

**Updated**

# **SERVICE MANUAL**

**PAROLE AND PROBATION ADMINISTRATION**

**Annexes**

**2016**

**OTA-PRO-002-001**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road,  
Quezon City

March 16, 2015

**MEMORANDUM ORDER**

**No. 17 s. 2015**

**TO :** ALL FIELD OFFICES of:  
Mandaluyong and San Juan City Parole & Probation Offices  
Muntinlupa City PPO  
Occidental Mindoro PPO  
Puerto Princesa City PPA  
Leyte PPO  
Davao Province  
Zamboanga City PPO  
Baguio City PPO

**SUBJECT :** Conduct of an Exhaustive Pre-Parole and Pre-Executive Clemency Investigation (PPI/PECI) with Community Interview (CI) and General Inter-Office Referral (GIOR)

In order for the Board of Pardons and Parole (BPP) to properly determine qualifications of prisoners who are eligible for parole, and likewise evaluate and thereafter appropriately recommend as to prisoners' cases for Executive Clemency to the Chief Executive, all Field Officers of the aforementioned offices are hereby directed to conduct an exhaustive Pre-Parole and Pre-Executive Clemency Investigation (PPI/PECIR) with Community Interview (CI) if the residence of the aforesaid prisoner is WITHIN the area of your jurisdiction.

On the other hand, if the residence of the prisoner is OUTSIDE the area of your jurisdiction, inquire with the said prisoner the exact address wherein he/she intends to reside and with whom to reside, and immediately send a General Inter-Office Referral (GIOR) to the office concerned which has the area of jurisdiction over the residence of the said prisoner.

Submit the required reports within the prescribed period, together with the copy of the result of the GIOR, to the Technical Services Division for evaluation and endorsement to the BPP.

For compliance.

**(SGD.) MANUEL G. CO, CESO II, MNSA**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Quezon City

February 16, 2015

**MEMORANDUM**

**TO : ALL REGIONAL HEADS/OIC's/FIELD OFFICERS**

**SUBJECT : Reiterating Memorandum dated May 15, 2006 on the Policy on Submission of Pre-Parole/Pre-Executive Clemency Investigation Report**

This is to reiterate the Memorandum dated May 15, 2006 issued by then Administrator Ismael J. Herradura on the policy on submission of Pre-Parole/Pre-Executive Clemency Investigation Report that said reports which have been treated as "pending disposition" shall be deemed to have been disposed of or acted upon by the Board upon receipt of acknowledgment from the Technical Service Chief.

Please be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Quezon City

June 18, 2013

**MEMORANDUM ORDER**

**NO. 14                      S. 2013**

**TO                                :**        **ALL HEADS FIELD OFFICERS**

**SUBJECT                        :**        **Amending PPA Form No. 28 (Summary Report Form)**

In the exigency of the service and to avoid redundancy, you are required not to recite/repeat the conditions set forth in the Discharge on Parole (DOP) Order for Compliance by parolee in PPA Form 28, otherwise known as the Summary Report (SR) Form.

As guidelines in the accomplishment of said Summary Report (SR) Form contained in Memorandum Order No. 10, Series of 1992, dated May 25, 1992, it is required that a complete point-by-point narrative presentation of facts on the actual result of individualized treatment plan and client's response to his/her personal development plan (Supervision Treatment Plan) shall be made, including compliance with the terms and conditions as mandated by the release document.

Explicitly, said findings must indicate whether or not client made a favorable or unfavorable response to his/her personal development plan, and likewise manifested compliance whether in full, substantial or otherwise with the said conditions of his/her conditional liberty.

Accordingly, upon submission of the pertinent Summary Report after the expiration of the maximum sentence of a parolee/pardonee being supervised, said supervision shall cease to exercise parole surveillance over the client. The latter's name, however, shall be dropped from the supervision list ONLY upon receipt of the Certificate of Final Release and Discharge (CFRD) from the Board of Pardons and Parole.

As guide, attached is a copy of the amended PPA Form NO. 28, and with that all field officers are enjoined to exercise utmost prudence and caution in recommending Final Release and Discharge.

Please be guided accordingly.

**(SGD.) MANUEL G. CO, CESO II**  
**Administrator**

Encls.: a/s

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**SUMMARY REPORT**

Name: \_\_\_\_\_ Control No.: \_\_\_\_\_  
Address: \_\_\_\_\_ Sex: \_\_\_\_\_  
Parole and Probation Office: \_\_\_\_\_ Docket No.: \_\_\_\_\_  
Discharge on Parole: \_\_\_\_\_  
Date of Initial Reporting: \_\_\_\_\_

- I. SUPERVISION PLAN AND PROGRAM OF TREATMENT (MPDP)
- II. RESULTS OF TREATMENT AND RESPONSE OF PAROLEE/PARDONEE TO  
PROGRAM OF SUPERVISION
- I. RECOMMENDATION

Date: \_\_\_\_\_

Submitted by:

\_\_\_\_\_

APPROVED:

\_\_\_\_\_  
CPPO/OIC

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

June 13, 2013

**MEMORANDUM CIRCULAR**

**No. 37                      s. 2013**

**TO                                :**        **ALL REGIONAL DIRECTORS/OIC's**  
   **ALL FIELD OFFICERS**

**SUBJECT                        :**        **Reiterating Memorandum Circular No. 10 S. 2012 dated**  
   **February 16, 2012 on Exemption from Legal Fees of our**  
   **clients**

Attached is a copy of the letter from Atty. Jose Midas P. Marquez, Court Administrator, Supreme Court dated May 07, 2013 addressed to Atty. Ma. Milagros G. Uy-Marpuri, Clerk of Court VI, Ex-Officer Sheriff, OCC, RTC, Muntinlupa City relative to the payment of legal fees which exemption was embodied in MC #10 s. 2012 dated February 16, 2012.

For your information and guidance.

**(SGD.) MANUEL G. CO, CESO**  
**Administrator**

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Republic of the Philippines  
**Supreme Court**  
Office of the Court Administrator  
Manila

ATTY. MA. MILGROS G. UY-MARPURI  
Clerk of Court VI & Ex-Officio Sheriff  
Office of the Clerk of Court, Regional Trial Court  
Muntinlupa City

*Re: Letter dated 5 February 2013 of Ms. Lucy Nenetete Rojas,  
Chief Probation and Parole Office of Muntinlupa City,  
requesting for exemption for legal fees of their client-  
prisoners who are securing a Certificate of No Pending  
Case and Certificate of No Appeal*

This pertains to your letter dated 19 February 2013 forwarding the letter dated 5 February 2013 of Ms. Nenetete V. Rojas, Chief Probation and Parole Officer (CPP Officer Rojas), Muntinlupa City, requesting for exemption of their client-prisoners from the payment of the fees for the Certificate of No Pending Case and the Certificate of No Appeal.

Upon request, this Office was provided by the Parole and Probation Administration with its Workflow Chart and it appears therefrom that requests or referral orders are submitted to them for investigation. Its investigation "includes records checks/BI which provides information on the petitioner's personality, character, antecedents, environment and other relevant information." It can then be safely assumed that one of the "other relevant information" to be relied upon by the Parole and Probation Administration in its evaluation of the suitability of the petitioner for probation, parole, conditional pardon or suspended sentence is whether or not the petitioner has other pending cases against him/her which information is sought to be obtained from the Offices of the Clerk of Court.

From the procedure, it appears that the actual party requesting the Certificate of No Pending Case is the Probation and Parole Administration and in this sense, the latter is exempt from paying the fees for such certification pursuant to Section 22, Rule 141 of the Rules of Court, regardless of the financial capacity of the petitioner.

Please be guided accordingly.

7 May 2013

(SGD.) JOSE MIDAS P. MARQUEZ  
Court Administrator

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

July 18, 2012

**MEMORANDUM ORDER**

**TO : ALL FIELD OFFICERS**  
**SUBJECT : Drug Test for Parolees/Pardonees**

In the exigency of the correction service, and to ensure optimal behavioral rehabilitation treatment of newly released prisoners who are convicted of violations of the Dangerous Drugs Act and other crimes, but deemed high risk or suspected of possible drug use, all newly reporting parolees and conditional pardonees should undergo a compulsory urine drug testing upon their initial reporting in the PPA-DOJ City/Provincial Field Office.

Accordingly, if positive for drug use, basic questions on the source of prohibitive drugs, and the frequency and date of last drug use be asked, and reflected in the report to be submitted to this Office through the Technical Service.

Attached hereto is the Form to be used for the above purpose.

Compliance is enjoined.

**(SGD.) MANUEL G. CO, CESO II**  
**Administrator**

Encl.: a/s

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
Region \_\_\_\_ PPO No. \_\_\_\_  
\_\_\_\_\_

**PAROLEE/PARDONEE DRUG TEST RESULT**

Case File No. \_\_\_\_ Criminal Case No. \_\_\_\_ ( ) Parolee ( ) Pardonee  
Name of Client \_\_\_\_\_  
Last First Middle Name Suffix (if any)  
Age \_\_\_\_ Date of Birth \_\_\_\_ Civil Status \_\_\_\_  
Convicted of \_\_\_\_ Sentence \_\_\_\_  
Place of Incarceration: \_\_\_\_  
Security Facility: ( ) Minimum ( ) Minimum ( ) Maximum  
Supervision Period: \_\_\_\_\_

**DRUG TEST RESULT**

This certifies that one-step urine drug screening test for Methamphetamine (Met) and Cannabinoids (THC) on the urine of \_\_\_\_\_

Tested on \_\_\_\_\_ at the \_\_\_\_\_ showed:  
Date (Field Office/Drug Test Center/Hospital)  
Name of Client

\_\_\_\_\_ Result  
(Negative or Positive)

**DRUG USE INFORMATION**

Was crime/offense committed while under the influence of drugs? ( ) Yes ( ) No  
Was client using drug around the time crime was committed? ( ) Yes ( ) No  
Age at first drug use \_\_\_\_ Drug of choice (1<sup>st</sup>) \_\_\_\_ (2<sup>nd</sup>) \_\_\_\_  
Frequency of drug use \_\_\_\_ Date of last drug use \_\_\_\_ Where? \_\_\_\_  
Use during incarceration? ( ) Yes ( ) No Source: \_\_\_\_\_

\_\_\_\_\_  
Date Signature and Name of Probation Officer

Noted by:

\_\_\_\_\_  
Chief Probation and Parole Officer



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

April 4, 2012

**MEMORANDUM CIRCULAR**

**NO. 15            S. 2012**

**TO                :**        **ALL REGIONAL HEADS/OICs/FIELD OFFICERS**

**SUBJECT        :**        **Amendments to the Existing Rules on Parole and the Existing  
Amended Guidelines for Executive Clemency (BPP Resolution  
No. OT—11-02-12)**

Attached for your information and guidance is a copy of the AMENDMENTS TO THE EXISTING RULES ON PAROLE and THE EXISTING AMENDED GUIDELINES FOR EXECUTIVE CLEMENCY (BPP Resolution No. OT-11-02-12 dated February 9, 2012) which was published in Philippine Star last April 3, 2012.

Please be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

Encls.: a/s

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Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**RESOLUTION NO. OT-11-02-12**

**AMENDMENTS TO THE EXISTING RULES ON PAROLE and THE EXISTING AMENDED  
GUIDELINES FOR RECOMMENDING EXECUTIVE CLEMENCY**

Pursuant to Act No. 4103, otherwise known as "The Indeterminate Sentence Law", as amended by, among others, Sec. 21 Title III, Book IV of Executive Order No. 292 dated July 25, 1987, otherwise known as "The Administrative Code of 1987", and in order to facilitate a more comprehensive, meaningful and expeditious grant of parole and executive clemency, with the view towards advancing the principles of restorative justice and the preservation of human life, **the following amendments to the existing *Rules on the Grant of Parole* (The "Rules") and the existing *Guidelines for Recommending Executive Clemency* (The "Guidelines")** are hereby adopted, to wit:

**I. AMENDMENTS TO THE RULES ON PAROLE**

1.A. Rule 3.4 of the Rules is hereby amended, as follows:

"RULE 3.4. Presentation to Probation and Parole Officer – Within the period prescribed in his Release Document, the parolee shall present himself to the Probation and Parole Officer specified in the Release Document for supervision.

"IF the parolee fails to report within FIFTEEN (15) days from the date of his release from confinement, the Probation and Parole Officer shall inform the Board of such failure for the Board's appropriate action."

1.b. Rule 3.5 is hereby amended, as follows:

"RULE 3.5 Arrival Report – WHEN THE PAROLEE REPORTS FOR SUPERVISION, the Probation and Parole Officer concerned shall IMMEDIATELY inform the Board, through the Technical Service of the Parole and Probation Administration, of such fact BY SUBMITTING THE NECESSARY ARRIVAL REPORT."

1.c. Rule 3.8 is hereby amended, as follows:

"RULE 3.8. Transfer of Residence – A parolee may not transfer from the place of residence designated in his Release Document without the prior written approval of **EITHER** the Regional Director **OR THE ADMINISTRATOR** subject to the confirmation of the Board.

1.d. As a result of the immediately preceding amendment, Rule 1.2, Definition of Terms,” shall be amended as well by inserting a new subparagraph (a), which shall read thus:

“a. “ADMINISTRATOR” REFERS TO THE ADMINISTRATOR OF THE PAROLE AND PROBATION ADMINISTRATION.”

1.e. Rule 3.12 is hereby amended, as follows:

“RULE 3.12. *Reports* - The Probation and Parole Officer concerned shall submit the following reports to the Board:

“a. A “Progress Report” on the conduct of the parolee while under supervision;

“b. A “STATUS REPORT” WHEN A PAROLEE COMMITS ANOTHER OFFENSE DURING THE PERIOD OF HIS PAROLE SUPERVISION AND THE CASE FILED AGAINST HIM HAS NOT YET BEEN DECIDED BY THE COURT:

“c. An Infraction Report when the parolee has been subsequently convicted of another crime;

“d. A Violation Report when a parolee commits any violation of the terms and conditions appearing in his Release Document or any serious deviation or non-observance of the obligations set forth in the parole supervision program.”

1.f. The heading of Rule 3.15 shall be amended, as follows:

“RULE 3.15. ***Withdrawal/CANCELLATION*** of Release Document – The Board may withdraw/cancel the Release Document if it finds that materials information given by the parolee to the Board, either before or after release, was false, or incomplete or that the parolee had willfully or maliciously concealed material information from the Board.

1.g. Rule 3.19 is hereby amended, as follows:

RULE 3.19. *Transmittal of Certificate of Final Release and Discharge* – The Board shall forward a certified true copy of the Certificate of Final Release and Discharge to the parolee, the Court which imposed the sentence, the Probation and Parole Officer concerned, THROUGH THE TECHNICAL SERVICE, the Bureau of Corrections, the National Bureau of Investigation, the Philippine National Police and the Office of the President.

## II. AMENDMENTS TO THE GUIDELINES FOR RECOMMENDING EXECUTIVE CLEMENCY

II.a. Subparagraphs (b), (d) and (e) of Section 3 shall be deleted, and the rest shall be re-numbered accordingly, to wit:

“Section 3. *Extraordinary Circumstances* – The Board shall recommend to the President the grant of executive clemency when any of the following extraordinary circumstances are present:

- “a. The trial court or appellate court in its decision recommended the grant of executive clemency for the inmate;
- “b. Evidence which the court failed to consider, before conviction, which would have justified an acquittal of the accused;
- “c. WHEN AN INMATE SUFFERS from serious, contagious, or life-threatening illness/disease or with severe physical disability, such as those who are totally blind, paralyzed, bedridden, etc. as recommended UNDER OATH by a physician of the Bureau of Corrections Hospital and certified under oath by a physician designated by the Department of Health;
- “d. Alien inmates where diplomatic considerations and amity among nations necessitates review; and
- “e. Such other similar or analogous circumstances whenever the interest or justice will be served thereby”.

**II.b Section 4 of the Guidelines shall be amended by adding the following paragraph at the end:**

“Section 4. *Other Circumstances* – When none of the extraordinary circumstances enumerated in Section 3 exist, the Board may nonetheless review and/or recommend to the President the grant of executive clemency to an inmate provided the inmate meets the following minimum requirements of imprisonment:

A. For Commutation of Sentence, the inmate should have served:

- 1. At least one-third (1/3) of the definite or aggregate prison terms;
- 2. At least one-half (1/2) of the minimum of the indeterminate prison term or aggregate minimum of the indeterminate prison terms;
- 3. At least ten (10) years for inmates sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment, for crimes/offenses not punished under Republic Act No. 7659 and other special laws;
- 4. At least thirteen (13) years for inmates whose indeterminate and/or definite prison terms were adjusted to a definite prison term of forty (40) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;

5. At least fifteen (15) years for inmates convicted of heinous crimes/offenses as defined in Republic Act No. 7659 or other special laws, committed on or after January 1, 1994 and sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment;
  6. At least eighteen (18) years for inmates convicted and sentenced to *reclusion perpetua* or life imprisonment for violation of Republic Act No. 6425, as amended, otherwise known as “The Dangerous Drugs Act of 1972” or Republic Act No. 9165, also known as “The Comprehensive Dangerous Drugs Act of 2002”; and for kidnapping for ransom or violation of the laws on terrorism, plunder and transnational crimes;
  7. At least twenty (20) years for inmates sentenced to two (2) or more *reclusion perpetua* or life imprisonment even if their sentenced were adjusted to a definite prison terms of forty (4) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;
  8. At least twenty-five (25) years for inmates originally sentenced to death penalty but which was automatically reduced or commuted to *reclusion perpetua* or life imprisonment. (As amended by Board Resolution No. 24-4-10 dated April 13, 2010).
- B. For Conditional Pardon, an inmate should have served at least one-half (1/2) of the maximum of the original indeterminate and/or definite prison term. (As amended by Board Resolution No. 24-4-10 dated April 13, 2010).

“COMPLIANCE WITH THE ABOVE-MENTIONED PERIODS OF IMPRISONMENT SHALL BE WITHOUT PREJUDICE TO THE RESULTS OF PUBLICATION, COMMUNITY INTERVIEW, PRE-EXECUTIVE CLEMENCY INVESTIGATION REPORT, INSTITUTIONAL CONDUCT, NBI RECORDS CHECK, PSYCHOLOGICAL TEST, NOTICES, COMMENTS FROM THE VICTIM OR VICTIMS RELATIVES, COURT CERTIFICATIONS OF THE NON-EXISTENCE OF ANY RECORD OF PENDING APPEAL OR CASE, AND OTHER PERTINENT DOCUMENTS AND FACTORS.”

**II.c. Section 20 of the Guidelines shall be amended to read, as follows:**

“Section 20. *Implementation of President’s Grant of Executive Clemency* – FROM THE OFFICE OF THE PRESIDENT, THE DOCUMENT EVIDENCING THE PRESIDENTS GRANT OF EXECUTIVE CLEMENCY SHALL BE SENT TO THE PRISONER, THROUGH THE DIRECTOR OF THE BUEAU OF CORRECTIONS OR THE WARDEN OF THE JAIL WHERE THE PRISONER IS CONFINED, COPY OF WHICH SHALL BE FURNISHED THE BOARD.

“UPON RECEIPT, THE DIRECTOR OR WARDEN SHALL IMMEDIATELY IMPLEMENT THE GRANT OF EXECUTIVE CLEMENCY.”

**II.d. Section 21 of the Guidelines shall be amended to read, as follows:**

Section 21 – CERTIFICATE of Release – In case of grant of pardon, the Director or Warden shall, on the date of release:

1. READ TO THE PRISONER THE CONDITIONS OF PARDON IN THE LANGUAGE OR DIALECT KNOWN TO HIM OR HER;
2. MAKE KNOWN TO THE PRISONER THE CONSEQUENCES OF VIOLATING SUCH CONDITIONS; AND
3. REQUIRE THE PRISONER TO ACKNOWLEDGE ACCEPTANCE OF SUCH CONDITIONS AS A PRE-REQUISITE TO ACTUAL RELEASE.

“ONCE ACCEPTED, THE DIRECTOR OR WARDEN SHALL ISSUE IN FAVOR OF THE PRISONER A “CERTIFICATE OF DISCHARGE FROM PRISON”, WHICH SHALL INCLUDE A RECITAL OF THE CONDITIONS OF THE GRANT OF PARDON AND THE CONSEQUENCES OF NON-COMPLIANCE THEREWITH, A COPY OF WHICH SHALL BE FURNISHED THE BOARD.”

**II.e. Sections 22, 23, 25 up to 29 and 31 shall be amended by replacing the term “PRISONER” appearing therein with “PARDONEE”:**

*“Section 22. Monitoring of Compliance with Conditions of Pardon –* Where the President grants conditional pardon to a PARDONEE, the Board shall monitor the PARDONEE’S compliance with the conditions imposed for the duration of the period stated in the document evidencing the President’s grant of executive clemency. The Board shall also determine whether said PARDONEE has complied with or violated the conditions of his pardon.

To assist the Board in monitoring compliance with the conditions imposed upon the PARDONEE, the Board shall place the PARDONEE under the supervision of a Probation and Parole Officer.

*Section 23. Presentation to Probation and Parole Officer –* Within the period prescribed in the document evidencing the President’s grant of executive clemency, the PARDONEE shall present himself to the Probation and Parole Officer shall inform the Board if the PARDONEE fails to report within FIFTEEN (15) days from the date of his release from confinement.

*Section 25. Infraction and Progress Report –* If a PARDONEE violates any of the conditions of his pardon or seriously deviates from the obligations imposed under the supervision program or otherwise commits another offense during the period of his supervision, the Probation and Parole Officer concerned shall immediately report the same to the Board and shall periodically submit a Progress Report as regards the case filed against him.

Section 26. *Recommendation for Arrest of PARDONEE for Violation of Conditions of Pardon* – Upon determination that a PARDONEE has violated the conditions thereof, the Board shall recommend to the President his arrest or recommitment.

Section 27. *Summary Report* – Upon the expiration of the period stated in the document evidencing the President's grant of executive clemency, the Probation and Parole Officer concerned shall submit to the Board, through the Chief Probation and Parole Officer, a Summary Report on his supervision of the PARDONEE.

The clearances from the police, court, prosecutor's office and *barangay* officials shall be attached to the Summary Report.

Section 28. *Certificate of Final Release and Discharge* – Upon receipt of the Summary Report, the Board shall, upon the recommendation of the Chief Probation and Parole Officer that the PARDONEE has complied with all the conditions of his pardon, issue a Certificate of Final Release and Discharge.

Section 29. *Transmittal of Certificate of Final Release and Discharge* – The Board shall forward a certified true copy of the Certificate of Final Release and Discharge to the PARDONEE, the Probation and Parole Office concerned, through the Technical Service of the Parole and Probation Administration, the Court which imposed the sentence, the Bureau of Corrections, the National Bureau of Investigation, the Philippine National Police, and the Office of the President.

Section 30. *Death of PARDONEE under supervision* – If a PARDONEE dies during the period of supervision, the Probation and Parole Officer shall immediately transmit a certified true copy of the PARDONEE'S death certificate to the Board recommending the closing of the case. However, in the absence of a death certificate, an affidavit narrating the circumstances of the fact of death from the *barangay* chairman or any authorized officer or any immediate relative where the PARDONEE resided shall suffice.

