaining provisions hereof that are not affected by the said judicial declaration.

Section 21. Publication. The Sangguniang Panlungsod Secretary is hereby authorized to cause the publication of this Ordinance in a newspaper of general circulation in the City of Bacoor at least once on two successive weeks following its approval by the Sangguniang Panlalawigan.


Section 22. Effectivity. This Ordinance shall immediately take effect after its publication.



Republic of the Philippines
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City of Bacoor
OFFICE OF THE SANGGUNIANG PANLUNGSOD



DISTRICT I


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City Councilor

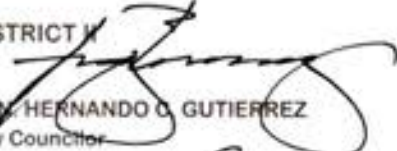

HON. MIGUEL N. BAUTISTA
City Councilor

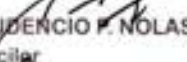

HON. EDWIN G. GAWARAN
City Councilor


HON. MICHAEL E. SOLIS
City Councilor


HON. ALEJANDRO F. GUTIERREZ
City Councilor

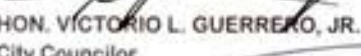
DISTRICT II


HON. HERNANDO O. GUTIERREZ
City Councilor

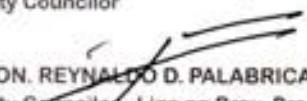

HON. GAUDENCIO F. NOLASCO
City Councilor

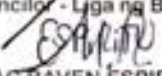

HON. LEANDRO A. DE LEON
City Councilor


HON. ROBERTO R. JAVIER
City Councilor


HON. VICTORIO L. GUERRERO, JR.
City Councilor


HON. ALDE JOSELITO F. PAGULAYAN
City Councilor


HON. REYNALDO D. PALABRICA
City Councilor - Liga ng Brgy. President


HON. MAC RAVEN ESPIRITU
City Councilor - SK FEDERATION PRESIDENT

Attested by:


ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. VENUS P. DE CASTRO
Acting Presiding Officer/ President Pro-
Tempore/City Councilor

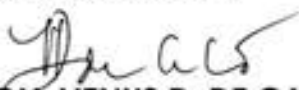
Approved by:

HON. LANI MERCADO - REVILLA
City Mayor

APPROVED AND ADOPTED by the 3rd Sangguniang Panlungsod of the City of Bacoor on the 21st day of January 2019 at the City of Bacoor, Cavite.

I hereby certify to the truth and correctness of the foregoing Ordinance.

Certified Correct:


HON. VENUS D. DE CASTRO
City Councilor /President Pro-Tempore

Attested by:


ATTY. KHALID A. ATEGA, JR.
Sangguniang Panlungsod Secretary

Approved by:


HON. LANI MERCADO-REVILLA
City Mayor

Date of Approval : SEP 27 2019