The foregoing amendments of the Rules and the Guidelines shall take effect upon approval by the Secretary of Justice and after the lapse of fifteen (15) days following its publication in a newspaper of general circulation. Let copies of this Resolution be sent to the Office of the President through the Executive Secretary, to the Bureau of Corrections and to the University of the Philippines Law Center.

Done in Quezon City, this 9<sup>th</sup> day of February 2012.

(SGD.) NATIVIDAD G. DIZON  
Chairman of the Board

(SGD.) ARTEMIO C. ASPIRAS  
Member

(SGD.) RAMON A. BARCELONA  
Member

(SGD.) JIMMY T. GIRON  
Member

(SGD.) ALEJANDRO M.. VILLAMIL  
Member

(SGD.) MANUEL G. CO  
Member

(SGD.) JOSEFINA M. SANTOS  
Member

(SGD.) PERLITA J. TRIA TIRONA  
Member

APPROVED by:

(SGD.) LEILA M. DE LIMA  
Secretary of Justice

ATTESTED by:

(SGD.) REYNALDO G. BAYANG  
Executive Secretary of the Board



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Building, NIA Road,  
Diliman, Quezon City

April 4, 2012

**MEMORANDUM**

**TO : ALL REGIONAL HEADS/OIC'S/FIELD OFFICERS**  
**SUBJECT : Docketing of Supervision Case of a Parolee/Pardonee**

It has been observed that the PPA-DOJ Field Officers are in a quandary as to when to docket the case of supervision of a parolee/pardonee referred by the Board of Pardons and Parole (BPP). Accordingly, in consonance with the prescribed rules of the Board for the purpose and to establish a uniform agency procedure, PPA-DOJ Field Officers are directed to initially docket the release of document in the incoming communication logbook of the said PPA-DOJ Field Office and after the lapse of fifteen (15) days from receipt of the said released document from the Technical Service, docket the same in the PPA-DOJ Field Office parole/pardon supervision caseload logbook.

As a general rule and in consonance with BPP Resolution No. OT-11-2-12, a parolee/pardonee has to report to his supervisor indicated in his release document within fifteen (15) days from the date of his release from confinement.

If after the aforesaid fifteen (15) days has lapsed, and that parolee/pardonee never reported for initial supervision and instruction, the assigned probation and parole supervisor on case should inquire from the superintendent of penal institution as far as national prisoners are concerned thru the Technical Service or the warden of the local jail if prisoner accepted the release document and whether prisoner is actually released from custodial custody. Likewise, the assigned probation and parole supervisor is required to verify as to the reasons why subject released prisoner failed to report and accordingly to submit an appropriate report to the Board thru the Technical Service if the result is negative or other unjustifiable reason/s.

For your information and strict compliance.

**(SGD.) MANUEL G. CO**  
**Administrator**

Encls.: a/s

Distribution:

- 1 - Deputy Administrator's Office
- 1 ea - All Regional Heads/OIC's/Field Officers
- 1 ea - Admin/FMD/TS/RA
- 1 - Records

Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**RESOLUTION NO. OT-11-02-12**

**AMENDMENTS TO THE EXISTING RULES ON PAROLE and THE EXISTING AMENDED  
GUIDELINES FOR RECOMMENDING EXECUTIVE CLEMENCY**

Pursuant to Act No. 4103, otherwise known as "The Indeterminate Sentence Law", as amended by, among others, Sec. 21 Title III, Book IV of Executive Order No. 292 dated July 25, 1987, otherwise known as "The Administrative Code of 1987", and in order to facilitate a more comprehensive, meaningful and expeditious grant of parole and executive clemency, with the view towards advancing the principles of restorative justice and the preservation of human life, **the following amendments to the existing *Rules on the Grant of Parole* (The "Rules") and the existing *Guidelines for Recommending Executive Clemency* (The "Guidelines")** are hereby adopted, to wit:

**III. AMENDMENTS TO THE RULES ON PAROLE**

1.A. Rule 3.4 of the Rules is hereby amended, as follows:

"RULE 3.4. Presentation to Probation and Parole Officer – Within the period prescribed in his Release Document, the parolee shall present himself to the Probation and Parole Officer specified in the Release Document for supervision.

"IF the parolee fails to report within FIFTEEN (15) days from the date of his release from confinement, the Probation and Parole Officer shall inform the Board of such failure for the Board's appropriate action."

1.b. Rule 3.5 is hereby amended, as follows:

"RULE 3.5 Arrival Report – WHEN THE PAROLEE REPORTS FOR SUPERVISION, the Probation and Parole Officer concerned shall IMMEDIATELY inform the Board, through the Technical Service of the Parole and Probation Administration, of such fact BY SUBMITTING THE NECESSARY ARRIVAL REPORT."

1.c. Rule 3.8 is hereby amended, as follows:

"RULE 3.8. Transfer of Residence – A parolee may not transfer from the place of residence designated in his Release Document without the prior written approval of **EITHER** the Regional Director **OR THE ADMINISTRATOR** subject to the confirmation of the Board.

1.d. As a result of the immediately preceding amendment, Rule 1.2, Definition of Terms,” shall be amended as well by inserting a new subparagraph (a), which shall read thus:

“a. “ADMINISTRATOR” REFERS TO THE ADMINISTRATOR OF THE PAROLE AND PROBATION ADMINISTRATION.”

1.e. Rule 3.12 is hereby amended, as follows:

“RULE 3.12. *Reports* - The Probation and Parole Officer concerned shall submit the following reports to the Board:

“a. A “Progress Report” on the conduct of the parolee while under supervision;

“b. A “STATUS REPORT” WHEN A PAROLEE COMMITS ANOTHER OFFENSE DURING THE PERIOD OF HIS PAROLE SUPERVISION AND THE CASE FILED AGAINST HIM HAS NOT YET BEEN DECIDED BY THE COURT:

“c. An Infraction Report when the parolee has been subsequently convicted of another crime;

“d. A Violation Report when a parolee commits any violation of the terms and conditions appearing in his Release Document or any serious deviation or non-observance of the obligations set forth in the parole supervision program.”

1.f. The heading of Rule 3.15 shall be amended, as follows:

“RULE 3.15. ***Withdrawal/CANCELLATION*** of Release Document – The Board may withdraw/cancel the Release Document if it finds that materials information given by the parolee to the Board, either before or after release, was false, or incomplete or that the parolee had willfully or maliciously concealed material information from the Board.

1.g. Rule 3.19 is hereby amended, as follows:

RULE 3.19. *Transmittal of Certificate of Final Release and Discharge* – The Board shall forward a certified true copy of the Certificate of Final Release and Discharge to the parolee, the Court which imposed the sentence, the Probation and Parole Officer concerned, THROUGH THE TECHNICAL SERVICE, the Bureau of Corrections, the National Bureau of Investigation, the Philippine National Police and the Office of the President.

#### IV. AMENDMENTS TO THE GUIDELINES FOR RECOMMENDING EXECUTIVE CLEMENCY

II.a. Subparagraphs (b), (d) and (e) of Section 3 shall be deleted, and the rest shall be re-numbered accordingly, to wit:

“Section 3. *Extraordinary Circumstances* – The Board shall recommend to the President the grant of executive clemency when any of the following extraordinary circumstances are present:

- “a. The trial court or appellate court in its decision recommended the grant of executive clemency for the inmate;
- “b. Evidence which the court failed to consider, before conviction, which would have justified an acquittal of the accused;
- “c. WHEN AN INMATE SUFFERS from serious, contagious, or life-threatening illness/disease or with severe physical disability, such as those who are totally blind, paralyzed, bedridden, etc. as recommended UNDER OATH by a physician of the Bureau of Corrections Hospital and certified under oath by a physician designated by the Department of Health;
- “d. Alien inmates where diplomatic considerations and amity among nations necessitates review; and
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**II.b Section 4 of the Guidelines shall be amended by adding the following paragraph at the end:**

“Section 4. *Other Circumstances* – When none of the extraordinary circumstances enumerated in Section 3 exist, the Board may nonetheless review and/or recommend to the President the grant of executive clemency to an inmate provided the inmate meets the following minimum requirements of imprisonment:

C. For Commutation of Sentence, the inmate should have served:

- 9. At least one-third (1/3) of the definite or aggregate prison terms;
- 10. At least one-half (1/2) of the minimum of the indeterminate prison term or aggregate minimum of the indeterminate prison terms;
- 11. At least ten (10) years for inmates sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment, for crimes/offenses not punished under Republic Act No. 7659 and other special laws;
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13. At least fifteen (15) years for inmates convicted of heinous crimes/offenses as defined in Republic Act No. 7659 or other special laws, committed on or after January 1, 1994 and sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment;
  14. At least eighteen (18) years for inmates convicted and sentenced to *reclusion perpetua* or life imprisonment for violation of Republic Act No. 6425, as amended, otherwise known as “The Dangerous Drugs Act of 1972” or Republic Act No. 9165, also known as “The Comprehensive Dangerous Drugs Act of 2002”; and for kidnapping for ransom or violation of the laws on terrorism, plunder and transnational crimes;
  15. At least twenty (20) years for inmates sentenced to two (2) or more *reclusion perpetua* or life imprisonment even if their sentenced were adjusted to a definite prison terms of forty (4) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;
  16. At least twenty-five (25) years for inmates originally sentenced to death penalty but which was automatically reduced or commuted to *reclusion perpetua* or life imprisonment. (As amended by Board Resolution No. 24-4-10 dated April 13, 2010).
- D. For Conditional Pardon, an inmate should have served at least one-half (1/2) of the maximum of the original indeterminate and/or definite prison term. (As amended by Board Resolution No. 24-4-10 dated April 13, 2010).

“COMPLIANCE WITH THE ABOVE-MENTIONED PERIODS OF IMPRISONMENT SHALL BE WITHOUT PREJUDICE TO THE RESULTS OF PUBLICATION, COMMUNITY INTERVIEW, PRE-EXECUTIVE CLEMENCY INVESTIGATION REPORT, INSTITUTIONAL CONDUCT, NBI RECORDS CHECK, PSYCHOLOGICAL TEST, NOTICES, COMMENTS FROM THE VICTIM OR VICTIMS RELATIVES, COURT CERTIFICATIONS OF THE NON-EXISTENCE OF ANY RECORD OF PENDING APPEAL OR CASE, AND OTHER PERTINENT DOCUMENTS AND FACTORS.”

**II.c. Section 20 of the Guidelines shall be amended to read, as follows:**

“Section 20. *Implementation of President’s Grant of Executive Clemency* – FROM THE OFFICE OF THE PRESIDENT, THE DOCUMENT EVIDENCING THE PRESIDENTS GRANT OF EXECUTIVE CLEMENCY SHALL BE SENT TO THE PRISONER, THROUGH THE DIRECTOR OF THE BUEAU OF CORRECTIONS OR THE WARDEN OF THE JAIL WHERE THE PRISONER IS CONFINED, COPY OF WHICH SHALL BE FURNISHED THE BOARD.

“UPON RECEIPT, THE DIRECTOR OR WARDEN SHALL IMMEDIATELY IMPLEMENT THE GRANT OF EXECUTIVE CLEMENCY.”

**II.d. Section 21 of the Guidelines shall be amended to read, as follows:**

Section 21 – CERTIFICATE of Release – In case of grant of pardon, the Director or Warden shall, on the date of release:

4. READ TO THE PRISONER THE CONDITIONS OF PARDON IN THE LANGUAGE OR DIALECT KNOWN TO HIM OR HER;
5. MAKE KNOWN TO THE PRISONER THE CONSEQUENCES OF VIOLATING SUCH CONDITIONS; AND
6. REQUIRE THE PRISONER TO ACKNOWLEDGE ACCEPTANCE OF SUCH CONDITIONS AS A PRE-REQUISITE TO ACTUAL RELEASE.

“ONCE ACCEPTED, THE DIRECTOR OR WARDEN SHALL ISSUE IN FAVOR OF THE PRISONER A “CERTIFICATE OF DISCHARGE FROM PRISON”, WHICH SHALL INCLUDE A RECITAL OF THE CONDITIONS OF THE GRANT OF PARDON AND THE CONSEQUENCES OF NON-COMPLIANCE THEREWITH, A COPY OF WHICH SHALL BE FURNISHED THE BOARD.”

**II.e. Sections 22, 23, 25 up to 29 and 31 shall be amended by replacing the term “PRISONER” appearing therein with “PARDONEE”:**

*“Section 22. Monitoring of Compliance with Conditions of Pardon –* Where the President grants conditional pardon to a PARDONEE, the Board shall monitor the PARDONEE’S compliance with the conditions imposed for the duration of the period stated in the document evidencing the President’s grant of executive clemency. The Board shall also determine whether said PARDONEE has complied with or violated the conditions of his pardon.

To assist the Board in monitoring compliance with the conditions imposed upon the PARDONEE, the Board shall place the PARDONEE under the supervision of a Probation and Parole Officer.

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Section 26. *Recommendation for Arrest of PARDONEE for Violation of Conditions of Pardon* – Upon determination that a PARDONEE has violated the conditions thereof, the Board shall recommend to the President his arrest or recommitment.

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Section 29. *Transmittal of Certificate of Final Release and Discharge* – The Board shall forward a certified true copy of the Certificate of Final Release and Discharge to the PARDONEE, the Probation and Parole Office concerned, through the Technical Service of the Parole and Probation Administration, the Court which imposed the sentence, the Bureau of Corrections, the National Bureau of Investigation, the Philippine National Police, and the Office of the President.

Section 30. *Death of PARDONEE under supervision* – If a PARDONEE dies during the period of supervision, the Probation and Parole Officer shall immediately transmit a certified true copy of the PARDONEE'S death certificate to the Board recommending the closing of the case. However, in the absence of a death certificate, an affidavit narrating the circumstances of the fact of death from the *barangay* chairman or any authorized officer or any immediate relative where the PARDONEE resided shall suffice.

The foregoing amendments of the Rules and the Guidelines shall take effect upon approval by the Secretary of Justice and after the lapse of fifteen (15) days following its publication in a newspaper of general circulation. Let copies of this Resolution be sent to the Office of the President through the Executive Secretary, to the Bureau of Corrections and to the University of the Philippines Law Center.

Done in Quezon City, this 9<sup>th</sup> day of February 2012.

(SGD.) NATIVIDAD G. DIZON  
Chairman of the Board

(SGD.) ARTEMIO C. ASPIRAS  
Member

(SGD.) RAMON A. BARCELONA  
Member

(SGD.) JIMMY T. GIRON  
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Member

(SGD.) MANUEL G. CO  
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(SGD.) JOSEFINA M. SANTOS  
Member

(SGD.) PERLITA J. TRIA TIRONA  
Member

APPROVED by:

(SGD.) LEILA M. DE LIMA  
Secretary of Justice

ATTESTED by:

(SGD.) REYNALDO G. BAYANG  
Executive Secretary of the Board



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Building  
NIA Road corner East Avenue  
1104 Quezon City

February 16, 2012

**MEMORANDUM CIRCULAR**

**No. 10                      S. 2012**

**TO                                :**        **ALL REGIONAL DIRECTORS/OIC's**

**SUBJECT                       :**        **Exemption from Payment of Legal Fees**

Attached for your information and guidance is a copy of the Resolution Amending Rule 141 (Legal Fees) of the Rules of Court dated March 01, 2000 relative to the payment of legal fees. In this connection, please give attention to Section 21 of this resolution on the exemption of the government agencies and its instrumentalities from paying the legal fees provided in Rule 141 of the Rules of Court.

Please be guided accordingly.

**(SGD.) MANUEL G. CO, CESO**  
**Administrator**

Distribution:

1                      - Deputy Administrator  
1 ea                - All Regional Directors/OIC's  
1 ea                - Admin/Technical Service  
1                      - Records

**RESOLUTION AMENDING RULE 141 (LEGAL FEES) OF THE RULES OF COURT**

Pursuant to the resolution of the Court of 14 September 1999 in A.M. No. 99-8-01-SC, Rule 141 of the Rules of Court is hereby further amended to read as follows:

**RULE 141**

**LEGAL FEES**

**SEC. 1. *Payment of fees.*** – Upon the filing of the pleading or other application which initiates an action or proceeding, the fees prescribed therefore shall be paid in full.  
(n)

**SEC. 2. *Fees in lien.*** – Where the court in its final judgment awards a claim not alleged, or a relief different from, or more than that claimed in the pleading, the party concerned shall pay the additional fees which shall constitute a lien on the judgment in satisfaction of said lien. The clerk of court shall assess and collect the corresponding fees. (n)

**SEC. 3. *Persons authorized to collect legal fees.*** – Except as otherwise provided in this rule, the officers and persons hereinafter mentioned, together with their assistants and deputies, may demand, receive, and take the several fees hereinafter mentioned and allowed for any business by them respectively done by virtue of their several offices, and no more. All fees so collected shall be forthwith remitted to the Supreme Court. The fees collected shall accrue to the general fund. However, all increases in the legal fees prescribed in amendments to this rule as well as new legal fees prescribed herein shall pertain to the Judiciary Development Fund as established by law. The persons herein authorized to collect legal fees shall be accountable officers and shall be required to post bond in such amount as prescribed by law. (1a)

**SEC. 4. *Clerks of the Court of Appeals and of the Supreme Court.*** – (a) For filing an action, proceeding, appeal by notice or record on appeal when required, entering appearance of the parties, entering orders of the court, filing and docketing all motions, docketing of case on all proper dockets, and indexing the same, entering, recording and certification of judgment and demanding of records to the lower court, taxing costs, administering all necessary oaths or affirmations in the action or proceeding, recording the opinion of the court, and issuing all necessary process in the action or proceeding process in the action or proceeding not herein otherwise provided for, each action or special proceeding, five hundred (P500.00) pesos;

(b) For the performance of marriage ceremony, including issuance of certificate of marriage, three hundred (P300.00) pesos;

- (c) For furnishing transcripts of the record or copies of any record, judgment, or entry to which any person is entitled to demand and receive a copy, for each page, forty (P40.00) pesos;
- (d) For each certificate not on process, thirty (P30.00) pesos;
- (e) For every search for anything above a year's standing and reading the same, fifteen (P15.00) pesos;
- (f) For a commission on all money coming into his hands by these rules or order of the court and caring for the same, two and one-half (2.5%) percent on all sums not exceeding four thousand (P4,000.00) pesos and one and one-half (1.5%) percent upon all sums in excess of four thousand (P4,000.00) pesos, and one (1%) per cent on all sums in excess of forty thousand (P40,000) pesos. (4a)

**SEC. 5. Fees to be paid by the advancing party.** – The fees of the clerk of the Court of Appeals or of the Supreme Court shall be paid to him at the time of the entry of the action or proceeding in the court by the party who enters the same by appeal, or otherwise, and the clerk shall in all cases give a receipt for the same and shall enter the amount received upon his book, specifying the date when received, person from whom received, name of action in which received, and amount received. If the fees are not paid, the court may refuse to proceed with the action until they are paid and may dismiss the appeal or the action or proceeding. (3a)

**SEC. 6. Fees of bar candidates.**– (a) For filing the application for submission to the bar, whether admitted to the examination or not, one thousand and seven hundred fifty (P1,750.00) pesos for new applicants, and for repeaters, plus the additional amount of two hundred (P200.00) pesos multiplied by the number of times the applicant has failed in the bar examinations;

(b) For admission to the bar, including oath taking, signing of the roll of attorneys, the issuance of diploma of admission to the Philippine Bar, one thousand and seven hundred fifty (P1,750.00) pesos.

(c) Other Bar Fees. – For the issuance of:

1. Certification of admission to the Philippine Bar	P50.00
2. Certificate of good standing (local)	P50.00
3. Certificate of good standing (foreign)	P100.00
4. Verification of membership in the bar	P50.00
5. Certificate of grades in the bar examinations	P50.00
6. Other certification of records at the Bar Office, per page	P15.00
7. A duplicate diploma of admission to the Philippine Bar	P500.00

For services in connection with the return of examination notebooks to examinees, a fee of thirty (P30.00) pesos shall also be charged. (6a)

**SEC. 7. Clerks of Regional Trial Courts.** – (a) For filing an action or a permissive counterclaim or money claim against an estate not based on judgment, or for filing with leave of court a third-party, fourth-party, etc. complaint, or a complaint in intervention, and for all clerical services in the same, if the total sum claimed, exclusive of interest, or the stated value of the property in litigation, is:

1. Less than P100,000.00	P500.00
2. P100,000.00 or more but less than P150,000.00	P800.00
3. P150,000.00 or more but less than P200,000.00	P1,000.00
4. P200,000.00 or more but less than P250,000.00	P1,500.00
5. P250,000.00 or more but less than P300,000.00	P1,750.00
6. P300,000.00 or more but less than P350,000.00	P2,000.00
7. P350,000.00 or more but not more than P400,000.00	P2,250.00
8. For each P1,000.00 in excess of P400,000.00	P10.00

(b) For filing:

1. Actions where the value of the subject matter cannot be estimated	P600.00
2. Special civil actions except judicial foreclosure of mortgage which shall be governed by paragraph (a) above	P600.00
3. All other actions not involving property	P600.00

In a real action, the assessed value of the property, or if there is none, the estimated value thereof shall be alleged by the claimant and shall be the basis in computing the fees.

(c) For filing requests for extrajudicial foreclosure of real estate or chattel mortgage, if the amount of the indebtedness, or the mortgagee's claim is:

1. Less than P50,000.00	P275.00
2. P50,000.00 or more but less than P100,000.00	P400.00
3. P100,000.00 or more but less than P150,000.00	P500.00
4. P150,000.00 or more but less than P200,000.00	P650.00
5. P200,000.00 or more but less than P250,000.00	P1,000.00
6. P250,000.00 or more but less than P300,000.00	P1,250.00
7. P300,000.00 or more but less than P400,000.00	P1,500.00
8. P400,000.00 or more but less than P500,000.00	P1,750.00
9. P500,000.00 or more but not more than P1,000.00	P2,000.00
10. For each P1,000.00 in excess of P1,000,000.00	P10.00

If the value of the estate as definitely appraised by the court is more than the value declared in the application, the difference of fee shall be paid: provided that a certificate from the clerk of court that the proper fees have been paid shall be required prior to the closure of the proceedings.

(e) For filing petitions for naturalization or other modes of acquisition of citizenship, two thousand (P2,000.00) pesos;

- (f) For filing petitions for adoption, support, annulment of marriage, legal separation and other actions or proceedings under the Family Code, two hundred (P200.00) pesos;

If the proceedings involve separation of property, an additional fee corresponding to the value of the property involved shall be collected, computed in accordance with the rates for special proceedings.

- (g) For all other special proceedings not concerning property, two hundred (P200.00) pesos;
- (h) For the performance of marriage ceremony including issuance of certificate of marriage, three hundred (P300.00) pesos;
- (i) For filing an application for commission as notary public, five hundred (P500.00) pesos;
- (j) For certified copies of any paper, record, decree, judgment or entry thereof for each page, four (P4.00) and fifteen (P15.00) pesos for certification;
- (k) For a commission on all money coming into the clerk's hands by law, rule, order or writ of court and caring for the same, one and one-half (1.5%) per centum on all sums not exceeding forty thousand (P40,000.00) pesos, and one (1%) per centum on all sums in excess of forty thousand (P40,000.00) pesos.
- (l) For any other services as clerk not provided in this section, one hundred and fifty (P150.00) pesos shall be collected. (7a)

**SEC. 8. Clerks of Courts of the First Level.** – (a) For each civil action or proceeding, where the value of the subject matter involved, or the amount of the demand, inclusive of interest, damages of whatever kind, attorney's fees, litigation expenses, and costs is:

1. Not more than P20,000.00	P150.00
2. More than P20,000.00 but not more than P100,000.00	P500.00
3. More than P100,000.00 but not more than P200,000.00	P1,250.00
4. More than P200,000.00 but not more than P300,000.00	P1,750.00
5. More than P300,000.00 but not more than P400,000.00	P2,500.00

In a real action, other than for forcible entry and unlawful detainer, the assessed value of the property or if not declared for taxation purposes, the assessed value of the adjacent lots, or if there is none, the estimated value thereof shall be alleged by the claimant and shall be the basis in computing the fees.

- (b) For initiating proceedings for the allowance of wills, granting of letters of administration and settlement of estates of small value, where the value of the estate is:

1. Not more than P20,000.00	P250.00
2. More than P20,000 but not more than P100,000.00	P1,350.00
3. More than P100,000 but not more than P200,000.00	P2,000.00

4. For each proceeding other than the allowance of will (probate), granting of letters of administration, settlement of estate of small value, two hundred (P200.00) pesos;
- (c) For forcible entry and unlawful detainer cases, one hundred and fifty (P150.00) pesos;
- (d) For appeals in all actions or proceedings, including forcible entry and detainer cases, taken from courts of first level, two hundred (P200.00) pesos;
- (e) For the performance of marriage ceremony, including issuance of certificate of marriage, three hundred (P300.00) pesos;
- (f) For taking affidavit, twenty-five (P25.00) pesos;
- (g) For taking acknowledgement, thirty (P30.00) pesos;
- (h) For taking and certifying depositions, including oath, per page, eight (P8.00) pesos;
- (i) For certified copies of any record, per page, ten (P10.00) pesos;
- (j) For stamping and registering books as required by articles nineteen and thirty-six of the Code of Commerce, each book, thirty (P30.00) pesos;
- (k) For performing notarial acts for which fees are not specifically fixed in this section, the same fees which notaries public are entitled to receive. (8a)

**SEC. 9. Sheriffs and other persons serving processes.** – (a) For serving summons and copy of complaint, for each defendant, sixty (P60.00) pesos;

- (b) For serving subpoenas in civil action or proceeding, for each witness to be served, twenty-four (P24.00) pesos;
- (c) For executing a writ of attachment against the property of defendant, sixty (P60.00);
- (d) For serving a temporary restraining order, or writ of injunction, preliminary or final, of any court, sixty (P60.00) pesos;
- (e) For executing a writ of replevin, sixty (P60.00) pesos;
- (f) For filing bonds or other instruments of indemnity or security in provisional remedies, for each bond or instrument, fifty (P50.00) pesos;
- (g) For executing a writ or process to place a party in possession of real estate one hundred and fifty (P150.00) pesos;
- (h) For advertising a sale, besides cost of publication, seventy-five (75.00) pesos;
- (i) For taking inventory of goods levied upon when the inventory is ordered by the court, one hundred and fifty (P150.00) pesos per day of actual inventory work;

- (j) For levying on execution on personal or real property, seventy-five (75.00) pesos;
- (k) For issuing a notice of garnishment, for each notice, thirty pesos (P30.00) pesos;
- (l) For money collected by him by order, execution, attachment, or any other process, judicial or extrajudicial, the following sums, to wit:
  - 1. On the first four thousand (P4,000.00) pesos, five (5%) per centum;
  - 2. On all sums in excess of four thousand (P4,000.00) pesos, two and one-half (2.5%) per centum

In addition to the fees herein above fixed, the party requesting the process of any court, preliminary, incidental, or final, shall pay the sheriffs expenses in serving or executing the process, or safeguarding the property levied upon, attached or seized, including kilometrage for each kilometer of travel, guards' fees, warehousing and similar charges, in an amount estimated by the sheriff, subject to the approval of the court. Upon approval of said estimated expenses, the interested party shall deposit such amount with the clerk of court and *ex officio* sheriff, who shall disburse the same to the deputy sheriff assigned to effect the process, subject to liquidation within the same period for rendering a return on the process. Any unspent amount shall be refunded to the party making the deposit. A full report shall be submitted by the deputy sheriff assigned with his return, and the sheriff's expenses shall be taxed as costs against the judgment debtor. (9a)

**SEC. 10. Stenographers.** – Stenographers shall give certified transcript of notes taken by them to every person requesting the same upon payment of (a) six (P6.00) pesos for each page of not less than two hundred and fifty words before the appeal is taken and (b) three pesos and sixty centavos (P3.60) for the same page, after the filing of the appeal, provided, however, that one-third of the total charges shall be paid to the court and the remaining two-thirds to the stenographer concerned. (10a)

**SEC. 11. Notaries.** – No notary public shall charge or receive for any service rendered by him any fee, remuneration or compensation in excess of those expressly prescribed in the following schedule:

- (a) For protests of drafts, bills of exchange, or promissory notes for non-acceptance or non-payment, and for notice thereof, thirty-six (P36.00) pesos;
- (b) For the registration of such protest and filing or safekeeping of the same, thirty-six (P36.00) pesos;
- (c) For authenticating powers of attorney, thirty-six (P36.00) pesos;
- (d) For sworn statement concerning correctness of any account or other document, thirty-six (P36.00) pesos;
- (e) For each oath of affirmation, thirty-six (P36.00) pesos;
- (f) For receiving evidence of indebtedness to be sent outside, thirty-six (P36.00) pesos;

- (g) For issuing a certified copy of all or part of his notarial registrar or notarial records, for each page, thirty-six (P36.00) pesos;
- (h) For taking depositions, for each page, thirty-six (P36.00) pesos; and
- (i) For acknowledging other documents not enumerated in this section, thirty-six (P36.00) pesos. (11a)

**SEC. 12. Other officers taking depositions.** – Other officers taking depositions shall receive the same compensation as above provided for notaries public for taking and certifying depositions. (10)

**SEC. 13. Witness fees.** – (a) Witnesses in the Supreme Court, in the Court of Appeals and in the Regional Trial Courts, either in actions or special proceedings, shall be entitled to one hundred (P100.00) pesos per day-inclusive of travel time;

(b) Witnesses before courts of the first level shall be allowed fifty (50.00) pesos per day;

(c) Fees to which witnesses may be entitled in a civil action shall be allowed, on the certification of the clerk of court or judge of his appearance in the case. A witness shall not be allowed compensation for his attendance in more than one case or more than one side of the same case at the same time, but may elect in which of several cases or on which side of case, when he is summoned by both sides, to claim his attendance. A person who is compelled to attend court on other business shall not be paid as witness. (11a)

**SEC. 14. Fees of appraisers.** – Appraisers appointed to appraise the estate of a ward or of a deceased person shall each receive a compensation of two hundred (P200.00) pesos per day for the time actually and necessarily employed in the performance of their duties and in making their reports, which fees, in each instance, shall be paid out of the estate of the ward or deceased person, as the case may be. Any actual and necessary travelling expenses incurred in the performance of their duties of such appraisers may likewise be allowed and paid out of the estate. (12a)

**SEC. 15. Fees of commissioners in eminent domain proceedings.** – The commissioners appointed to appraise land sought to be condemned for public uses in accordance with these rules shall each receive a compensation of two hundred (P200.00) pesos per day for the time actually and necessarily employed in the performance of their duties and in making their report to the court, which fees shall be taxed as a part of the costs of the proceedings. (13a)

**SEC. 16. Fees of commissioners in proceedings for partition of real estate.** – The commissioners appointed to make partition of real estate shall each receive a compensation of two hundred (P200.00) pesos per day for the time actually and necessarily employed in the performance of their duties and in making their report to the court, which fees shall be taxed as a part of the costs of the proceedings. (14a)

**SEC. 17. Fees and the account thereof.** – The clerk, under the direction of the judge, shall keep a book in which shall be entered the items of fees which have accrued for the transaction of businesses covered by the provisions of this rule, for which fees are payable, specifying for what business each time of fees has accrued. Recipients



shall be given for all fees received and they shall be accounted for in the manner provided in relation to the fees of clerks of courts in actions. The book of fee kept by the clerk shall be accounted for in the manner provided in relation to the fees of the clerk of court in inspection of auditing officer and other interested therein. (15)

***SEC. 18. Indigent-litigants exempt from payment of legal fees.*** – Indigent-litigants (a) whose gross income and that of their immediate family do not exceed four thousand (P4,000.00) pesos a month if residing in Metro Manila, and three thousand (P3,000.00) pesos a month if residing outside Metro Manila, and (b) who do not own real property with an assessed value of more than fifty thousand (P50,000.00) pesos shall be exempt from the payment of legal fees.

The legal fees shall be a lien on any judgment rendered in the case favorably to the indigent litigant, unless the court otherwise provides.

To be entitled to the exemption herein provided, the litigant shall execute an affidavit that he and his immediate family do not earn a gross income abovementioned, nor they own any real property with the assessed value aforementioned, supported by an affidavit of a disinterested person attesting to the truth of the litigant's affidavit.

Any falsify in the affidavit of a litigant or disinterested person shall be sufficient cause to strike out the pleading of that party, without prejudice to whatever criminal liability may have been incurred. (16a)

***SEC. 19. In addition to the fees imposed in the preceding sections, a victim-compensation fee of five (P5.00) pesos pursuant to Rep. Act. No. 7309 shall be assessed and collected for the filing of every complaint or petition initiating an ordinary civil action, special civil action or special proceeding in the trial courts including civil actions impliedly instituted with criminal actions under Rule 111, Revised Rules of Criminal Procedure where a filing fee is likewise collected. All sums collected shall be remitted to the Department of Justice every quarter by the Clerk of Court concerned. (18-A)***

***SEC. 20. Other fees.*** – The following fees shall also be collected by the clerks of Regional Trial Courts or courts of the first level, as the case may be:

(a) In estafa cases where the offended party fails to manifest within fifteen (15) days following the filing of the information that the civil liability arising from the crime has been or would be separately prosecuted:

1. Less than P100,000.00	P500.00
2. P100,000.00 or more but less than P150,000.00	P800.00
3. P150,000.00 or more but less than P200,000.00	P1,000.00
4. P200,000.00 or more but less than P250,000.00	P1,500.00
5. P250,000.00 or more but less than P300,000.00	P1,750.00
6. P300,000.00 or more but less than P350,000.00	P2,000.00
7. P350,000.00 or more but no more than P400,000.00	P2,250.00
8. For each P1,000.00 in excess of P400,000.00	P10.00

- (b) For motions for postponement after completion of the pre-trial stage, one hundred pesos (100.00) for the first, and an additional fifty pesos (P50.00) for every postponement thereafter based on that for the immediately preceding motion: Provided, however, that no fee shall be imposed when the motion is found to be based on justifiable and compelling reason;
- (c) For bonds by sureties in criminal and civil cases, three hundred pesos (P300.00);
- (d) For applications for the entries of certificates of sale and final deeds of sale in extra-judicial foreclosures of mortgages, three hundred (P300.00) pesos;
- (e) For applications for and certificates of sale in notarial foreclosures:
  - 1. On the first four thousand (P4,000) pesos, five (5%) per cent;
  - 2. On all sums in excess of four thousand (P4,000) pesos, two and one-half (2.5%) per cent. (A.M. No. 99-8-01-SC, September 14, 1999)

**SEC. 21. Government exempt.** – The Republic of the Philippines, its agencies and instrumentalities, are exempt from paying the legal fees provided in this rule. Local governments and government-owned or controlled corporations with or without independent charters are not exempt from paying such fees. (19)

This Resolution shall take effect on the 1<sup>st</sup> day of March, 2000, and shall be published in two (2) newspapers of general circulation not later than the 15<sup>th</sup> of February, 2000.

*Davide, Jr., C.J., Bellosillo, Melo, Puno, Vitug, Kapunan, Mendoza, Panganiban, Quisumbing, Purisima, Pardo, Buena, Gonzaga-Reyes, Ynares-Santiago, and De Leon, Jr., JJ., concur.*

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

March 26, 2012

**MEMORANDUM ORDER**  
**NO. 15            S. 2012**

**TO                    :**        **ALL REGIONAL DIRECTORS/OICs**  
                                 **ALL FIELD OFFICERS**

**SUBJECT            :**        **Amendment to Memorandum Order No. 14 s. 2012 on Pre-**  
                                 **Parole/Executive Clemency Investigation Report and**  
                                 **Community Interview Forms including the Decision Guide**  
                                 **Chart on Executive Clemency Cases**

Attached is the amendment to M.O. #14 s. 2012 dated March 19, 2012. Also please take note that the Memorandum from the Executive Secretary to the Secretary of Justice was dated November 2, 2011 instead of 2012

For your information

**(SGD.) MANUEL G. CO, CESO II**  
**Administrator**

Distribution:

1            - Deputy Administrator  
1 ea        - All Regional/Field Offices  
1 ea        - Admin/Technical Service/Planning/RA  
1            - Records

**PRE-PAROLE/EXECUTIVE CLEMENCY INVESTIGATION REPORT****II. IDENTIFYING DATA**

Prisoner: \_\_\_\_\_ Prison No. \_\_\_\_\_  
(Surname) (First) (Middle)  
Alias(es): \_\_\_\_\_ Identifying Marks: \_\_\_\_\_  
Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Citizenship: \_\_\_\_\_ Civil Status: \_\_\_\_\_ Religion: \_\_\_\_\_  
Crime/s Committed: \_\_\_\_\_ Sentence: \_\_\_\_\_  
Total Ind.: \_\_\_\_\_  
Sentence Served w/ GCTA: \_\_\_\_\_  
Residence prior to imprisonment: \_\_\_\_\_  
Where to Reside AFTER release: \_\_\_\_\_  
With whom: \_\_\_\_\_ Relationship: \_\_\_\_\_ Occupation: \_\_\_\_\_  
\_\_\_\_\_

**III. PERSONAL AND SOCIAL HISTORY****A. PRISONER'S BIRTH DATA:**

Date of Birth: \_\_\_\_\_ Birth Order: \_\_\_\_\_  
Place of Birth: \_\_\_\_\_

**B. FAMILY BACKGROUND:**

Father: \_\_\_\_\_  
Mother: \_\_\_\_\_

**C. EDUCATION:**

Highest Educational Attainment: \_\_\_\_\_  
Other trainings completed: \_\_\_\_\_

**D. EMPLOYMENT HISTORY:**

Occupation prior to imprisonment: \_\_\_\_\_  
Work while in prison, if any: \_\_\_\_\_  
Other employable skills: \_\_\_\_\_

**E. PRISONER'S CHARACTERISTICS:**

Positive:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Negative:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Overall Impression of the Prisoner:

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- F. IS PRISONER SUFFERING FROM A SERIOUS, DEBILITATING, AND/OR INCURABLE DISEASE/SICKNESS WHICH MAY BE CONSIDERED FOR HUMANITARIAN REASONS?** (attach medical abstract) (physical disability/defect)
- G. IS PRISONER ELIGIBLE FOR PAROLE BUT DID NOT AVAIL OF IT?**  
(is he aware or is it beyond his control)
- H. PRISONER'S ACCOMPLISHMENT/ACTIVITIES DURING CONFINEMENT**  
(with certifications) (is he/she studying/) (attending TC/Bible study?)
- I. HAS PRISONER RENDERED MERITORIOUS SERVICE TO THE GOVERNMENT OR TO SOCIETY (AS A MEASURE OF ATONEMENT) THAT HAS NOT YET BEEN ADEQUATELY REWARDED BY OFFICIAL ACTION?**
- J. HAS PRISONER SINCERELY ATTEMPTED TO SEEK FORGIVENESS OR TO RECONCILE WITH HIS VICTIM AND/OR HIS/HER FAMILY?**
- K. PAYMENT OF INDEMNITY:**  
(has he offered to pay the indemnity to the victim and/or his/her family?)
- L. DOES PRISONER STILL HAS POSITIVE RELATIONSHIP WITH HIS/HER FAMILY EVEN IF CONFINED?** (does he/she being visited/ he/she receives letters)
- M. RECOMMENDATION:**

Prepared and Submitted by:

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Approved by:

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## Community Interview Report (CIR)

Prisoner's Name: \_\_\_\_\_

Alias/Aliases: \_\_\_\_\_

- I. Community Background/Enumerated Factors (among others may include assessment of neighborhood condition, availability of community resources for rehabilitation; family-peer-group relationships; acceptability)

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- II. Collateral Information:

1. Victim(s)/relatives/significant others

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- 1.1 does the crime still affect you emotionally? If so, how?

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- 1.2 has this crime affected your family and loved ones? If so how?

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- 1.3 would you like an order of restitution to compensate you for the costs?

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- 1.4 has your offender (or his/her family or colleagues) attempted to contact you in anyway that poses intimidation, harassment or potential harm?

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- 1.5 will the offender's release from confinement affect your ability to work or do any of the things you would normally do or perform?

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- 1.6 is there a sincere attempt to ask forgiveness or to reconcile with the victim and/or his/her family?

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- 1.7 have you forgiven the offender?

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2. Family/Relative of prisoners

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2.1 are you in favor that he/she will be granted parole/executive clemency?

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2.2 in case he will be granted parole/executive clemency are you willing to assist him in his rehabilitation/reformation program?

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2.3 WILL THE GRANT OF EXECUTIVE CLEMENCY PROVIDE HEALING TO YOUR FAMILY?

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3. Local Leaders, Officials, (Brgy. Officials) and other responsible members of the community

3.1 if granted parole/executive clemency will you continue to assist the offender in his/her rehabilitation/reformation program?

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3.2 will the offender's upbringing/history and social background make him/her vulnerable or susceptible to criminality?

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3.3 are you in favor for the grant of parole/executive clemency to offender?

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4. Neighbors/Associates/Friends/Civic or Religious groups

4.1 their perception about the crime/crimes committed

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5. others

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III. Sources of Information

1. 

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2. 

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3. 

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4. 

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5. 

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6. 

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7. 

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8. 

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IV. Overall impression of Prisoner's Family/Community Standing

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V. Recommendation

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Prepared and Submitted by:

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Received and Approved by:

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## Decision Guide Chart on Executive Clemency Cases

Name of Prisoner & Prison Number: \_\_\_\_\_

	(Y)	(N)
[1] Does the victim and/or his/her family have more or less recovered from the offense; or the victim and his/her family has been able to re-establish a normal life?		
[2] Has the offender attempted to seek forgiveness or to reconcile with the victim/s and the latter's family?		
[3] Has the offender offered to pay indemnity to the victim and/or his/her family?		
[4] Even if released does the victim and/or his/her family consider the offender a threat?		
[5] Has there been a sincere attempt to seek forgiveness or to reconcile with the victim and/or his/her family?		
[6] Will the grant of executive clemency aid the individual's continuing rehabilitation?		
[7] Does the offender have a serious, debilitating, and/or incurable disease/sickness which may be considered for humanitarian reasons?		
[8] Do you think the offender's upbringing/history and social background make him/her vulnerable or susceptible to criminality?		
[9] Has the offender undergone intervention and rehabilitation programs of government, civil society and non-government organizations?		
[10] Has the victim and/or his/her family expressly forgiven the offender?		
[11] Does the offender still maintain positive relationship with his/her family even if confined?		
[12] Will the grant of executive clemency provide healing to the offender's family?		

Prepared by:

\_\_\_\_\_  
Printed Name & Position

Approved by:

\_\_\_\_\_  
Printed Name & Position

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

August 9, 2012

**MEMORANDUM ORDER**  
**NO. 26 s. 2012**

**TO : ALL FIELD OFFICERS**

**SUBJECT : Attachment to Pre-Executive Clemency Investigation Report (PECIR) and Community Interview (CI)**

In line with the Memorandum from the Executive Secretary to the Secretary of Justice dated November 2, 2011, all Field Officers/Jail/Prison Coordinators are required to attach and accomplish the hereto enclosed Decision Guide Chart (DGC) in every PECIR and C.I. conducted and submit the same to the Board through the Technical Service. For every NO/Not Applicable (NA) answers, a justification must be made. You are also required to use the new form of PECIR and C.I. per M.O. #15 s. 2012 dated March 26, 2012.

For compliance.

**(SGD.) MANUEL G. CO, CESO**  
**Administrator**

Distribution:

1 - Deputy Administrator  
1 ea - All Field Offices  
1 ea - Division/Planning/TS  
1 - Records

## Decision Guide Chart on Executive Clemency Cases

Name of Prisoner & Prison Number: \_\_\_\_\_

	(Y)	(N)
[1] Does the victim and/or his/her family have more or less recovered from the offense; or the victim and his/her family has been able to re-establish a normal life?		
[2] Has the offender attempted to seek forgiveness or to reconcile with the victim/s and the latter's family?		
[3] Has the offender offered to pay indemnity to the victim and/or his/her family?		
[4] Even if released does the victim and/or his/her family consider the offender a threat?		
[5] Has there been a sincere attempt to seek forgiveness or to reconcile with the victim and/or his/her family?		
[6] Will the grant of executive clemency aid the individual's continuing rehabilitation?		
[7] Does the offender have a serious, debilitating, and/or incurable disease/sickness which may be considered for humanitarian reasons?		
[8] Do you think the offender's upbringing/history and social background make him/her vulnerable or susceptible to criminality?		
[9] Has the offender undergone intervention and rehabilitation programs of government, civil society and non-government organizations?		
[10] Has the victim and/or his/her family expressly forgiven the offender?		
[11] Does the offender still maintain positive relationship with his/her family even if confined?		
[12] Will the grant of executive clemency provide healing to the offender's family?		

Prepared by:

\_\_\_\_\_  
Printed Name & Position

Approved by:

\_\_\_\_\_  
Printed Name & Position

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

February 16, 2012

**MEMORANDUM ORDER**  
**NO. 04            S. 2012**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL, CITY FIELD OFFICERS**

**SUBJECT           :**        **Addendum to Memorandum Order No. 31 s. 2011 on When to Conduct Pre-Parole Investigation Report (PPIR) and Community Interview (CI)**

As stated therein, the Board of Pardons and Parole do not require the conduct of pre-parole investigation report and community interview on prisoners WHO ARE eligible for parole WHO ARE CONFINED AT THE BUREAU OF CORRECTIONS OR ANY OF ITS COLONY INCLUDING CIW. However, they require this on a case to case basis, that is,

- When a prisoner has committed the crime of rape against a minor (whether she is his stepdaughter or not)
  - \* if it is incestuous
  - \* if the crime of rape was committed several times with the same victim
- Series of crimes committed
- In other cases where they deem it necessary to conduct PPIR/C.I.
- IF A PRISONER IS CONFINED IN LOCAL JAILS SUCH AS PROVINCIAL, CITY OR MUNICIPAL JAILS

Please be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

Distribution:

- 1        - Deputy Administrator
- 1 ea    - All Regional Directors/OICs
- 1 ea    - FMD/Admin/CMRD/Service/Staff
- 1 ea    - All Field Offices
- 1        - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

December 6, 2011

**MEMORANDUM CIRCULAR  
NO. 77 S. 2011**

**TO : ALL HEADS OF REGIONAL, PROVINCIAL AND CITY FIELD OFFICERS**

**SUBJECT : Guide in Conducting Interview of Victim/Victim's Relatives on the Proposed Grant of Executive Clemency**

Pursuant to the Memorandum from the Executive Secretary to the Secretary of Justice dated November 2, 2011 attached is a photocopy of page 3 which will serve as your guide in validating the opposition made by the offended parties relative to the proposed executive clemency of concerned prisoner.

For your guidance.

**(SGD.) MANUEL G. CO**  
**Administrator**

Attached a/s:

Distribution:

1 - Deputy Administrator  
1 ea - All Regional/Field Offices  
1 ea - All Divisions/TS/Planning  
1 - Records

- Does society still consider the offense serious enough to warrant the penalty imposed by the law?

## 1.2 The Victim/Offended Party

- a. *Resulting Harm and Effects.* The resulting effects of the crime or act on the immediate victim, or his or her family and relatives, is an important consideration. These effects can range from physical harm or disability, psychological and emotional trauma, loss of reputation or business standing, financial distress, and the ability to move on or to resume leading a normal life. The gravity and extent of the effects of the act or crime on the victim can help in deciding whether or not to grant executive clemency by putting oneself into the shoes of the victim or the offended party.
  - How has the crime or act affected the victim? What are the immediate and related effects of the crime?
  - How was the family or relatives of the victim affected by the crime or act?
  - How has the crime affected the overall life of the victim and his/her family? (*i.e.* Are they living in fear? Are they able to go back to their normal lives?)
  - Is there a possibility of a continuing threat to the life of the victim and his/her family?
- b. *Opposition.* The number of oppositions and who oppose or opposes the request for clemency should be another consideration. This will indicate how the victim and the community accept the release and eventual integration of the offender into society. This will also indicate how well the offender will be able to cope with the pressures after being released from prison.
  - Who are the oppositors to the request? What are the reasons behind their opposition?
  - What is the likelihood of reconciliation between the offender and the victim in the event that the request is granted?

## 1.3 The Offender

- a) *State of Mind of the Offender at the Time of the Commission of the Offense.* When the offender committed the offense by reason of negligence,

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

November 11, 2011

**MEMORANDUM CIRCULAR**  
**No. 73 S. 2011**

**TO :** All Regional Directors/OICs  
All Assistant Regional Directors/OICs

**SUBJECT :** Policy Guidelines in the Grant of Executive Clemency

Attached is the Memorandum from the Executive Secretary-Office of the President dated November 2, 2011 relative to the Policy Guidelines on the grant of executive clemency for your information and guidance.

(SGD.) MANUEL G. CO  
Administrator

Encls.: a/s

Distribution:

- 1 - Deputy Administrator
- 1 - RDs/ARDs/OICs
- 1 - Records
- 1 - Technical Service

OFFICE OF THE PRESIDENT OF THE PHILIPPINES  
Malacañang

**MEMORANDUM FROM THE EXECUTIVE SECRETARY**

TO : Secretary Leila M. De Lima  
Department of Justice (DOJ)  
  
Chairperson Natividad Dizon  
Board of Pardons and Parole

SUBJECT : REVIEW OF POLICY GUIDELINES ON THE GRANT OF EXECUTIVE CLEMENCY

DATE : 02 November 2011

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This refers to the directive of the President to review the existing laws, rules, regulations and policies on the grant of Executive Clemency.

The President has approved the Policy Guidelines on Executive Clemency prepared by our office. Relative thereto, attached herewith is a Decision Guide Chart to be completed by the Board of Pardons and Parole (BPP) for submission to the Office of the President (OP) regarding recommendations for executive clemency.

Accordingly, the BPP is hereby directed to provide the OP the necessary additional documents in support of BPP's evaluation of the items mentioned in said chart, including but not limited to affidavits of concerned parties, summary of court proceedings, medical, psychological, and psychiatric reports, as well as records currently considered or reviewed by the BPP under the current rules. The BPP shall likewise provide brief discussion of the various considerations per individual in its submission to the OP of individuals recommended for executive clemency.

We find that the decision of DOJ to mainstream restorative justice into the country's justice system is a positive step. In this regard, DOJ is hereby directed to:

- a) Report on the status of the institutionalization of Restorative Justice in the justice system, as well as existing government intervention programs or plans that are in line therewith; and
- b) Submit recommended measures to facilitate the institutionalization of restorative justice into the executive clemency review process.

We would appreciate receiving a report on these matters soonest.

Thank you.

**(SGD.) PAQUITO N. OCHOA, JR.**  
**Executive Secretary**



## POLICY GUIDELINES ON EXECUTIVE CLEMENCY

(These guidelines are advisory only and intended for the internal use and guidance of the Office of the President. They create no enforceable rights in persons applying for executive clemency, nor do they restrict the authority granted to the President under Section 19, Article VII of the 1987 Constitution)

### 1. FRAMEWORK

The power of Executive Clemency of the President is a tool of justice, premised on the “tacit admission that human institutions are imperfect and there are infirmities in the administration of justice”<sup>1</sup>. Accordingly, its exercise shall be guided by principles of Restorative Justice<sup>2</sup> concerned not only with granting offenders a reprieve or freeing the wrongfully convicted, but also with facilitating the healing of the harm that crime causes to families<sup>3</sup> of both the victim and the offender, to communities, and to society at large.

It shall also aim at promoting Transformative Justice by increasing the Filipino’s understanding of the correlation between poverty and crime, the goal of rehabilitation vis a vis mere retribution, and the time line between vengeance and justice. In this light, the President’s exercise of Executive Clemency can also lead the Filipino people towards changing wider social systems and institutional structures in ways that help to prevent the occurrence and re-occurrence of harmful incidents.<sup>4</sup>

### 2. CONSIDERATIONS BETWEEN COMMUTATION AND PARDON

Both commutation and pardon are acts performed at the discretion of the President by virtue of Section 19, Article II of the Constitution. Only the President can grant executive clemency, and the decisions of other government agencies such as the Board of Pardons and Parole (BPP) are merely recommendatory in nature. Although these guidelines are intended to be used for both commutation and pardon, a careful distinction should be drawn between the two.

Legally, the effects of the two are clearly distinguishable, as commutation serves to lessen the time spent in prison while pardon restores the freedom of a person. However, from a policy standpoint, the grant of one or the other would have different implications and effects. It is submitted that more leniency can be exercised in the grant of commutation, even for grave offenses as is discussed below; however, this cannot be in the case of pardon since this will free a person from the punishment imposed by law.

<sup>1</sup>JOAQUIN G, BERNAS, S.J. The 1987 CONSTITUTION OF THE REPUBLIC OF THE PHILIPPINES: A COMMENTARY, 892 (2003)

<sup>2</sup>See Sec. 2(f), Republic Act No. 9344, otherwise known as the JUVENILE JUSTICE AND WELFARE ACT OF 2006; See also Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-First Century.

<sup>3</sup>The term ‘family’ should be interpreted broadly and extend beyond mere legal definitions so as to include dependents of those otherwise bearing a close relationship to the offender.

<sup>4</sup>See Howard Zehi, Restorative on Transformative Justice, availably at <http://emu.edu/now/restorative-justice/2011/03/10/restorative-or-transformative-justice/> (accessed on 25 August 2011). See also United States Department of Justice. U.S. Attorney’s Manual, Standards for Consideration of Clemency Petitions, Sec. 1-2.112(5). Available at <http://www.justice.gov/pardon/petitions.htm> (accessed on 25 August 2011)[hereinafter U.S. Standards for Consideration of Clemency Petitions]

### 3. POLICY GUIDELINES AND CONSIDERATIONS ON THE EXERCISE OF EXECUTIVE CLEMENCY

#### 3.1 Offense Committed

- a) *Gravity of the Offense.* A suitable length of time should have elapsed in order to avoid denigrating the seriousness of certain offenses or undermining the deterrent effect of the conviction (e.g., a violent crime, major drug trafficking, breach of public trust, or syndicated *estafa* involving substantial sums of money)<sup>5</sup>. This can be generally being determined from the penalty imposed by the law. Under the Revised Penal Code, grave felonies are those punishable by *prison mayor* or higher (6 years imprisonment or higher).
- Is the imposable penalty 12 years or higher?
  - Is the offense considered a heinous crime as defined under the law?
  - Has the offender served most of his/her sentence? What is the actual time served of the offender?
  - What aggravating circumstances or analogous circumstances attended the commission of the offense?
- b) *Time the Penal Provision was Enacted.* When the applicable penal provision is very old and considered minor by modern social standards of crime and harm (e.g., adultery, bigamy, concubinage, vagrancy), equity may weigh in favor of the grant of clemency.<sup>6</sup>
- When was the applicable penal provision enacted?
  - What was the socio-political context of the provision, or the harm intended to be addressed?
  - Does society still consider the offense serious enough to warrant the penalty imposed by the law?

#### 3.2 The Victim/Offended Party

- a) *Resulting Harm and Effects.* The resulting effects of the crime or act on the immediate victim, or his or her family and relatives, is an important consideration. These effects can range from physical harm or disability, psychological and emotional trauma, loss of reputation or business standing, financial distress, and the ability to move on or to resume leading a normal life. The gravity and extent of the effects of the act or crime on the victim can help in deciding whether or not to grant executive clemency by putting oneself into the shoes of the victim or the offended party.
- How has the crime or act affected the victim? What are the immediate and related effects of the crime?
  - How was the family or relatives of the victim affected by the crime or act?
  - How has the crime affected the overall life of the victim and his/her family? (i.e., Are they living in fear? Are they able to go back to their normal lives?)
  - Is there a possibility of a continuing threat to the life of the victim and his/her family?

<sup>5</sup>See U.S. Standards for Consideration of Clemency Petitions, *supra* note 3, at Sec. 1-2, 112(2).

<sup>6</sup>See *Id.*

- b) *Opposition*. The number of oppositions and who oppose or opposes the request for clemency should be another consideration. This will indicate how the victim and the community accept the release and eventual reintegration of the offender into society. This will also indicate how well the offender will be able to cope with the pressures after being released from prison.
- Who are the oppositors to the request? What are the reasons behind their opposition?
  - What is the likelihood of reconciliation between the offender and the victim in the event that the request is granted?

### 3.3 The Offender

- a) *State of Mind of the Offender at the Time of the Commission of the Offense*. When the offender committed the offense by reason of negligence, imprudence, illness or was not otherwise motivated by malice, a minor/partial service of his/her sentence may be sufficient to warrant the grant of clemency, even if the same had already been considered by the court in the imposition of the impossible penalty. This is of particular importance for offenses defined by special laws wherein the provisions of the Revised Penal Code on mitigating or exempting circumstances and degrees of commission are inapplicable.
- Did the offender fully intend to commit the crime on his own volition or free will, or was he compelled/motivated by the other non-malicious factors?
  - Has the offender served sufficient satisfaction time, considering the gravity of his or her act/s?
  - What aggravating circumstances or analogous circumstances attended the commission of the offense?
- b) *Acceptance of Guilt, Responsibility and Atonement*. The extent to which an offender petitioner has genuinely accepted guilt and responsibility for his or her criminal conduct and made restitution to its victims are important considerations. While the absence of expressions of remorse should not preclude favorable considerations, a petitioner's attempt to minimize or rationalize culpability does not advance the case for pardon. In this regard, statements made in mitigation (e.g., "everybody was doing it", or "I didn't realize it was illegal") should be judged in context. Persons seeking a pardon on grounds of innocence or miscarriage of justice bear a formal a formidable burden of persuasion."<sup>7</sup>
- Has the offender attempted to seek forgiveness or reconcile with the victim/s and the latter's family?
  - Has the offender shown good and exemplary conduct during his/her confinement?
  - Has the offender offered to pay indemnity to the victim and/or his/her family (is proper and applicable)?
  - Has the offender rendered meritorious service to the government as a measure of atonement, such as cooperation with investigators or prosecutors that has not yet been adequately rewarded by official action?

<sup>7</sup>Id. at Sec. 1-2. 112(3)

c) *Availability of other remedies.* Executive clemency is an extraordinary remedy. Hence, the availability of other remedies such as parole is taken into account in deciding whether to recommend clemency?<sup>8</sup>

- Has the offender attempted to avail of parole? If so, what were the reasons for denial?
- If parole is an available remedy yet the offender has not attempted to avail of the same, what are the reasons behind such omission?

d) *Purpose.*<sup>9</sup> A conviction may result in a wide variety of legal disabilities, some of which can provide persuasive grounds for recommending a pardon. For example, a specific employment related need for pardon, such as removal of a bar to licensure or bonding, may warrant the grant in aid of the individual's continuing rehabilitation. On the other hand, the absence of a specific need should not be held against an otherwise deserving individual. In the case of persons seeking public office, the grant of executive clemency should be limited to extremely exceptional circumstances in view of the public trust and the ethical standards required of public officials and employees.

Likewise, health related purposes is another important consideration, particularly for less serious offenses. However, the health-related purposes should be carefully weighed when the subject offense is a grave felony or serious offense.

- Will the grant of executive clemency aid the individual's continuing rehabilitation?
- Does the severity of the offense warrant the completion of the service of sentence despite the condition or debilitating health of the offender?

e) *Potential for Social Reintegration.* A holistic assessment of the offender's history, particularly prior to the commission of the offense, may provide invaluable insight on the offender's prospects or potential for social reintegration upon release. This should be based on the offender's family history, criminal history, financial and employment stability, responsibility toward family, reputation in the community participation in community service, charitable or other meritorious activities and, if applicable, military record".<sup>10</sup>

- Does the offender have multiple records of crimes/offenses?
- What kind of upbringing did the offender have and did this in anyway make him or her vulnerable or susceptible to criminality?
- What intervention/rehabilitation programs were available to the offender? In the event of the lack of any such programs, did the offender nonetheless maintain an overall positive record during his or her incarceration?
- Did the offender attempt to undergo such intervention programs, whether by government or civil society?
- What is the evaluation of the psychiatrist on this matter?

<sup>8</sup>See U.S. Standards for Consideration of Clemency Petitions, *supra* note 3, at Sec. 1-2.112(3).

<sup>9</sup>*Id.* at Sec. 1-2.112(4).

<sup>10</sup>See *Id.* at Sec. 1-2.112(1)

### 3.4 Comments of Stakeholders

- a) *Government officials (judge, prosecutor/s, law enforcement officer, correctional facility personnel).* The comments of the handling judge, prosecutor, and other law enforcement officer/s should be solicited and taken into account to provide additional information that may not appear on the record or the decision of the court.
- Did the above-mentioned officials agree with the resulting conviction?
  - What are their respective positions with respect to the grant of executive clemency to the offender?
- b) *Civil Society.* Citizens' participation promotes good governance and may also serve as a catalyst for increasing awareness and understanding of the root causes behind crime and the goal of the country's justice system. Their participation may also provide different perspectives for the consideration of the President.
- What is the position of civil society on the matter?
  - Is the issue on the grant of executive clemency divisive?
- c) *Victim & family.* Notice to the offended party is required under the law and the rules. Oppositions from the victim and his/her family should be understood in context. On the other hand, expression of forgiveness on their part does advance the cause of the offender for the grant of a reprieve.
- Has the victim and his/her family forgiven the offender?
  - Does the victim continue to perceive the offender as a threat? Can these concerns be addressed by imposing conditions or restrictions in the grant of executive clemency?
  - Is there still an opportunity for the victim and the offender to meet as a measure of restorative justice?
- d) *Family of the Offenders.* The members of the offender's family are also victims and the impact on them should be taken into account.
- What is the status of the offender's relation to his family?
  - Will the grant of executive clemency provide healing to the offender's family?
- e) *International Community.* There may be instances when the offender is an international citizen, or may be internationally or foreign related.
- Is the offender an international criminal, a political asylum seeker, a diplomatic official/personnel, or has known terrorist links?
  - Will the grant or denial of clemency have an impact on the foreign relations, bilateral and multilateral ties of the country?

**f) Social and Political Impact**

a) *Political consequence.* This would be most relevant to political detainees and high profile cases. There may also be times when the offender is supported by a political ally or is aligned with the opposition. The grant or denial of a petition may also affect approval ratings and public perception of the President and his or her administration.

- Is the offender a political detainee or prisoner? Was the detained because of a political crime such as rebellion, sedition, treason, etc.?
- Is there support or opposition from politicians?
- How will the President's decision affect his political and policy pronouncements?
- Are there any national security concerns or implications?

b) *Social acceptability.* There are certain crimes which society regards with much abhorrence (i.e., rape, murder, abortion), and others which the public treats with more leniency. The pulse of the general public and society, and even the signs of the times, should be considered in granting clemency. The traditional and family values of Filipino culture should be taken into consideration to ensure that the President's decision will be socially acceptable.

- What Filipino and societal values are involved in the crime or act committed? What crimes and acts do people most detest?
- What values and perceptions would be affected by the President's decision?

END

## **ATTACHMENTS**

- ☐ Resolution
  - ☐ Case Synopsis
  - ☐ Court Decision
  - ☐ Commitment Order
  - ☐ Matrix
  - ☐ Certificate of Non-appeal/Entry of Judgment
  - ☐ Certificate of No Pending Case
  - ☐ NBI records check
  - ☐ Notice to offended party/comment
  - ☐ Notice to Judge/Prosecutor
  - ☐ Pre-Executive Clemency Investigation Report (PECIR)
  - ☐ Community Interview (CI)
  - ☐ Publication
  - ☐ Psychological Test/Medical Abstract
  - ☐ Minutes of the Meeting
  - ☐ Others
-

**BOARD OF REQUIREMENTS  
PURSUANT TO THE 2006 REVISED MANUAL  
ON EXECUTIVE CLEMENCY AS AMENDED BY RESOLUTION NO. 24-4-10**

Name	Community Interview	Pre-Executive Clemency Investigation Report	Certificate of No Appeal/Entry of Judgment	Certificate of No Pending Case	NBI records check	Psycho Test	Publication

**ADDITIONAL REQUIREMENTS  
PURSUANT TO THE MEMORANDUM OF  
EXECUTIVE SECRETARY PAQUITO N. OCHOA, JR.**

Affidavit of concerned parties	Summary of Court Proceedings	Medical/psychological/psychiatric report	Considerations in recommending the grant of executive clemency



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

September 09, 2011

**MEMORANDUM ORDER**

**NO. 31            S. 2011**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL, CITY OFFICERS**

**SUBJECT           :**        **When to conduct Pre-Parole Investigation Report (PPIR) and  
Community Interview (CI)**

As a matter of policy the members of the Board of Pardons and Parole do not require the conduct of pre-parole investigation report and community interview on prisoners eligible for parole. However, they require these on a case to case basis, that is,

- When a prisoner has committed the crime of rape against a minor  
(whether she is his stepdaughter or not)
  - \* if it is incestuous
  - \* if the crime of rape was committed several times with the same victim
- Series of crimes committed
- In other cases where they deem it necessary to conduct PPIR/C.I.

Please be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

Distribution:

- 1            - Deputy Administrator
- 1 ea        - All Regional Directors
- 1 ea        - All Divisions/Service/Staff
- 1 ea        - All Field Offices
- 1            - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

September 2, 2011

**MEMORANDUM ORDER**  
**NO. 29                      S. 2011**

**TO                                      :**        **ALL HEADS, REGIONAL, PROVINCIAL, CITY OFFICERS**

**SUBJECT                               :**        **Addendum in the conduct of Pre-Parole Investigation Report/Pre-Executive Clemency Investigation Report**

In order for the Board to give a favorable recommendation on prisoner's case, enumerated herein are some factors to be considered which will serve as a guide for the officer conducting an interview:

- The degree of prisoner's rehabilitation and his institutional behavior or conduct
- His degree of remorse
- Has he has a place to reside
- The probability of a gainful employment
- If a prisoner is old/sick (seriously ill or disabled) the availability of after case services.

Please be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

Distribution:

- 1                      - Deputy Administrator
- 1 ea                - All Regional Field Officer
- 1 ea                - All Divisions/Service/Staff
- 1 ea                - All Field Offices
- 1                      - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

July 19, 2011

**MEMORANDUM ORDER**

**No. 19                      S. 2011**

**TO                                :**        **The OIC-Deputy Administrator  
All Regional/Provincial/City Heads  
All Division/Service/Staff Chiefs**

**SUBJECT                        :**        **New Post Sentence Investigation Report (PSIR) Form**

Attached for your information and guidance is the approved new Post Sentence Investigation Report (PSIR) Form for the use of PPA-DOJ City and Provincial Field Offices in the exercise of its investigation function in administering the probation system in the Philippines beginning August 01, 2011.

Be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

Distribution:

1                      - Deputy Administrator  
1 ea                - All Divisions/Planning/TS/RA  
1 ea                - All Regional Offices  
1                      - Records

Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
*Manila*

LMS-I-27E11-184

1<sup>st</sup> Indorsement  
27 May 2011

Respectfully returned to the Administrator, Parole and Probation Administration, DOJ Agencies Bldg., NIA Road corner East Avenue, Diliman, Quezon City hereby APPROVING, pursuant to Section 6 of Presidential Decree No. 968 otherwise known as the "Probation Law of 1976", the enclosed Post Sentence Investigation Report (PSIR) Form for the use of the Parole and Probation Administration in the exercise of its function of administering the parole and probation system and general supervision of all probationers in the Philippines.

(SGD.) LEILA M. DE LIMA  
Secretary

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road cor. East Avenue  
Quezon City 1100

May 3, 2011

Hon. Leila M. De Lima  
Secretary  
Department of Justice  
Padre Faura St., Manila

Madam:

Pursuant to Sec. 6 in relation to Sec. 5 of PD No. 968, the Probation Law of 1976, may I have the honor to submit the attached Post-Sentence Investigation Report (PSIR) form with the pertinent Guidelines for Probation Officers for your consideration and approval.

Accordingly, allow me to quote the aforementioned provisions of PD No. 968 as basis of this request, thus:

“Sec. 5. Post-Sentence Investigation. – No person shall be placed on probation except upon prior investigation by the probation officer and a determination by the court that the ends of justice and the best interest of the public as well as that of the defendant will be served thereby.

XXX

“Sec. 6. Form of Investigation Report. The investigation report to be submitted by the probation officer under Section 5 hereof shall be in the form prescribed by the Probation Administrator and approved by the Secretary of Justice.”

The proposed PSIR form is a product of extensive consultations and discussions with service providers in various PPA-DOJ regional, city and provincial field offices.

In view thereof, may I reiterate the approval of the proposed PSIR form in the exigency of the correction service.

Thank you! I remain.

Very respectfully,

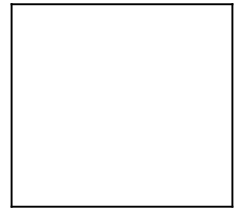
**(SGD.) MANUEL G. CO**  
**Administrator**

Encls.: a/s

PSIR RE: \_\_\_\_\_ Investigation Docket No. \_\_\_\_\_  
Criminal Case Number \_\_\_\_\_

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**POST-SENTENCE INVESTIGATION REPORT**

**I. IDENTIFYING DATA**

PETITIONER: \_\_\_\_\_  
(Last Name) (First Name) (Middle Name)

True Name: \_\_\_\_\_ Source of Info: \_\_\_\_\_

Alias(es): \_\_\_\_\_ Height (meters): \_\_\_\_\_ Weight (kilos) \_\_\_\_\_

Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Citizenship: \_\_\_\_\_ Religion: \_\_\_\_\_

Identifying Marks/Unusual Features: \_\_\_\_\_

Present Address: \_\_\_\_\_

Permanent Address: \_\_\_\_\_

**II. PETITIONER'S CRIMINAL HISTORY**

**A. PRESENT OFFENSE**

Charged with \_\_\_\_\_ Date: \_\_\_\_\_

Convicted of \_\_\_\_\_ Date: \_\_\_\_\_

Sentence \_\_\_\_\_

Judge \_\_\_\_\_ Court \_\_\_\_\_

Defense Counsel \_\_\_\_\_ Address \_\_\_\_\_

Offended Party \_\_\_\_\_ Address \_\_\_\_\_

Custody Status: ( ) On Bail ( ) On Detention ( ) Period of Detention \_\_\_\_\_

( ) ROR – Custodian \_\_\_\_\_

Address: \_\_\_\_\_

Manner of Commission (Narrative)

Age at time of commission—Extent of Participation: ( ) Principal ( ) Accomplice ( ) Accessory

**I. Offenders Statement**

\_\_\_\_\_  
\_\_\_\_\_

**II. Victim's Statement**

\_\_\_\_\_  
\_\_\_\_\_

**REMARKS/ADDITIONAL INFORMATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CONFIDENTIAL**

PSIR RE: \_\_\_\_\_ Investigation Docket No. \_\_\_\_\_  
 Criminal Case Number \_\_\_\_\_

**B. PRIOR RECORDS**

Agency	CC No./Date	Offense	Disposition/Date
NBI			
RTC			
MTC			
PNP			
Prosecutor			
Barangay			
CMRD			

**C. OTHER DEROGATORY INFORMATION**

Source/Position	Particulars
_____	_____
_____	_____

**III. PERSONAL AND SOCIAL HISTORY**

**A. PETITIONER'S BIRTH DATA**

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_ Birth Order: \_\_\_\_\_

**B. FAMILY BACKGROUND**

**1. PARENTS:**

Father: \_\_\_\_\_ Age: \_\_\_\_ Occupation: \_\_\_\_\_  
Last Name First Middle

Mother: \_\_\_\_\_ Age: \_\_\_\_ Occupation: \_\_\_\_\_  
Middle Name First Middle

Status of Marriage: ( ) Married ( ) Annulled ( ) Separated: \_\_ Legal \_\_ Estranged  
 ( ) Common-Law/Live-in ( ) Others \_\_\_\_\_

**2. SOCIO-ECONOMIC BACKGROUND**

Family Relationship	Major Family Problems	Family Reputation in the Community
( ) Very Satisfactory	( ) No Apparent Problem	( ) Very Satisfactory
( ) Satisfactory	( ) Economic	( ) Satisfactory
( ) Fair	( ) Mental/Physical Illness	( ) Fair
( ) Poor	( ) Marital Problem	( ) Poor
	( ) One-Parent-Family	
	( ) Parent-Child Conflict	
	( ) Sibling Conflict	
	( ) Others	
Family Economic Status	Physical Home Conditions	Stability of Residence
( ) More than Adequate	( ) Very Satisfactory	( ) Stable
( ) Adequate	( ) Satisfactory	( ) Occasional Change
( ) Inadequate	( ) Fair	( ) Frequent Change
( ) Below Poverty Line	( ) Poor	( ) No Stability

**REMARKS/ADDITIONAL INFORMATION**

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PSIR RE: \_\_\_\_\_ Investigation Docket No. \_\_\_\_\_  
 Criminal Case Number \_\_\_\_\_

C. PETITIONER'S PRESENT SITUATION

Civil Status: ( ) Single ( ) Married ( ) Widow/Widower ( ) With Common-Law/Live-in Partner

Status of Marriage: \_\_ Annulled \_\_ Separated \_\_ Legal \_\_ Estranged \_\_ Others \_\_\_\_\_

Remarks : \_\_\_\_\_

1. Domestic Partner/Spouse \_\_\_\_\_

Full Name Last/Maiden Name First Middle

Age \_\_\_\_ Gender: ( ) Male ( ) Female Occupation \_\_\_\_\_

Home Address: \_\_\_\_\_

Work Address: \_\_\_\_\_

2. Children: Total No. of Children \_\_\_\_\_

Age	In/Out of School	Educational Attainment	Legitimate	Illegitimate

Relationship with Children: \_\_\_\_\_ Very Satisfactory \_\_\_\_ Satisfactory \_\_\_\_

\_\_\_\_\_ Fair \_\_ \_\_\_\_\_ Poor

REMARKS/ADDITIONAL INFORMATION:

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3. Residence

Dwelling

Stability of Residence

Physical Home Conditions

( ) Owned: Yrs of Stay \_\_\_\_

( ) Stable

( ) Very Satisfactory

( ) Rented: Yrs of Stay \_\_\_\_

( ) Occasional Change

( ) Satisfactory

( ) Informal Settler

( ) Frequent Change

( ) Fair

( ) Others

( ) No Stability

( ) Poor

4. Economic Condition

Family Economic Status

Family Breadwinner

Petitioner's Role in the Family

( ) More than Adequate

( ) Petitioner

( ) Income Contributor

( ) Adequate

( ) Spouse

( ) Total

( ) Inadequate

( ) Petitioner and Spouse

( ) Partial

( ) Below Poverty Level

( ) Others

( ) Primary Care-giver

( ) Dependent

5. Major Problems in the Family

( ) No Apparent Problem

( ) Mental Illness

( ) Sibling conflict

( ) Economic

( ) Physical Illness

( ) Others \_\_\_\_\_

( ) Husband-Wife Conflict

( ) Parent-Child Conflict

REMARKS/ADDITIONAL INFORMATION

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PSIR RE: \_\_\_\_\_ Investigation Docket No. \_\_\_\_\_  
Criminal Case Number \_\_\_\_\_

D. EDUCATION

Educational Attainment: \_\_\_\_\_

Over-all Conduct in School: \_\_\_\_\_ Very Satisfactory \_\_\_\_\_ Satisfactory  
\_\_\_\_\_ Fair \_\_\_\_\_ Poor

REMARKS/ADDDITIONAL INFORMATION

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E. JOB HISTORY

1. Petitioner's Previous Occupation: \_\_\_\_\_

2. Petitioner's Present Occupation: \_\_\_\_\_

Employer and Work Address: \_\_\_\_\_

3. Present Work Status: ( ) Self-employed ( ) Regular/Permanent ( ) Temporary  
( ) Contractual ( ) Casual ( ) Intermittent ( ) Seasonal

4. Special Skills: \_\_\_\_\_

REMARKS/ADDDITIONAL INFORMATION

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F. MEDICAL HISTORY

Past Medical History \_\_\_\_\_

Present Illness \_\_\_\_\_

Present Medication \_\_\_\_\_

Drug/Alcohol Use: ( ) No ( ) Yes Extent of Use: \_\_\_\_\_

REMARKS/ADDDITIONAL INFORMATION

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G. PETITIONER'S TRAITS/CHARACTERISTICS:

Positive:

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Negative:

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Overall Impression of the Client

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PSIR RE: \_\_\_\_\_ Investigation Docket No. \_\_\_\_\_  
Criminal Case Number \_\_\_\_\_

H. PETITIONER'S BACKGROUND IN THE COMMUNITY AND COLLATERAL INFORMATION

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Collateral Source of Information	Relationship to Client	Collateral Information Gathered

IV. ANALYSIS AND EVALUATION

V. PROJECTED THRUSTS OF REHABILITATION

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RECOMMENDATION

WHEREFORE, in view of the foregoing, it is respectfully recommended to the Honorable Court that the petition for probation of \_\_\_\_\_ to GRANTED for a period of \_\_\_\_\_, to be counted from Probationer's initial report for supervision and subject to the following conditions:

1. Probationers shall report initially to the Chief Probation and Parole Officer at \_\_\_\_\_  
within seventy-two (72) hours from the receipt of the Order granting probation.
2. He/She shall, thereafter, report to his/her supervising Probation and Parole Officer \_\_\_\_\_ unless otherwise modified by the Chief Probation and Parole Officer.
3. He/She shall reside at and shall not change his/her residence without prior approval of the Chief Probation and Parole Officer, or Court, as the case may be.
4. He/She shall secure a written permit to travel outside the jurisdiction of the Parole and Probation Office from the Chief Probation and Parole Officer, and from the Court if such travel exceeds thirty (30) days.
5. He/She shall not commit any crime or any other offense.
6. He/She shall render community service and will participate in tree-planting activities.
7. He/She shall allow the supervising Probation and Parole Officer or an authorized Volunteer Probation Aide to visit his/her home and place of work.
8. He/She shall meet his/her family responsibilities.
9. He/She shall undergo medical, psychological or psychiatric examination and treatment and enter and remain in a specified institution, when required for that purpose.
10. He/She shall devote himself/herself to a specific employment and shall not change said employment without prior notice to the supervising officer and/or pursue a prescribed secular study or vocational training.
11. He/She shall refrain from associating with persons of questionable character.
12. He/She shall cooperate with his/her rehabilitation and not unduly restrictive of his/her liberty incompatible with his/her freedom of conscience.

In the event that Petitioner fails to observe the preceding conditions and/or has committed any material misrepresentation in his application for probation, his probation may be revoked by the Court or the conditions thereof modified.

\_\_\_\_\_, Philippines \_\_\_\_\_ 2011

SUBMITTED BY:

\_\_\_\_\_  
Probation and Parole Officer

Date: \_\_\_\_\_

APPROVED BY:

\_\_\_\_\_  
Chief Probation and Parole Office

Date: \_\_\_\_\_

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RECOMMENDATION

WHEREFORE, in view of the foregoing, it is respectfully recommended to the Honorable Court that the petition for probation of \_\_\_\_\_ be DENIED pursuant to Paragraph a and b, Sec. 8 of PD 968 as amended which states that the probation shall be denied if:

“xxx (a) the offender is in need of correctional treatment that can be provided most effectively by his commitment to an institution; or

xxx (b) there is an undue risk that during the period of probation the offender will commit another crime; or

xxx (c) Probation will depreciate the seriousness of the offense committed.”

and/or

Section 9 of PD 968 as amended which states that the benefits of probation shall not be extended to those:

- A. (i) Sentenced to serve a maximum term of imprisonment of more than six (6) years;
- (ii) Convicted of any crime against national security;
- (iii) Who have previously been convicted by final judgment of an offense punished by imprisonment of more than six (6) months and one (1) day and/or a fine of more than one thousand pesos (P1,000.00);
- (iv) Who have been once on probation under the provisions of this Decree;
- (v) Who are already serving sentence at the time the substantive provisions of this Decree became applicable pursuant to Section 33 hereof.
- B. Disqualified under special law:
  - (i) Offenders found guilty of any election offense in accordance with Section 264 of Batas Pambansa Blg. 881 (Omnibus Election Code)
  - (ii) Offenders found guilty of violating Republic Act No. 6727 (Wage Rationalization Act, as amended)
  - (iii) Offenders found guilty of violating Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002), except Sections 12, 14, 17, 70.

“xxx no application for probation shall be entertained or granted if the defendant has perfected an appeal from the judgment of conviction.”

SUBMITTED BY:

\_\_\_\_\_  
Probation and Parole Office  
Date: \_\_\_\_\_

APPROVED BY:

\_\_\_\_\_  
Chief Probation and Parole Officer  
Date: \_\_\_\_\_

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## **GUIDELINES FOR ACCOMPLISHING THE 2011 REVISED FORMAT OF THE PSIR**

### **RATIONALE**

The Post-Sentence Investigation Report (PSIR) is the primary instrument upon which is based the grant or denial or probation by the court. Since determination to grant or deny probation is made within a prescribed period, it is necessary that the report be prepared in an expeditious manner in order to meet the time limit set by the law and the Court. The report must provide adequate and relevant information and recommendations for the proper disposition of the petition for probation and must be well-organized and written in clear and concise language.

The initiative to revise the present PSIR form stems from the need to expedite the processing and submission of the result of investigation done on sentenced accused who wish to avail of the benefits of probation without sacrificing adequacy and relevancy of information. Likewise, the revised form is designed to optimize its usefulness and reliability as a tool of the Courts of Law in resolving a petition for probation filed by the sentenced accused, after considering an alternative mode of dealing with specially-selected offenders that enhances the ends of justice and promotes the best interest of society and the person in conflict with the law.

After almost two decades of implementation of the PSIR since it was first revised, the information captured by the present PSIR has been outmoded and does not adequately reflect the present developments and realities in the treatment/management of specially-selected offenders placed on probation such as the use of the Therapeutic Community (TC) Treatment Modality, the application of the principles of the Restorative Justice Process and the efforts to strengthen the community participation in crime prevention and treatment of offenders.

The new revised format of the PSIR aims to capture the essential character traits of the petitioner by evaluating his current affective, relational, spiritual, cognitive and psychomotor functioning that may have an impact in his present situation in order that supervision and treatment may be designed to conform to his individual need. A more comprehensive assessment and evaluation coupled with specific individualized treatment provides a greater chance of rehabilitation success.

The ends of restorative justice will likewise be better served with the new revised PSIR. The inclusion and incorporation of the victim's statement in the form will provide the Court with the victim's perspective of the crime or offense which will enhance the Restorative Justice Process by revealing the harm caused or revealed by the criminal behavior thus facilitating healing of the victim, the offender and the community.

### **OBJECTIVES**

The revised format of the PSIR is intended to:

1. Provide the Courts with relevant information and judicious recommendations for the selection of offenders to be placed on probation.
2. Expedite the preparation and submission of the investigation report.
3. Serve as a guide in the formulation of a workable treatment plan for the probationer's rehabilitation.
4. Build a data base on probation clients for purposes of a research, program planning, and policy formulation.

5. Present a holistic evaluation of the petitioner and his offense through a more thorough approach to understanding of the person taking into consideration the various factors and life events that shaped him.
6. Support the principles of restorative justice by including the victim's statement and account of the offense committed in order to facilitate the offender's total rehabilitation.

## **INVESTIGATION AND CASE RECORDS**

1. Worksheet – as in the narrative format, the initial interview of the Petitioner is conducted with the use of the Worksheet. The worksheet serves as the database of information on the petitioner. The worksheet has likewise been revised to be compatible with the changes done in the revised PSIR. It must be emphasized that the revised PSIR form is NOT a substitute for the worksheet.
2. Investigation Case Notes – subsequent interviews with the petitioner and with other sources of information, and details of the full aspects of the investigation shall be reflected in the case notes. These should be written in clear and concise language, with each entry dated and use the source of information specified.
3. Relevant Documents – copies of the Court Decision, Information, records check, courtesy investigation reports and all other relevant documents shall be kept as usual in the Investigation Case Folder.

All of the above records shall be secured or accomplished completely, and shall serve as a reference for the Chief Probation and Parole Officer or Officer-in-Charge when reviewing the PSIR. These records may also be needed to substantiate the contents of the PSIR in case of questions regarding the same, and may be used, together with the PSIR, as basis for periodic performance appraisal of the Probation and Parole Officers.

## **FORMAT/CONTENTS OF THE PSIR AND PROCEDURES FOR THEIR ACCOMPLISHMENT**

### **I. IDENTIFYING DATA**

(Page 1)

**PRELIMINARY INFORMATION** – Enter the Petitioner's complete name, alias/es, age, gender, citizenship, religion and present and permanent home address/es, the criminal case number and investigation docket number on the appropriate spaces. Also attach one 2"x 2" picture of the petitioner.

**True name** – The client's name as it appears in the Court Order may be different from his true name. The investigating officer should always be vigilant on the possibility that the petitioner may be hiding under a different name. The petitioner's true name and the source of such information should be indicated. The investigating officer may require the client to submit a birth certificate, baptismal certificate, or other valid proofs of identification. If the true name is the same as the one that appears in the Court Order, fill out the space provided with the same name.

Source – indicate the source of information on client’s true name; it may be the evidence presented.

Height and Weight – should be in the metric system (meters and kilos)

Identifying marks/Unusual features – will serve as aid in identifying the client should the need arise; this should include other physical features that is/are peculiar to the client and not only limited to tattoo and scars (such as moles, birthmarks, extra fingers, etc.). Such features should be more or less permanent or at least difficult to change.

## **II. PETITIONER’S CRIMINAL HISTORY**

(Page 1)

A. **Present Offense** – fill out the blanks with the required data.

**Manner of Commission** – this section should be in narrative format. This includes:

Extent of Participation – use the definitions provided in the Case Classification Standards (MO No. 07, dated November 28, 1988) or the Revised Penal Code in determining the appropriate information for whether the petitioner was the principal, accomplice or accessory. The Revised Penal Code of the Philippines gives the following definitions of participants in a crime:

Principal – the following are considered Principals:

- 1.1. Those who take a direct part in the execution of the act;
- 1.2. Those who directly force or induce others to commit it; and
- 1.3. Those who cooperate in the commission of the offense by another act without which it would not have been accomplished.

2. **Accomplice** – are those persons who, not being principals, cooperate in the execution of the offense by previous or simultaneous acts. A person is considered as an accomplice if his role in the perpetration of a crime is of minor character – he cooperates knowingly or intentionally but in a manner not indispensable to the commission of the crime. In order that a person may be considered an accomplice, the following requisites must concur:

- 2.1 That there be community of design; that is, knowing the criminal design of the principal by direct participation, he concurs with the latter in his purpose;
- 2.2 That the cooperates in the execution of the offense by previous or simultaneous acts, with the intention of supplying material or moral aid in the execution of the crime in an efficacious way; and
- 2.3 That there be a relation between the acts done by the principal and those attributed to the person charged as accomplice.

3. Accessory – a person who, having knowledge of the commission of the crime, and without having participated therein, either as principal or accomplice, take part subsequent to its commission in any of the following manners:

- 3.1 By profiting themselves or assisting the offender to profit by the effects of the crime;

- 3.2 By concealing or destroying the body of the crime, or the effects or instruments thereof, in order to prevent its discovery;

- 3.3 By harboring, concealing, or assisting in the escape of the principal of the crime, provided the accessory acts with the abuse of his public functions or whenever the author of the crime is guilty of treason, parricide, murder, or an attempt to take the life of the Chief Executive, or is known to be habitually guilty of some other crime.

For further information and guidance, please refer to the Revised Penal Code.

Offender's Statement – a short narrative of the client/offender's version of the crime. This should include the client's stated reason why he committed the crime, how it affected his life (motives/reasons for commission, impact on his life and future plans), etc. attach additional sheet if necessary.

Victim's statement – a short narrative about the victim's version of the offense, effect of the victimization of their lives, families, future plans, the crime, and how it has affected his/her life. Attach additional sheet if necessary.

Remarks/Additional Information – in cases where there is no private offended party, indicate so. If the victim's statement could not be obtained, indicate here the reason why. Indicate any information, observations, explanations, and/or clarifications regarding the offense that the investigating officer feels may have a significant bearing on the case.

B. **Prior Record** – The government agencies listed in the table are the agencies where the petitioner's criminal records have to be checked. If the records check should yield positive information, enter the details in the corresponding space. If no criminal record whatsoever appears in any of the agencies listed, or in any branch thereof, write "No Record" in the appropriate space. Whenever Courtesy Investigation is resorted to because the place is out of the jurisdiction of the investigating office and records check is also requested (full-blown CIR), indicate the results of the record check.

C. **OTHER DEROGATORY INFORMATION** – include verified information about Petitioner's criminal conduct or involvement in other criminal activities which did not give rise to a formal complaint against him or did not appear in the records of the law -enforcement agencies. Such information may include, but is not limited to, membership in gangs/fraternities, reputation in the community, offense committed for which no criminal case was filed, etc.



### III. PERSONAL AND SOCIAL HISTORY

(Page 2)

#### A. PETITIONER'S BIRTH DATA – (self-explanatory)

**Birth Order** – indicate the client's place in the birth order among his/her siblings – eldest, second, third..., youngest among how many children.

#### B. FAMILY BACKGROUND – this part is intended to show relevant information about Petitioner's antecedents, his birth and upbringing, and the circumstances in his home that influenced or continue to influence his character and behavior.

1. Parents – self-explanatory

2. Socio-Economic

Background              Family  
Relationship

- a) Very Satisfactory – petitioner who has a home and a family whose members are supportive, considerate and concerned with one another. Family members have a good and open communication with one another.
- b) Satisfactory – petitioner who has a home and family whose members support one another but with conditions attached.
- c) Fair – petitioner whose family members barely support, consider or communicate with one another but who manage to stay within the roof.
- d) Poor – absolute absence of the above characteristics

Family Reputation in the Community – applies to the opinion which others may have formed and expressed of the family's character. It implies the definite and final formation of opinion by the community. It is predicated upon a general trait of character. The general reputation of a family cannot be proven by a statement of one or two individuals but one generally current in the community.

Family Economic Status – The annual per capita poverty threshold or the amount required to satisfy food and non-food basic needs. As of 2006, a Filipino family of five (5) members should have a monthly income of Php 6,274.00 to meet their food and non-food basic needs. (Source Philippine Poverty Statistics, National Statistical Coordination Board)

- a) Below Poverty Level – monthly family income below Php 6,274.00 for a family of five
- b) Inadequate – the family income is above the poverty level but insufficient for the family's basic needs, considering the social standing of its members.
- c) Adequate – the family income is equal to the basic requirements of the family members considering their social standing.
- d) More than Adequate – the family income is more than sufficient for the basic requirements of its members.

Physical Home Conditions – use as guide the Case Classification Standards for assessing Petitioner’s home condition and family relationships.

Stability of Residence – refers to length of stay in place of residence

- a) Stable – petitioner has been residing in a specific place for the immediate past 10 years.
- b) Occasional Change – petitioner has changed his residence once every three (3) years.
- c) Frequent Change – petitioner who has changed his residence at least once a year.
  
- d) No stability – petitioner who keeps on changing his residence more than once every year.

Indicate under REMARKS/ADDITIONAL INFORMATION any events or findings, not covered by the preceding items that significantly affected Petitioner’s growth and development.

**C. PETITIONER’S PRESENT SITUATION (Page 3)**

Civil Status – self-explanatory; if annulled or separated, indicate the reason why in the space for remarks.

- 1. Spouse/Domestic Partner – spouse refers the partner in a marriage while domestic partner is for unmarried couples. Some clients may refuse to reveal the identity of their partner. Respect their need for privacy – write “Refuse to reveal identity” instead.
- 2. Children – client’s offspring/s; in the table indicate the following: In/out of school

Educational Attainment – refers to the last school level completed  
Legitimate – if the child is with the legal spouse;  
Illegitimate – if with a person other than the legal spouse

- 4. Residence – follow the definitions in the Case Classification Standards for “Stability of Residence”.

Dwelling – refers to place of residence at present.

Informal settler – illegally resides in a place otherwise known as a squatter’s area”

Others – client may be living with relatives, working as a stay-in helper, ambulant, with no permanent address, etc. (eg. Living in pushcarts, on the streets)

## 5. Petitioner's Role in the family

### Income Contributor

Total – petitioner is the man breadwinner of the family

Partial – petitioner contributes to the income of the whole family or pays for some of the utility bills.

Primary Care-giver – petitioner does not directly contribute financially but is the one who stays at home and sees to the family's needs.

Dependent – petitioner neither contributes to the family finances nor functions as a caregiver; may also include the so-called "istambay" or "palamunin" in the local parlance.

Indicate under REMARKS/ADDITIONAL INFORMATION any events or findings, not covered by the preceding items that significantly affect petitioner's present situation especially other major problems in the family that may not be in the list presented.

## **E. EDUCATION** (Page 4)

Specify the last level in school (grade or year level) that the client was able to finish. Write down the course or degree obtained, if any. If client had other educational achievements (e.g. short courses, vocational courses), state the specifics in the space provided.

Indicate under REMARKS/ADDITIONAL INFORMATION any events or findings in the petitioner's educational background that may have significantly affected or influenced the petitioner's present situation such as the reason for lack of formal education, history of truancy, reason for poor school performance, etc.

## **F. JOB HISTORY** (Page 4)

1. Previous Occupation – summarize petitioner's previous occupations by job title, e.g. carpenter, teacher, etc. there is no need to indicate here the specific names or addresses of past employers. However, these details must be recorded in the Worksheet or in the investigation case notes.
2. Present Occupation – if petitioner is currently gainfully employed or has other source of income; indicate name and address of present employer
3. Present Work Status

Self-employed – petitioner has no employer but gains income through his own efforts, may include a formal business or informal business like direct-selling or "buy-and-sell" industry, ambulant vendors, etc.

Regular – with regular employment

Contractual – period of work is subject to a contract which may be verbal or written

Casual – hired only to do a particular job, not cyclic

Intermittent – earns income by doing odd jobs without regularity

Seasonal – hired only on cyclic or recurring basis (like harvest time)

Indicate under REMARKS/ADDITIONAL INFORMATION any events or findings in the petitioner's job history that may have significantly affected or influenced the petitioner's present situation such as the reason for frequent job change, any history of frequent conflict with co-workers, etc. Also indicate petitioner's verified employable skills, if any.

#### **G. MEDICAL HISTORY (Page 4)**

Past Medical History – should include the petitioner's history of past major illness/es, medications taken in the past, hospitalizations, surgical operations, allergies to food and/or drugs

Present Illness – refers to illness or disease that the petitioner has at present; also includes chronic (long-term) illnesses like diabetes, hypertension, thyroid dysfunction, hypercholesterolemia, etc.

Present Medication – medications that the petitioner is taking at present; may give a clue to the petitioner's medical history and/or state of functioning

Drugs/Alcohol Use – drugs refer to illegal drugs such as Methamphetamine (Shabu), Marijuana, Solvents (such as Rugby), MDMA (Ecstasy), Cocaine, etc. indicate the extent of use of such illegal drugs and/or alcohol whether:

Heavy – almost daily use

Regular – use of up to 2 to 3 times in a week

Occasional – use only sporadically especially during special occasions

Experimenter – tried at least once

N/A – never tried drugs or alcohol

**H. PETITIONER'S TRAITS/CHARACTERISTICS (Page 4)** – write a summary of the significant character traits that describe petitioner's current Affective, Relational, Spiritual, Cognitive and Psychomotor conditions that may affect his present situation and which should be addressed during his treatment and rehabilitation. Positive character traits should be mentioned as the petitioner's strengths that make him/her a good candidate for community-based rehabilitation. Negative character traits should also be mentioned especially if they may present a hindrance to a successful reformation. The following guide questions in assessing the petitioner's traits/characters may be used in accomplishing this part in the Worksheet:

#### **AFFECTIVE**

AFFECT is defined as the emotional tone a person expresses. A person's affect may be appropriate or inappropriate to the situation. In order to determine if an individual has a good affect, the following checklist may be promoted:

- Does the individual show a wide range of emotions?
- Does he exude the proper emotions when in a certain situation? (an example would be when he feels sad when the situation is generally saddening or happy when he is in a generally happy situation)
- Is he able to control his emotions when called for?

- Does he feel sad most of the time and has difficulty feeling content with his situation?

### RELATIONAL

Pertains to the petitioner's ability to attain and maintain harmonious interpersonal relationships with others. The following questions may pose as a guide to your assessment of the client's relational abilities:

- Does he maintain a good relationship with his family?
- Does he have someone he considers a close friend/confidante?
- Is he able to adjust to new social situations very easily?
- Is he able to mingle with people socially and make new friends?

### SPIRITUAL

SPIRITUAL WELLNESS may be defined as a sense of wholeness, a sense of knowingness, and a sense of knowing that something is far greater and more wonderful than what one sees with his own eyes. The following checklist may be helpful to see whether the client possesses spiritual wellness:

- Is he able to practice his personal beliefs freely?
- Does the individual feel more in agreement with the positive or negative views in life?
- Does he have strong moral values that he holds on to?
- Does the individual feel let down by some beliefs that once seemed impeccable to him?
- Does he always feel a void deep inside that he constantly needs to fill even through negative means?

### COGNITIVE

Pertains to cognition, the process of knowing and, more precisely the process of being aware knowing, thinking, learning and judging. In order to ascertain whether a client's cognitive abilities are functioning normally, the following questions may serve as a guide:

- Can he grasp new ideas and learn new skills easily?
- Does he put his own intellect and abilities to good use?
- Is he able to make concrete decisions?
- Does he have insight into his present situation (is he aware of the gravity and implications of his offense?)

### PSYCHOMOTOR

Psychomotor development pertains to the progressive acquisition of skills involving both mental and motor activities. Usually, psychomotor retardation or impairment is a symptom of some psychological disorder that involves a general reduction in the speed of thought and difficulty or slowness in movement and speech. In order to assess whether a client has psychomotor impairment, the following questions may serve as a guide:

- Does the client exhibit a general slowing of movement?
- Does he show difficulty in speaking coherently?

- Does he find everyday tasks difficult? (e.g. taking a bath, waking up in the morning)
- Does he act clumsily (e.g. things fall from his grasp easily)
- Does he find activities which are considered simple in the past difficult to do at present? (e.g. doing basic arithmetic, finding directions)

Indicate in the REMARKS/ADDITIONAL INFORMATION any events or findings, in the petitioner's character traits that may have significantly affected or influenced the petitioner's present situation that may not have been included in the guide such as obstinacy, false beliefs, hallucinations, membership in any cult, the reason for frequent conflict with other people, etc. also indicate persistent thoughts or beliefs that the petitioner may have.

#### **I. PETITIONER'S BACKGROUND IN THE COMMUNITY (Page 5)**

**BACKGROUND IN THE COMMUNITY** – see the Case Classification Standards for the definitions of types of neighborhood/community and community acceptance. Under COMMENTS, the specific community organizations or resources that may be utilized for Petitioner's rehabilitation may be cited.

**COLLATERAL INFORMATIONN GATHERED** – summarize the important or noteworthy comments or observations made by collateral sources of information about the Petitioner. Group these observations according to the table provided. It should be emphasized that while the names, positions and addresses of the collateral informants may not be written down in the PSIR for reasons such as security of the informant, such data must be recorded in the investigation case notes/worksheet.

### **IV. ANALYSIS AND EVALUATION**

(Page 5)

This should be a brief but informative summary of the review and assessment of the petitioner and should contain the following:

- A. POSITIVE FINDINGS** – summarize the factors in petitioner's Criminal History (present offense, prior records, and other derogatory information) and Personal and Social history (family background, present situation, medical history). Education, job history, character traits and other circumstances and findings) that may work in favor of his rehabilitation. This summary must be brief but accurate.
- B. NEGATIVE FINDINGS** – summarize the factors or circumstances that indicate that community rehabilitation under the Probation Program of the Agency is not the best option and will not serve the purpose of rehabilitating and reforming the petitioner or that placing the petitioner back in the community will cause undue risk to the public. This summary must not only be brief and accurate but must emphasize the reasons why institutionalized and structured rehabilitation would be more beneficial to the petitioner.

**C. OVER-ALL IMPRESSION OF THE CLIENT** – this is an assessment of the positive findings vis-à-vis the negative findings, and should indicate a determination as to whether or not a grant of probation will best serve the interest of justice, the welfare of society and of the petitioner. It should take into account the reason why the granting of probation would or would not serve the objective of rehabilitation and emancipation of the petitioner and/or whether it may adversely affect the community, hence, institutionalized corrections may be the better choice.

## **V. PROJECTED THRUSTS OF REHABILITATION**

(Page 5)

This portion should emphasize the main objective of the PPA Rehabilitation Program which is to effect the rehabilitation and reintegration of probationers, parolees, pardonees, and first-time-minor drug offenders as productive, law-abiding and socially responsible members of the community through:

1. Well-planned supervision programs for probationers, parolees, pardonees, and first time minor drug offenders which are aligned to national program thrusts of the government (such as, the Sariling-Sikap, Jail Decongestion, etc.) by utilizing the Agency's Integrated Treatment Program of Therapeutic Community, Restorative Justice Principles and the utilization of Volunteer Probation Aides;
2. Establishment of innovative and financially and technically feasible projects for the moral, spiritual and economic upliftment of probationers, parolees, pardonees, and first time minor drug offenders utilizing available community resources.

This portion should indicate the areas to be emphasized in the petitioner's rehabilitation program and the suggested methods of intervention. This should emphasize the reason why such interventions would be most beneficial for the specific petitioner. The projected thrust of rehabilitation should provide a well-defined structure for a synchronized and focused implementation of the various intervention strategies/activities undertaken by the Agency such as:

- a. Individual and group counseling
- b. Restorative justice intervention (if applicable)
- c. Seminars, lectures or trainings offered or arranged by the Agency
- d. Work or job placement/referral
- e. Vocational/livelihood and skills training
- f. Health, mental and medical services
- g. Literacy and education
- h. Community service
- i. Client self-help organization
- j. Payment of civil liability
- k. Environment and ecology
- l. Sports and physical fitness
- m. Integrated allied social services program

## **RECOMMENDATION**

Use page 6 if the recommendation is for GRANT of probation. Use page 7 (detach page 6) of the recommendation is for DENIAL and the basis thereof. The conditions numbered 1 to 6 and 12 as listed in the attached sample Recommendation page are mandatory. Conditions numbered 7 to 11 may or may not be imposed depending on the petitioner's particular case and as evaluated by the Probation Office concerned. Other additional conditions that would be beneficial to the petitioner may be included as the need arises.



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg, NIA Road  
Diliman, Quezon City

May 10, 2011

**MEMORANDUM ORDER**

**NO. 14                      S. 2011**

**TO                                :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY OFFICES**

**SUBJECT                        :**        **Reiteration on the Enforcement of Board of Pardons and Parole Resolution No. 06, dated September 11, 1990**

This is to reiterate the enforcement of Board of Pardons and Parole Resolution No. 06 dated September 11, 1990 which is embodied in Memorandum Circular No. 25 S. 2006 dated May 31, 2006 signed by then Administrator Herradura stating that the Board resolved:

- "a) not to allow parolee/pardonee who is under surveillance to reside inside the New Bilibid Prison reservation in Muntinlupa or in any of the National Penal Institutions. In this relation, the Executive Director was instructed to submit to the Board the names of parolees/pardonees subject to surveillance who are residing inside a National Penal reservation;
- b) to require all applications for transfer of residence to state the house number, the name of the street, the municipality/city and the name of the owner of the new place residence of parolee/pardonee seeking said transfer."

Memorandum Circular No. 25 S. 2006 further mentioned the rationale behind the aforesaid resolution that for genuine rehabilitation to take place, parolees or pardonees should be reintegrated in a normal community setting.

Please be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

May 2, 2011

**MEMORANDUM ORDER**

**NO. 11            S. 2011**

**TO                :        ALL FIELD OFFICES**

**SUBJECT        :        Conduct of Community Interview**

It has been observed that Field Officers who conducted PECIR/PPIR specifically on prisoners confined in colonies, before submitting the result to the Technical Service still request Field Officer concerned where prisoner wanted to stay after release to conduct community interview and wait for the result which caused delay in the submission of the PECIR/PPIR. To avoid this, Field Officers are required to submit the result of PECIR/PPIR immediately to the Technical Service despite the absence of the Community Interview.

When needed, it is the Technical Service who will request for the conduct of an interview on certain prisoner. However, there are instances when the Board directly sends a request to Field Officer concerned without coursing it to the Technical Service. In cases like this, despite the Board of Pardons and Parole's request, the result **MUST** be submitted to the Technical Service for proper evaluation.

Be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

January 26, 2011

**MEMORANDUM**

**TO : ALL FIELD OFFICERS**

**SUBJECT : Certificate of No Appeal (CNA)/Certificate of No Pending Case (CNPC)**

It has been observed that some of the PPA-DOJ Field Officers, interchangeably submit Certificate of No Pending Case (CNPC) when in fact what is requested by the Board of Pardons and Parole (BPP) is a Certificate of No Appeal (CNA), or vice versa.

In line with this, and to distinguish the two aforesaid documents from each other, please be guided by the following:

1. Certificate of No Appeal (CAN): refers to written certification issued by the Clerk of Court or any authorized Court Official that the pertinent criminal case/s has been decided by a particular Court of Law, and the same has not been appealed; and
2. Certificate of No Pending Case (CNPC): refers to a certification issued by the Clerk of Court or any authorized Court Official that aside from the case now/presently serving by the concerned prisoner, there is/are no other case/s pending before that Court.

Be guided accordingly.

**(SGD.) MANUEL G. CO, CESO**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

January 25, 2011

**MEMORANDUM ORDER**

**NO. 1                      S. 2011**

**TO                      :           ALL FIELD OFFICES**

**SUBJECT              :           Conduct of Pre-Parole/Pre-Executive Clemency Investigation  
Report PPCIR/PECIR**

In addition to the data enumerated in PPIR/PECIR Form, you are required to include the following in the conduct of your interview:

- Your observations on the behavior of the prisoners during interview (is he remorseful? Evidence and results of desire to improve himself during imprisonment)
- His outstanding achievement and/or special preparations (a member of any religious organization/studied while confined, learned vocational skills, hobbies, recreational and special interest)
- His plans for the future (why is he eligible for parole/executive clemency)

The above enumerations are very vital in the Board's deliberations.

Be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

November 30, 2010

**MEMORANDUM ORDER**  
**NO. 20            S. 2010**

**TO                    :**        **ALL HEADS OF REGIONAL/PROVINCIAL/CITY FIELD OFFICES**

**SUBJECT            :**        **Submission of Reports Pertinent to Parole and Pardon**

It has been observed that some of our Field Officers submit their reports directly to the Board of Pardons and Parole despite the issuance of Memorandum Circular No. 25, s. 1996 dated July 11, 1996 by then Administrator Gregorio F. Bacolod. Please be reminded that the Technical Service serve as the coordinating center between PPA and BPP and it shall be responsible in reviewing, evaluating and assessing the quality of all reports pertaining to parole and pardon, after which, it shall transmit these to the Board.

In this connection, all concerned officials are requested to submit all reports pertinent to parole and pardon to the Technical Service, for appropriate review, assessment and evaluation.

For compliance.

**(SGD.) MANUEL G. CO**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

September 30, 2010

**MEMORANDUM ORDER**

**NO. 11            S. 2010**

**TO                :**        **ALL FIELD OFFICERS**

**SUBJECT        :**        **Conduct of Pre-Parole/Pre-Executive Clemency Investigation  
Report (PPIR/PECIR)/Community Interview**

It has been observed that the submission of PPIRs/PECIRs takes time for the reason that some Field Officers await the result of the community interview conducted at the place where prisoner desires to stay after release. For Field Officers who are conducting PPIR/PECIR there is NO NEED for you to request for a conduct of community interview if prisoner will reside outside your jurisdiction. This is the responsibility of the Technical Service to determine who will conduct the community interview. Therefore, to avoid delay, after conducting PPIR/PECIR submit the result to the Technical Service immediately.

Be guided accordingly.

**(SGD.) MANUEL G. CO**  
**Officer-In-Charge**

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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**RESOLUTION NO. 24-4-10**

**RE : Amending and Repealing Certain Rules and Sections of the Rules on Parole and Amended Guidelines for Recommending Executive Clemency of the 2006 Revised Manual of the Board of Pardons and Parole**

-----

**WHEREAS**, Section 19, Article VII of the 1987 Philippine Constitution provides that the President, except in cases of impeachment or as otherwise provided therein, may grant reprieves, commutations and pardons, and remit fines and forfeitures, after conviction by final judgment;

**WHEREAS**, in accordance with the above-cited constitutional provision, the President has the plenary power to grant executive clemency, except on the following three (3) constitutional limitations, to wit:

1. In cases of impeachment;
2. In cases involving violation of election laws, rules and regulations as provided for in Section 5, Paragraph C, Article IX of the 1987 Philippine Constitution without the favorable recommendation of the Commission on Elections; and
3. In cases where the conviction is on appeal or has not become final and executory;

**WHEREAS**, the eight (8) disqualifications or exceptions enumerated and provided for in Section 5 of the Amended Guidelines for Recommending Executive Clemency of the 2006 BPP Revised Manual are not in consonance with the provisions of Section 19, Article VII of the 1987 Philippine Constitution, constitute as limitations on the pardoning power of the President, and violate the time-honored principle of equal protection of the laws enshrined in the Bill of Rights, thus defeating the primary purpose of restorative justice;

**WHEREAS**, Section 5, Paragraphs a, b, c, d, e, f, g and h of the Amended Guidelines for Recommending Executive Clemency discriminates against certain criminal offenders and denies them equal opportunity for executive clemency;

**WHEREAS**, under Section 10, notices to the prosecutor and convicting judge are no longer necessary since, as pillars of the criminal justice system, they have done their part and have lost jurisdiction over the case;

**WHEREAS**, under Section 3 of Republic Act No. 9346, otherwise known as "An Act Prohibiting the Imposition of Death Penalty in the Philippines", enacted on June 24, 2006, persons convicted of offenses punished with *reclusion perpetua*, or whose sentences were reduced to *reclusion perpetua* by reason of this Act, shall not be eligible for parole under Act No. 4103, otherwise known as "The Indeterminate Sentence Law", as amended;

**WHEREAS**, under Executive Order No. 83 dated January 11, 1937, the Board of Pardons and Parole is mandated to assist the President in exercising the power of executive clemency; and

**WHEREAS**, pursuant to the mandate of the law to redeem and uplift valuable human resources and prevent excessive deprivation of liberty, there is a need to provide opportunities to qualified and deserving inmates in order to ease congestion now plaguing the correctional institutions.

**WHEREFORE**, premises considered, the Board resolves, as it is hereby Resolved, to AMEND and REPEAL the following provisions of the Rules on Parole and the Amended Guidelines for Recommending Executive Clemency of the 2006 BPP Revised Manual:

I. Rule 2.1. of the Rules on Parole is hereby AMENDED to read as follows:

***“RULE 2.1. Eligibility for Review of A Parole Case*** – an inmate's case may be eligible for review by the board provided:

- a. Inmate is serving an indeterminate sentence the maximum period of which exceeds one (1) year;
- b. Inmate has served the minimum period of the indeterminate sentence;
- c. Inmate's conviction is final and executory;

In case the inmate has one or more co-accused who had been convicted, the director/warden concerned shall forward their prison records and carpetas/jackets at the same time.

- d. Inmate has no pending criminal case; and
- e. Inmate is serving sentence in the national penitentiary, unless the confinement of said inmate in a municipal, city, district or provincial jail is justified.

A national inmate, for purposes of these Rules, is one who is sentenced to a maximum term of imprisonment of more than three (3) years or to a fine of more than five thousand pesos; or regardless of the length of sentence imposed by the Court, to one sentenced for violation of the customs law or other laws within the jurisdiction of the Bureau of Customs or enforceable by it, or to one sentenced to serve two (2) or more prison sentences in the aggregate exceeding the period of three (3) years.”

II. Rule 2.2, Paragraphs i to l of the Rules on Parole are hereby DELETED for being inconsistent with the provisions of Section 2 of the “Indeterminate Sentence Law”, as amended. Further, said Rule is hereby AMENDED to read as follows:

***“RULE 2.2 Disqualifications for Parole*** - Pursuant to Section 2 of Act No. 4103, as amended, otherwise known as the “Indeterminate Sentence Law”, parole shall not be granted to the following inmates:

- a. Those convicted of offenses punished with death penalty or life imprisonment;



- b. Those convicted of treason, conspiracy or proposal to commit treason or espionage;
- c. Those convicted of misprision of treason, rebellion, sedition or *coup d'etat*;
- d. Those convicted of piracy or mutiny on the high seas or Philippine waters;
- e. Those who are habitual delinquents, i.e., those who, within a period of ten (10) years from the date of release from prison or last conviction of the crimes of serious or less serious physical injuries, robbery, theft, *estafa*, and falsification, are found guilty of any of said crimes a third time or oftener;
- f. Those who escaped from confinement or evaded sentence;
- g. Those who having been granted conditional pardon by the President of the Philippines shall have violated any of the terms thereof;
- h. Those whose maximum term of imprisonment does not exceed one (1) year or those with definite sentence;
- i. Those convicted of offenses punished with *reclusion perpetua*, or whose sentences were reduced to *reclusion perpetua* by reason of Republic Act No. 9346 enacted on June 24, 2006, amending Republic Act No. 7659 dated January 1, 2004; and
- j. Those convicted for violation of the laws on terrorism, plunder and transnational crimes.”

III. Rule 2.3 of the Rules on Parole is hereby AMENDED to read as follows:

**“RULE 2.3. Review Upon Petition or referral by the correctional and/or other agencies** – a parole case may be reviewed by the Board upon petition or referral by the correctional and/or other agencies if inmate is not otherwise disqualified under Rule 2.2.”

IV. Section 1 of the Amended Guidelines for Recommending Executive Clemency is hereby AMENDED to read as follows:

**“SECTION 1. Plenary Power of the President to Grant Executive Clemency** – Under Section 19, Article VII of the Constitution, except in cases of impeachment or as otherwise provided therein, the President may grant reprieves, commutations and pardons, and remit fines and forfeitures, after conviction by final judgment. Executive clemency rests exclusively within the sound discretion of the President, and is exercised with the objective of preventing a miscarriage of justice or correcting a manifest injustice.

These Guidelines are meant solely for the guidance of the Board of Pardons and Parole (hereafter the “Board”) in the performance of its duty to assist the President in exercising the power of executive clemency pursuant to Executive Order No. 83 dated January 11, 1937. These Guidelines create no vested or enforceable rights in persons applying for executive clemency.”

V. Section 3 of the Amended Guidelines for Recommending Executive Clemency is hereby AMENDED to read as follows:

**“SECTION 3. *Extraordinary Circumstances*** – The Board shall recommend to the President the grant of executive clemency when any of the following extraordinary circumstances are present:

- a. The trial court or appellate court in its decision recommended the grant of executive clemency for the inmate;
- b. Under the peculiar circumstances of the case, the penalty imposed is too harsh compared to the crime committed;
- c. Evidence which the court failed to consider, before conviction, which would have justified an acquittal of the accused;
- d. Inmates who were over fifteen (15) years but under eighteen (18) years of age at the time of the commission of the offense;
- e. Inmates who are seventy (70) years old and above whose continued imprisonment is inimical to their health as recommended by a physician of the Bureau of Corrections Hospital and certified under oath by a physician designated by the Department of Health;
- f. Inmates who suffer from serious, contagious or life-threatening illness/disease, or with severe physical disability such as those who are totally blind, paralyzed, bedridden, etc., as recommended by a physician of the Bureau of Corrections Hospital and certified under oath by a physician designated by the Department of Health;
- g. Alien inmates where diplomatic considerations and amity among nations necessitate review; and
- h. Such other similar or analogous circumstances whenever the interest of justice will be served thereby.”

VI. Section 4 of the Amended Guidelines for Recommending Executive Clemency is hereby AMENDED to read as follows:

**“SECTION 4. *Other circumstances*** – When none of the extraordinary circumstances enumerated in Section 3 exist, the Board may nonetheless review and/or recommend to the President the grant of executive clemency to an inmate provided the inmate meets the following minimum requirements of imprisonment:

A. For Commutation of Sentence, the inmate should have served:

1. at least one-third (1/3) of the definite or aggregate prison terms;
2. at least one-half (1/2) of the minimum of the indeterminate prison term or aggregate minimum of the indeterminate prison terms;
3. at least ten (10) years for inmates sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment, for crimes/offenses not punished under Republic Act No. 7659 and other special laws;

4. at least thirteen (13) years for inmates whose indeterminate and/or definite prison terms were adjusted to a definite prison term of forty (40) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;
5. at least fifteen (15) years for inmates convicted of heinous crimes/offenses as defined in Republic Act No. 7659 or other special laws, committed on or after January 1, 1994 and sentenced to one (1) *reclusion perpetua* or one (1) life imprisonment;
6. at least eighteen (18) years for inmates convicted and sentenced to *reclusion perpetua* or life imprisonment for violation of Republic Act No. 6425, as amended, otherwise known as "The Dangerous Drugs Act of 1972" or Republic Act No. 9165, also known as "The Comprehensive Dangerous Drugs Act of 2002"; and for kidnapping for ransom or violation of the laws on terrorism, plunder and transnational crimes;
7. at least twenty (20) years for inmates sentenced to two (2) or more *reclusion perpetua* or life imprisonment even if their sentences were adjusted to a definite prison term of forty (40) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;
8. at least twenty-five (25) years for inmates originally sentenced to death penalty but which was automatically reduced or commuted to *reclusion perpetua* or life imprisonment.

B. For Conditional Pardon, an inmate should have served at least one-half (½) of the maximum of the original indeterminate and/or definite prison term."

VII. Section 5 of the Amended Guidelines for Recommending Executive Clemency is hereby REPEALED.

VIII. Section 10 of the Amended Guidelines for Recommending Executive Clemency is hereby AMENDED to read as follows:

**"SECTION 10. Notice to the Offended Party** - In all cases when an inmate is being considered for executive clemency, the Board shall notify the offended party or, in the event that the offended party is unavailable for comment or otherwise cannot be located, the immediate relatives of the offended party. Said persons shall be given thirty (30) days from notice to comment on whether or not executive clemency may be granted to an inmate. Provided that, in matters of extreme urgency or when the interest of justice will be served thereby, such notice may be waived or dispensed with by the Board. In such a case, the Board shall explain the reason for the waiver of such notice in the Board resolution recommending executive clemency."

IX. Section 11 of the Amended Guidelines for Recommending Executive Clemency is hereby AMENDED to read as follows:

**"SECTION 11. Publication of Names of Those Being Considered for Executive Clemency** – The Board shall cause the publication once in a newspaper of national circulation the names of inmates who are being considered for executive clemency. Provided, however, that in cases of those convicted of offenses punished with *reclusion perpetua* or life imprisonment

by reason of Republic Act No. 9346, publication shall be once a week for three (3) consecutive weeks.

Any interested party may send to the Board written objections/ comments/information relevant to the cases of inmates being considered for executive clemency not later than thirty (30) days from date of publication.

Provided that, in matters of extreme urgency or when the interest of justice will be served thereby, above publication may be waived or dispensed with. In such cases, the Board shall explain the reason for the waiver of such publication in the Board resolution recommending executive clemency."

X. This Resolution shall take effect upon approval by the Secretary of Justice and fifteen (15) days after its publication in a newspaper of general circulation. Let copies of this Resolution be likewise sent to the Office of the President through the Executive Secretary, and the University of the Philippines (UP) Law Center.

April 13, 2010

(SGD.) NATIVIDAD G. DIZON  
Chairman of the Board

(SGD.) ARTEMIO C. ASPIRAS  
Member

(SGD.) RAMON A. BARCELONA  
Member

(SGD.) JIMMY T. GIRON  
Member

(SGD.) ALEJANDRINO M. VILLAMIL  
Member

(SGD.) ISMAEL J. HERRADURA  
Ex-Officio Member

(SGD.) JOSEFINA M. SANTOS  
Member

(SGD.) PERLITA J. TRIA TIRONA  
Member

APPROVED:

(SGD.) ALBERTO C. AGRA  
Acting Secretary of Justice

ATTESTED:

(SGD.) REYNALDO G. BAYANG  
Executive Secretary of the Board

FBB

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg, NIA Road,  
Diliman, Quezon City

August 8, 2008

**MEMORANDUM ORDER**  
**NO. 14            S. 2008**

**TO                    :**        **ALL REGIONAL HEADS**  
                                 **ALL FIELD OFFICES**

**SUBJECT            :**        **Compliance with the Official Requests of the Board of**  
                                 **Pardons and Parole**

It has been reported that some Chief Probation and Parole Officers do not comply with the request of the Board of Pardons and Parole to conduct interview on prisoners confined in the National Penitentiary and its colonies including CIW and prisoners confined in Local Jails because of their assumption that these prisoners are not qualified for parole/executive clemency on the ground that their time served with good conduct time allowance is not enough to fully satisfy the material time required of them to serve the minimum or that their cases do not fall under the requirements provided in the Amended Guidelines in Recommending Executive Clemency particularly Section 3 and 4 for them to qualify for executive clemency.

Please be informed that under Sec. 4 of R.A. 4103, as amended (Indeterminate Sentence Law), the Board is empowered to call upon any bureau, office, branch, subdivision, agency or instrumentality of the Government for such assistance as it may need in connection with the performance of its functions. In addition, it is only the Board which is authorized to determine whether a prisoner is qualified for parole or be recommended for a grant of executive clemency.

In this regard, all Chief Probation and Parole Officers and their subordinate officers are required to extend full support and attention to all official requests of the Board.

Please be guided accordingly.

**(SGD.) ISMAEL J. HERRADURA**  
**Administrator**

Distribution:

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- 1 ea    - All Field Offices
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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

May 31, 2006

**MEMORANDUM CIRCULAR**  
**NO. 25            S. 2006**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY OFFICES**

**SUBJECT           :**        **Enforcement of BPP Resolution No. 06, dated September 11, 1990**

Attached for your information, guidance and strict compliance is Board (of Pardons and Parole) Resolution No. 06, dated September 11, 1990, the substance of which was reiterated by the Board in its meeting of May 25, 2006 in view of a number of cases whereby the Regional Directors concerned had approved the transfer of residence of parolees/conditional pardonees allowing them to reside inside the New Bilibid Prison reservation in Muntinlupa City or in any of the national penal institutions.

The rationale behind the aforesaid resolution is that for genuine rehabilitation to take place, the parolees or conditional pardonees should be reintegrated in a normal community setting.

Please be guided accordingly.

**(SGD.) ISMAEL J. HERRADURA**  
**Administrator**

Attached: a/s

Distribution:

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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
Manila

**Resolution No. 06**

**Re : Transfer of Residence**

In its meeting held today, the Board resolved, as it hereby Resolves:

- (a) Not to allow parolee/pardonee who is under surveillance to reside inside the New Bilibid Prison reservation in Muntinlupa or in any of the National Penal Institutions. In this relation, the Executive Director was instructed to submit to the Board the names of parolees/pardonees subject to surveillance who are residing inside a national penal reservation;
- (b) To require all applications for transfer of residence to state the house number, the name of the street, the municipality/city and the name of the owner of the new place of residence of the parolee/pardonee seeking said transfer.

Let a copy of this Resolution be furnished the Administrator, Parole and Probation Administration, for his guidance and implementation.

September 11, 1990

(SGD.) RAMON J. LIWAG  
Undersecretary of Justice  
Acting Chairman

(SGD.) ESTER AMOR DE JESUS  
Member

(SGD.) LINO ANOVER  
Member

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ROLAN ESTEBAN  
Member

(SGD.) LETICIA MOLINA  
Member

(SGD.) EDITH MULINGTAPANG  
Ex-Officio Member

Attested by:

(SGD.) ARTEMIO C. ASPIRAS  
Executive Director/Secretary

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

May 15, 2006

**MEMORANDUM**

**TO : ALL REGIONAL HEADS/OICs**

**SUBJECT : Policy on submission of Pre-Parole/Pre-Executive Clemency Investigation Report**

It has been observed that a number of pre-parole/pre-executive clemency investigation reports (PPCIR), submitted by the field offices concerned to the Board of Pardons and Parole through the Technical Service have been treated as "pending disposition" in view of the fact that said field offices have no timely information on the action by the Board on said reports. This set-up does not reflect a precise picture of our official data, considering that the Technical Service, thus far, has no way of tracking down the action of the Board on cases where the PPIC/PECIR is required, in addition to the fact that in some cases the Board no longer considers the PPIR/PECIR in coming up with its decision in relation to the grant of parole or executive clemency.

In this regard, it will be our policy, effective immediately, that upon receipt of the acknowledgment from the Technical Service Chief, the field offices concerned shall deem said report to have been disposed of or acted upon by the Board.

Please be guided accordingly.

(SGD.) ISMAEL J. HERRADURA  
Administrator

Distribution:

1 - Deputy Administrator  
1 ea - All Regional Offices  
1 ea - All Divisions/TS/Planning/RA  
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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**RESOLUTION No. 0107-12-04**

**Re: Authorization to Parole and Probation Field Offices**

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Whereas, under the Rules on Parole and General Guidelines for Recommending Executive Clemency, certificates of no appeal and no pending case issued by the trial courts are mandatory requirements before the case of a prisoner for parole/executive clemency maybe considered by the Board;

Whereas, under Executive Order No. 292 otherwise known as the "Revised Administrative Code of 1987" the Technical Service under the Office of the Deputy Administrator, Parole and Probation Administration, is the service arm of the Board in the supervision of parolees/pardonees and other matters pertaining to parole/executive clemency; and,

Whereas, under page 2, letter B of the Memorandum of Agreement dated December 3, 2001, the Parole and Probation Administration is tasked to conduct and submit pre-parole/executive clemency investigation reports together with other court records of national and local prisoners;

Wherefore, premises considered and after discussion, the Board resolves, as it is hereby Resolved, to authorize the Field Offices of the Parole and Probation Administration to secure from the trial and/or appellate courts within their respective area of jurisdiction, certificates of no appeal and no pending case, Entry of Judgment and other pertinent documents as maybe required by the Board and to incorporate said certificates/documents in the prison jacket/carpeta of the prisoner and thereafter, forward the same to the Board for appropriate action.

December 14, 2004

(SGD.) TERESITA R. DOMINGO  
Assistant Secretary for Legislative Affairs  
and Acting Chairman of the Board

Attested by:

(SGD.) REYNALDO G. BAYANG  
Executive Secretary of the Board

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road,  
Diliman, Quezon City

February 11, 2005

**MEMORANDUM CIRCULAR**  
**NO. 05            S. 2005**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY PAROLE  
AND PROBATION OFFICES**

**SUBJECT            :**        **Submission of Summary Reports**

Attached for your information, guidance and strict compliance is a copy of BPP Resolution No. SSR-045-2-04, dated 12 February 2004, which is self-explanatory and is hereby circularized once more in view of the fact that a number of Summary Reports submitted to the Technical Service do not adhere to the aforesaid guidelines.

Henceforth, all summary reports on parolees/pardonees should be DATED and SUBMITTED AFTER the date of the expiration of parole surveillance or maximum sentence as appearing in the "Discharge on Parole" or "Conditional Pardon".

**(SGD.) ISMAEL J. HERRADURA**  
**Acting Administrator**

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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road cor. East Avenue  
Diliman, Quezon City

RESOLUTION NO. SSR-045-2-04

RE: SUBMISSION OF SUMMARY REPORTS

X- ----- X

WHEREAS, for purposes of terminating parole supervision or granting Final Release and Discharge to a parolee or pardonee, the Parole and Probation Administration is required to submit pursuant to Rule 3.16, Part C, Rules on Parole and Section 26, General Guidelines for Recommending Executive Clemency, a summary report on the supervision of a parolee/pardonee after the expiration of his/her maximum sentence.

WHEREAS, it has been observed that some Chief Probation and Parole Officers submit summary reports on said parolees or pardonees even before the date of the expiration of their parole surveillance or maximum sentence as appearing in the "Discharge on Parole" or "Conditional Pardon".

WHEREAS, such practice is inadvisable since there is always the likelihood that from the day the report is submitted and the day parole supervision ends/maximum sentence expires, the parolee/pardonee commits a violation of a condition of his parole/pardon.

WHEREFORE, premises considered and after discussion, the Board resolves as it hereby Resolved, to request the Parole and Probation Administration through its Administrator, to instruct its Chief Probation and Parole Officers to comply with the abovementioned provisions of Rule 3.16 and Section 26 on the proper time of submission of summary reports.

12 February 2004

(SGD.) TERESITA R. DOMINGO  
Senior State Prosecutor  
and Acting Chairman of the Board

Republic of the Philippine  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

July 5, 2004

**MEMORANDUM CIRCULAR**

**No. 11                      S. 2004**

**TO                               : All Regional Directors/Asst. Regional Directors/OICs**

**SUBJECT                   : Supplemental Rules to the Omnibus Rules on Probation Methods  
and Procedures**

For your information and guidance, attached is the Supplemental Rules to the Omnibus Rules on Probation Methods and Procedures, duly approved by Hon. Merceditas N. Gutierrez, Acting Secretary, Department of Justice.

You are further advised to furnish each field office in your area of jurisdiction a copy thereof.

Please be guided accordingly.

(SGD.) ISMAEL J. HERRADURA  
Officer -in-Charge

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**SUPPLEMENTAL RULES TO**  
**THE OMNIBUS RULES ON PROBATION METHODS AND PROCEDURES**

**GENERAL PROVISIONS**

**Section 1. Scope.** These Supplemental Rules are to be read and used in conjunction with the Omnibus Rules on Probation Methods and Procedures and the Rules and Regulations on Parole Supervision.

**Sec. 2. Applicability.** - These Rules shall apply exclusively to Juveniles in Conflict with the Law or JICL,

**Sec. 3. Definition of terms.** As used herein, unless the context otherwise requires:

- a) **“JICL”** refers to a natural person who is below eighteen (18) years of age but more than nine (9) years of age at the time of the commission of the crime, felony or offense. More specifically, the term refers to a JICL who is a first-time offender whose
  - i. sentence was suspended in accordance with Presidential Decree No. 603, “The Child and Youth Welfare Code”, as amended, but who is returned to the committing court for the pronouncement of judgment or sentencing and who is qualified for the grant of probation under Presidential Decree No. 968, “The Probation Law of 1976”, as amended;
  - ii. sentence became final and executory after he attained the age of eighteen (18) years; or
  - iii. whose minority could not be ascertained up to the time he was convicted and sentenced to serve a penalty for which he may be released on probation under the aforementioned Presidential Decree No. 968.
- b. **“Petitioner”** refers to a JICL who applies for the grant of probation.
- c. **“Probationer”** refers to a JICL who is placed on probation.
- d. **“Administration”** refers to the Parole and Probation Administration.

**Sec. 4. Declaration of Policy.** - It shall be the policy of the Administration to protect and nurture the rights of JICLs under the Constitution and its enabling laws and rules, and the United Nations Standard Rules in the Administration of Juvenile Justice and Treatment of Offenders. A JICL under the care of the Administration shall be assured of full protection against neglect, maltreatment, abuse and exploitation.

**PETITION FOR PROBATION**

**Sec. 5. JICL Docket Book.** - The Administration shall require all Parole and Probation officers to establish and maintain a separate docket book for recording all court orders/referrals for the conduct of Post-Sentence Investigation (PSI) of a JICL.

**Sec. 6. Intake Interview; Waiver.** - The Probation Officer assigned to conduct the PSI shall hold the intake interview of the petitioner not later than five (5) days after the latter reports to the Parole and Probation Office pursuant to the order of the Trial Court. If there is no court order requiring the petitioner to report to said Office, the Probation Officer shall invite the petitioner, personally or by mail, to appear before him for the intake interview within the aforementioned period. The petitioner shall be advised that he may be

accompanied during the intake interview by at least one member of his immediate family or, if there is none, by a responsible member of the community.

In the intake interview, the Probation Officer shall require the petitioner to accomplish and sign a Post-Sentence Investigation Worksheet (PPA Form No. 1). The contents of the Worksheet and other information gathered during the intake interview shall be the bases of further investigation.

The petitioner shall be required to execute and sign a Waiver-Cum-Authorization (PPA Form No. 2-A) authorizing the Administration to secure any and all information about him. In the same document, the petitioner shall consent to and/or be required, pending submission of the Post-Sentence Investigation Report (PSIR) and/or the resolution by the Trial Court of the petition for probation, to undergo community-based disposition measures, including but not limited to any or all of the following:

- 1) Guidance and counseling;
- 2) Educational, vocational or life skills programs;
- 3) Competency development;
- 4) Socio-cultural and recreational activities;
- 5) Community volunteer projects;
- 6) Leadership training;
- 7) Community and family welfare services; and/or
- 8) Referral to governmental or private rehabilitation clinics, hospitals, open centers or living communities

**Sec. 7. Case Conference.** - Before the submission of the PSIR to the Trial Court, the Probation Officer shall confer with the petitioner, his/her immediate family member or relative or, in the latter's absence, a responsible member of the community. The conference shall seek to determine and enhance the commitment of the petitioner's relative or concerned member of the community to the supervision treatment program. The Chief Probation and Parole Officer shall preside over the case conference.

The JICL shall be given the opportunity to actively participate in the conference and shall be encouraged to express his/her views.

**Sec. 8. Transfer of probation of petitioner.** In the proper case, the PSIR, may, aside from recommending the grant of probation, contain a request that the control over the petitioner and his/her probation program be given/transferred to the Regional Trial Court designated as Family Court, if any, subject to the actual visitation and supervision of the petitioner by the responsible Probation Officer.

#### **SUPERVISION OF PROBATIONER**

**Sec. 9. Supervision Treatment Plan; Goals.** - The Probation Officer shall prepare a Supervision Treatment Plan (STP) for strict compliance by the probationer. The STP shall be prepared in consultation with the probationer and his/her immediate relative or, in the absence of the latter, a responsible community member.

The STP shall have the following goals:

- a) to fix or, as needed, adjust/readjust the level of supervisory control required to address the overall danger posed by the probationer to the community;
- b) to assess/reassess how the probationer will make amends for the harm he may have inflicted and what strategies will be used to increase his/her understanding of the impact of his/her behavior on the victim and the community; and
- c) to identify the behavior gaps, problematic mindset and/or inadequacy in skills that contributed to his/her delinquency and set intervention and treatment measures and solutions therefore.

**Sec. 10. Acceptance of STP; Review.** - The STP shall take effect after it is accepted in writing by the probationer.

The Supervising Probation Officer shall review/evaluate the STP not later than six (6) months after it takes effect. Whenever the need arises and/or upon the request of the probationer, the Supervising Probation Officer shall make the corresponding change to the STP or make a new one, and thereafter, submit the same to the Chief Probation and Parole Officer for approval. The revised or new STP shall also require the written acceptance of the probationer.

**Sec. 11. Change of Residence; Transfer of Control and Supervision.** - If a probationer is authorized by the court to reside in a place under the jurisdiction of another court, the Probation Officer shall request that control over the probationer and his/her probation program be transferred to the Regional Trial Court that has been designated as the Family Court thereat, if any, subject to actual supervision and visitation of the probationer by a new Probation Officer in the receiving Parole and Probation Office.

#### **INFRACTION OF TERMS AND CONDITIONS OF PROBATION**

**Sec. 12. Proof of Violation.** - The Probation Officer shall submit to the Court clear and convincing evidence of a serious violation of the terms and conditions of the grant of probation upon which the Court may base its order for the revocation of said grant.

**Sec. 13. Arrest of Erring Probationer.** - The arrest and recommitment of a probationer shall be a measure of last resort.

#### **TERMINATION OF SUPERVISION**

**Sec. 14. Final Supervision Conference.** - Before the Supervising Probation Officer submits the Probation Final Report (PPA Form No. 9) to the Court, he shall have a final conference with the probationer, together with his/her immediate relative or, in the latter's absence, a responsible community member. If necessary and available, the victim and/or a responsible member of the community may be invited to attend said conference. The presence of the Chief Probation and Parole Officer in the conference shall be mandatory.

#### **PROBATION REPORTS**

**Sec. 15. Probation Reports.** - The Monthly Caseload Summary Reports (PPA Form 5 and attachments), the Semestral Reports of Parole and Probation Offices, the Annual Reports of Regional Directors, and the Annual Consolidated Reports of the Administration shall contain separate entries for the JICL clientele.

#### **EFFECTIVITY**

**Sec. 16. Effectivity.** - These Rules shall take effect upon approval by the Secretary of Justice and fifteen (15) days after publication in a newspaper of general circulation.

Quezon City, 29 January 2004

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

APPROVED:  
(SGD.) MA. MERCEDITAS N. GUTIEREZ  
Acting Secretary

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

May 6, 2003

**MEMORANDUM ORDER**  
**No. 05                      S. 2003**

**TO                      : All Heads of Regional, Provincial and City Offices**

**SUBJECT            : Guidelines for the Early Termination of Parole/Pardon**

For the guidance of all concerned, the following parolees/pardonees may be recommended for early termination of their parole/pardon supervision:

1. Those who are suffering from serious physical or mental disability such as lepers, deaf-mutes, the crippled, the totally blind, the senile, bed-ridden due to serious illness rendering them incapacitated to report for supervision;
2. Those who do not need further supervision as evidenced by the following:
  - a. Have shown to be law-abiding citizen and has not violated any of the Philippine laws (Sec. 6, R.A. 4103);
  - b. Consistent and religious compliance with all the conditions imposed in his discharge order;
  - c. Absence of any derogatory record while serving parole/pardon;
  - d. Positive response to the program of supervision designed for their rehabilitation;
  - e. Significant improvements in their social and economic life;
  - f. Marked improvement in their outlook in life by becoming socially aware and responsible member of his family and the community; and
  - g. Significant growth in self-esteem, self-discipline and self-fulfillment.

Provided, that said parolee/pardonee has undergone supervision for at least one-half (1/2) of the required surveillance period.

3. Those who
  - A. To travel abroad due to any of the following:
    - A.1. Needs medical treatment for an illness, which is not available locally;
    - A. 2 With an approved application for immigration; and
    - A. 3 With guaranteed employment abroad.
4. Those who will take any government examination.



5. Those who are seeking an appointive/elective public position or reinstatement in government service.

However, should the parolee/pardonee concerned has civil liability, proof of insolvency as certified by the Chief Probation and Parole Officers to the effect that client has no stable means of income and no other property to satisfy his civil obligations shall be submitted.

The recommendation should be reviewed and approved by the respective Regional Directors.

Please be guided accordingly.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

Encls.: a/s

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

September 25, 2000

**MEMORANDUM CIRCULAR**  
**NO. 32            S. 2000**

**TO                    :**        **ALL REGIONAL HEADS/DIVISIONS/FIELD OFFICES**

**SUBJECT            :**        **Board of Pardons and Parole Resolution No. 8088**

Quoted hereunder is Board of Pardons and Parole Resolution No. 8088 dated March 22, 2000 to wit:

**RESOLUTION NO. 8088**

**RE: GRANT OF FINAL RELEASE AND DISCHARGE (FRD) TO PAROLEES AND PARDONEES**

X-----X

WHEREAS, by operation of law, (E.O. 292, Administrative Code of 1987), the responsibility of monitoring and supervising parolees/pardonees has been transferred from Municipal and City Judges to the Parole and Probation Administration (PPA) and as a result of the transition of management of the program, there are 19,695 who are qualified but have not been granted Final Release and Discharge (FRD);

WHEREAS, as of date, there are about one thousand (1,000) parolees/pardonees who are eligible for FRD having substantially complied with the conditions of their parole or pardon; are not a risk or danger to society; have no derogatory report against them; and have completed five (5) years of supervision or whose maximum period of sentence has expired;

WHEREAS, the timely grant of FRD as close as possible to the time when the parolees/pardonees are eligible for said grant is beneficial to the parolees/pardonees and favors efficient management of the program since the FRD grantees shall be removed from the active monitoring and supervision by the PPA;

NOW THEREFORE, be it resolved, as it is hereby resolved, that the Board grant FRD to the 19,695 parolees/pardonees referred to in the first paragraph of this Resolution, a list of which names of parolees/pardonees is attached shall be prepared and duly certified as eligible for FRD by the PPA.

Done this 22<sup>nd</sup> day of March 2000.

(SGD.) RAMON J. LIWAG  
Undersecretary of Justice  
Acting Chairman

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ESTER DE JESUS-AMOR  
Member

(SGD.) LETICIA T.A. MOLINA  
Member

(SGD.) CLETO B. SEÑOREN  
Member

(SGD.) ARTEMIO C. ASPIRAS  
Member

(SGD.) GREGORIO F. BACOLOD  
Ex-Officio Member

ATTESTED BY:

(SGD.) REYNALDO G. BAYANG  
Executive Director/Secretary

For information and guidance.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

May 31, 2000

**MEMORANDUM ORDER**

**NO. 10            S. 2000**

**TO                :**        **ALL REGIONAL DIRECTORS**

**SUBJECT        :**        **Number of Days of Submission of PPIR/Executive Clemency Report/PSIR of Drug-based Crimes in Accordance with the New Performance Evaluation System (PES)**

Pursuant to the recommendation of the Committee on Performance Evaluation System and the Committee to Conduct a More Restrictive Guideline on the Conduct of PSI on Drug-related Cases, in the preparation of the Performance Evaluation Report Form (PERF) of the field officers, the following are the number of days and their corresponding numerical ratings for every submitted Pre-Parole Investigation Report, Executive Clemency Report, or PSIR for drug-based crimes:

<u>Number of Days</u>	<u>Numerical Rating</u>
40 days or less	10 pts.
41 days to 45 days	8 pts.
46 days to 50 days	6 pts.
51 days and above	0 pts.

This supersedes previous orders and/or circulars inconsistent with this Order.

For your information, guidance and compliance.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

Distribution:

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

April 14, 2000

**MEMORANDUM ORDER**  
**NO. 8 S. 2000**

**TO : ALL REGIONAL HEADS**

**SUBJECT : Guidelines in the Conduct of Post-Sentence Investigation  
Involving Clients Convicted of Violation of RA 6425, Amended**

The abuse of dangerous drugs and other substances has been an increasing problem but was given priority attention by the Philippine Government mainly because of its deleterious effects on the social and economic well-being of the people.

The Government's reaction and measures toward the prevention and control of the drug menace were diverse as well as intensive. These measures were adequately strengthened and followed through with the strong determination to win battle against drug and substance abuse.

Cognizant of the aforesaid tenet, The Administration has adopted procedures in the conduct of post-sentence investigation involving clients convicted of violation of RA 6425, as amended. Attached is the procedural guideline on this matter.

Correspondingly, all regional heads are directed to disseminate and adopt the said Guidelines and the following recommendations of the Committee:

1. Period within which to obtain a grade of ten (10) in investigating clients convicted of Violation of RA 6425 as amended should be extended up to thirty five (35) days. There are cases where the quality of investigation suffer due to the Officer's desire to beat the twenty-five (25) day period to submit report to obtain a grade of ten (10) set by the Agency (PERF).
2. Conduct colloquium dialogue with judges and local government units including Barangay officials at least once a year on the Post-Sentence Investigation Procedure as well as Agency programs and services;
3. Exemption of drug cases from the Agency's regular Case Classification Standard; Instead include other factors that focuses on the subject's drug history;
4. In-depth training of field officers in managing drug cases;

5. Adoption of the new Waiver and Commitment Form (see attached form) for drug cases which include:
  - a. Weekly follow-up report;
  - b. Undergo mandatory drug testing/drug dependency examination from the Dangerous Drugs Board or any DDB accredited drug testing center/physician. When necessary, undergo psychological diagnostic test/psychiatric evaluation, as the case may be, within two (2) days from initial interview; and
  - c. Secure/submit necessary certification/affidavits
6. Circulate attached copy of DDB accredited drug testing center/physician within each PPA-Region for reference.
7. Recommend to the Secretary of the Department of Interior and Local Government (DILG) the inclusion of Parole and Probation Administration as a member of Anti-Drug Abuse Council and that all law enforcement and other entities under his department shall cooperate in the conduct of post-sentence investigation;
8. Translate PPA Questionnaire Form for Barangay officials in the vernacular of the region; and
9. Recommend that an Ad Hoc Committee be formed/created to formulate standard guidelines for the effective supervision of clients with drug history.

Compliance is hereby enjoined.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

Distribution:

1 - Deputy Administrator  
1ea - Heads of CMRD/TD/PS  
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**PROCEDURAL GUIDELINES IN THE CONDUCT OF POST-SENTENCE INVESTIGATION  
INVOLVING CLIENTS CONVICTED OF VIOLATION OF RA 6425, AS AMENDED**

**I. RATIONALE**

Drug abuse problem is basically a human problem which makes it more complicated and multi-faceted. The influx of court referrals for Post-Sentence Investigation (PSI) involving violation of the Dangerous Drugs Act of 1972 is almost approaching the critical threshold. Underworld groups and syndicates involved in drug trafficking cunningly operate through massive manipulation of the Criminal Justice System. A horrible scenario that even our “Probation System” may be penetrated as an “escape hatch” to evade stiffer penal sanction and make mockery of justice.

The danger of this social menace emotionally paved the way to propose a “panacea” to the problem by introducing “nip in the bud” solution, specifically removing all violations of RA No. 6425 as amended from the coverage of the Probation Law of 1976. Undoubtedly, the objectives are absolutely laudable but the strategy is a “shotgun” treatment that could later inflict more irreparable harm and abuses than finding constructive and substantial measure against the menace of Dangerous Drugs.

Realizing the clear and present threat to the security of the State, and the felt need to consolidate, integrate and coordinate the administration efforts to improve the effectiveness and efficiency of the campaign of the government towards a drug-free Philippines, the following procedural guidelines is hereby proposed to be adopted to form part of the highly selective methods and procedures in the conduct of PSI involving applicants for probation convicted of Republic Act No. 6425, as amended, otherwise known as the Dangerous Drug Act of 1972.

**II. OBJECTIVES**

*a. General*

To contribute in the government’s effort in the reduction of supply and demand of regulated and prohibited drugs and substances and assist in the prevention and control of drug problems.

*b. Specific*

1. To establish restrictive and highly selective procedural guidelines in the conduct of PSI involving drug-related crimes
2. To prevent undeserving violators of RA 6425, as amended, in utilizing probation as convenient ploy towards the proliferation of their illegal drug activities

**III. SCOPE**

These guidelines should be applicable to those petitioners for probation convicted of Republic Act No. 6425, as amended, otherwise referred to as the Dangerous Drugs Act of 1972.

**IV. ESSENTIAL REQUIREMENTS IMPOSED TO PETITIONERS**

1. Report to the probation office for initial interview, accomplishment of worksheet and waiver and commitment form within seventy-two (72) hours upon receipt of order to conduct PSI.

2. Submit the following documents to establish the identity:

Mandatory requirements:

- a. 6 pcs. 2 x 2 latest picture
- a. Certified true copy of birth certificate or marriage contract for married clients

\*In the absence of item (b) any two of the following documents might be substituted to establish identity

- [ ] Photocopy of current community tax certificate
- [ ] Photocopy of two (2) valid ID duly authenticated
- [ ] Other documents may be required as the need arises, e.g. school records, driver's license, certificate of employment

3. Once a week follow-up report during the conduct of the Post-Sentence Investigation
4. To require petitioner to bring at least one member of his immediate family of significant others who are responsible members of the community in one of the interview sessions for case conference.
5. Mandatory submission of petitioner to drug testing by the Dangerous Drugs Board or any DDB Accredited Drug Testing Center. When necessary, to undergo psychological diagnostic test/psychiatric evaluation by the Clinical Services Division or any DDB accredited Center/Psychologist or Psychiatrist.

## **V. PROCEDURE**

1. Initial intake interview within seventy-two (72) hours upon receipt of court order to conduct PSI:

Accomplishment of worksheet, waiver and commitment form and records check form

2. Conduct record check with the following government offices within two (2) days after petitioner's initial interview to the following agencies:
  - a. NBI
  - b. RTC
  - c. MTC
  - d. Prosecutor
  - e. Police
  - f. Barangay
  - g. City/Municipal Anti-Drug Abuse Council\*
  - h. Certification from the PNP-Drug Enforcement Unit\*

\*In addition to the regular clearances, these clearances could be secured to validate petitioner's criminal record.

3. Refer petitioner to undergo the following:

Mandatory Drug Dependency Examination to be conducted by the Dangerous Drugs Board or any DDB accredited Drug Testing Center or any DDB accredited Physician.



When necessary, undergo psychological diagnostic test/psychiatric evaluation by the Clinical Services Division or by any DDB accredited center, psychologist or psychiatrist.

4. Send Courtesy Investigation referrals to other PPA offices within two (2) days after completion of petitioner's initial interview, when needed:
  - a. Where petitioner has stayed for a substantial length of time; and
  - b. Where petitioner frequently travels to a place in connection with his work, business or for any other reason.
5. Conduct Background Investigation to verify the following:
  - a. Suitability of petitioner and his response to the individualized, non-institutional correction program;
  - b. Attitude of petitioner towards the offense and the degree of remorse;
  - c. Community standing and the possible effect of grant of probation to petitioner's family, neighborhood or the community in general; and
  - d. Availability of community-based rehabilitation resources and services.

A minimum of ten (10) collateral informants who are responsible members and coming from at least five (5) sectors of the community shall be consulted regarding with the above data. Relatives of petitioner either by affinity or consanguinity within the 4<sup>th</sup> civil degree should be limited to two (2) informants only.

6. Mandatory case conference of petitioner and an immediate family member to determine commitment to the Agency's Supervision Treatment program, level of family support, and community participation and support to the program before submission of PSI Report (PSIR) to the court.
7. Assessment of petitioner's ability to respond positively to the rehabilitation program through the following:
  - a. Observation of his character and conduct during investigation made possible through weekly follow-up report;
  - b. Mandatory conduct of case conference with a family member/significant others;
  - c. Verification of petitioner's drug history and level of response;
  - d. Result of drug test/drug dependency/psychological and psychiatric examinations;
  - e. Feedback from community members;
  - f. History and/or pattern of criminal behavior with or without conviction;
  - g. Opportunities for community involvement and/or other activities that can counteract drug use or peer pressure to use drugs; and
  - h. Lawful means of livelihood and/or prospects thereof:
8. Validation of findings through:
  - a. Securing of necessary affidavit or certification in case of doubt;
  - b. Mandatory conduct of case conference by the Investigating Officer, and the Chief Probation and Parole Officer (CPPO) in the PPA field office; and
  - c. Reinvestigation in the light of new material and relevant information (newly discovered pending cases, other criminal or other derogatory information or complaint) unearthed after the PSI Report was submitted to the court, and immediate submission of supplemental PSI Report to the said court having jurisdiction over the case within three (3) days upon receipt of information.

9. Report Preparation:

Analysis of petitioner's qualification must include his/her drug history; and the chance of the subject to sustain a drug-free life.

**VI. DETERMINING PETITIONER'S ELIGIBILITY TO AVAIL OF PROBATION**

1. In accordance with the provision of Sec. 8, PD 968, as amended, which provides that probation shall be denied if the court finds that:

- a. The offender is in need of correctional treatment that can be provided most effectively by his commitment to an institution.  
a.1. Petitioner manifest unwillingness to cooperate in the conduct of the Post Sentence Investigation Report

However:

If found to be a drug dependent and there is a recommendation by the DDB accredited testing center/physician that petitioner needs treatment in a drug rehabilitation center, then his petition for probation shall be recommended for the grant of probation with the condition that petitioner shall be confined to a specific drug rehabilitation center immediately after the grant of probation.

- b. There is an undue risk during the period of probation the offender will commit another crime.

Indicators:

- b.1. Petitioner should have no pending case related to drugs; if there is any, thorough investigation on the circumstances that lead to the filing of the charge(s) will be undertaken. Should the result of said investigation prove that subject has a pattern of pending cases related to RA 6425, as amended, such may be utilized as ground for denial of the petition based on "suitability".  
b.2 negative information and confirmation of community members that subject is engaged in drug trafficking/pushing may be ground for denial of his application for probation to be supported by a certification/affidavit duly executed by a responsible member of the community.

- c. Probation will depreciate the seriousness of the offense committed.

Indicator:

- c.1. the commission of the offense was attended by notorious circumstances. This include instances where due plea bargaining or any legal remedy, the offense legally appears within the coverage of the Probation Law of 1976.

**VII. PERIOD OF PROBATION**

The recommended minimum period of probation supervision shall not be less than two (2) years regardless of the sentence imposed by the court of law.

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

**WAIVER AND COMMITMENT**

I, the undersigned, hereby authorize \_\_\_\_\_ of \_\_\_\_\_ to secure and make use of the following information and/or reports for purposes of evaluating my application for probation.

- \_\_\_\_\_ 1. Record of previous arrest, arresting agency, date and place of arrest, disposition
- \_\_\_\_\_ 2. Record of previous probation/parole/pardon
- \_\_\_\_\_ 3. School records
- \_\_\_\_\_ 4. Medical records, including dates of all records of any physician, clinic or hospital where I have sought consultation or received treatment
- \_\_\_\_\_ 5. Military records, including dates of all periods of active military service
- \_\_\_\_\_ 6. Drug history (psychological/psychiatric evaluation results)
- \_\_\_\_\_ 7. Others (specify)

Likewise, the undersigned promise to abide with the following instructions while the Parole and Probation Administration is conducting its Post-Sentence Investigation:

- 1. Report at the Parole and Probation Office for weekly follow-up report;
- 2. Undergo drug testing/drug dependency examination from the DDB or any DDB accredited drug testing center/physician, and undergo psychological diagnostic test/psychiatric evaluation, as the need arises, within two (2) days from initial interview; and
- 3. Secure/submit required certification/affidavit

Consequently, in the event that the undersigned unreasonably refuses to comply with the requirements and conditions contained in this document, same shall be a valid ground for the Parole and Probation Administration to recommend to the court the denial of his application for probation and thereafter suffer the consequence of such action.

**WITNESS:**

**PETITIONER:**

\_\_\_\_\_

\_\_\_\_\_

**SUBSCRIBED AND SWORN TO** before me this \_\_\_\_ day of \_\_\_\_\_, 2000 at \_\_\_\_\_.

\_\_\_\_\_  
Chief Probation and Parole Officer

Note: For Drug Based Crimes Only

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

**PPA QUESTIONNAIRE FOR BARANGAY OFFICIAL**  
**RE: PETITIONER CONVICTED OF R.A. 6425, AS AMENDED**

For an exhaustive evaluation of applicant for probation, may we solicit your cooperation by accomplishing this questionnaire:

1. Does the Barangay blotter show that petitioner had at any time been complained of engaging in illegal drug activities? / / Yes / / No
2. Was there an instance when a Barangay official received complaint(s) on petitioner's illegal drug activities, but for fear or reprisal, informant requested such report not be recorded? / / Yes / / No
3. In your observation, do you think there is a reason to believe that petitioner's reported involvement in illegal drug activities should be seriously looked into?  
/ / Yes / / No
4. Other confidential information

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Barangay Captain

---

Barangay Official

---

Area and Date

---

Area and Date

CONFIDENTIAL

---

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

**PPA QUESTIONNAIRE FOR ARRESTING OFFICER**  
**RE: PETITIONER CONVICTED OF R.A. 6425, AS AMENDED**

For exhaustive evaluation of applicant for probation, may we solicit your cooperation by accomplishing this questionnaire:

1. Was the arrest \_\_\_\_\_ a result of an information given to you that he has been involved in other illegal drug activities as provided for in of the R.A. 6425, as amended, other than the instance case?  
/ / Yes / / No

2. As an officer of the law, was this your first time to apprehend petitioner for violation of R.A. 6425, as amended? / / Yes / / No

3. Has petitioner been on surveillance for violation of R.A. 6425, as amended?  
/ / Yes / / No

4. Other confidential information

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Arresting Officer

---

Arresting Officer

---

Area and Date

---

Area and Date

CONFIDENTIAL

---

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

March 29, 2000

**MEMORANDUM ORDER**

**NO. 06            S. 2000**

**TO                        :**        **ALL REGIONAL DIRECTORS**  
                                 **ALL CHIEF PROBATION AND PAROLE OFFICERS**

**SUBJECT                :**        **Prescribed Format and Content of Infraction Report (PPA Form 27) and Summary Report (PPA Form 28)**

It has been observed that most field officers do not comply with the prescribed format and required content in the preparation of the Infraction Report and the Summary Report submitted to the Board of Pardons and Parole (BPP) thru the Technical Service. The following guidelines are recommended in the preparation of:

**A.     PPA Form 27 – INFRACTION REPORT**

Pursuant to Memorandum Circular (MC) 34 s.91; MC 13, s.92; MC 14 s. 96 and MC 2, s.99, and in relation to BPP Resolution No. 189 s. 91. Field Officers should first conduct and complete the field inquiry and include the result of such inquiry in the report. In addition, Field Officers are directed to state clearly and fully the reasons supporting their recommendation. In case of non-reporting, there must be a showing of EXHAUSTIVE EFFORTS that have been exerted to determine the whereabouts of the absconding parolee which must be incorporated in the report to warrant a revocation of parole.

As per Infraction Report Format, the content of

1. Part A. DESCRIPTION will generally include the pertinent facts or information of infraction or serious violation of terms and conditions of parole e.g. commission of another crime, addiction to prohibited drugs, becoming notorious and or dangerous underworld character in the community, etc., this part must logically lead to Evaluation (Part B)
2. Part B. EVALUATION – the facts are analyzed to come up with the evaluation of the parolee/pardonee as a total person. State clearly and fully, the reasons that will logically lead to your recommendation. Ex. That Parolee/pardonee stubbornly refuses to be rehabilitated and/or refuses to cooperate with his program of rehabilitation despite efforts to reintegrate him into the mainstream of society: that he has formed a serious anti-social behavior and considered a serious threat to the community etc., This part should logically lead to Recommendation (Part C).

3. Part C. RECOMMENDATION (based from part A. Description and Part B. Evaluation.)

**B. PPA Form 28 – SUMMARY REPORT**

Part IV. 1. RESPONSE OF PAROLEE TO PROGRAM OF SUPERVISION AND  
2. RESULTS OF TREATMENT

1. Findings on response of parolee to supervision program must indicate favorable or unfavorable response; full substantial or exemplary compliance. For exemplary and meritorious compliance, to warrant release or discharge during the parole surveillance period even before the expiration of the maximum sentence, show indubitable proof which is overwhelming, strong and convincing as supported by a) documentary evidence such as payment of indemnity or fine in full or has a steady job business with visible scheme of payment of civil liability or fine, and b) testimonies of responsible members of the community that he is fully rehabilitated, etc., Findings will logically lead to results of treatment.
2. Conclusion on results of treatment – that parolee has been fully rehabilitated and reintegrated himself in the community as a peaceful, law-abiding and productive member of society, etc. This part must logically lead to your recommendation.

Part V. RECOMMENDATIONS

Ex. That parolee may be issued the Certificate of Final Release or Discharge by the Board of Pardons and Parole for substantial, full or outstanding exemplary performance as per attached documents and testimonies.

Submission of Death Report of a parolee/pardonee should be accompanied by a certificate of death from the Local Civil Registrar. However, in the absence of such, a Certification from ANY BARANGAY OFFICIAL of the place where parolee/pardonee resides will suffice

Strict compliance is enjoined.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

DISTRIBUTION:

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

January 6, 1999

**MEMORANDUM CIRCULAR**

**NO. 03            S. 1999**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY FIELD OFFICES**

**SUBJECT            :**        **Board of Pardons and Parole Resolution No. 6778**

Attached hereto is a copy of Board (of Pardons and Parole) Resolution No. 6778 dated September 17, 1998 on the additional requirements for confirmation of approved transfer of residence, for your information, guidance and appropriate dissemination.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

Encl.: a/s

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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road cor. East Avenue  
Diliman, Quezon City

**RESOLUTION NO. 6778**

**RE: Additional Requirements for Confirmation of Approved Transfer of Residence**

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WHEREAS, in Resolution No. 992 dated March 24, 1992, the Board delegated to the Parole and Probation Administration thru its Regional Directors the authority to approve, subject to confirmation, the request of parolee/pardonee for transfer of residence;

WHEREAS, it has been observed that approved requests transmitted to the Board for confirmation do not contain enough information upon which to base appropriate action thereon; in some cases the reason/s for the transfer is/are unavailable or if available, does not warrant favorable consideration of the request and that submission of the approved request is not made within the period prescribed in the aforecited Resolution.

WHEREFORE, premises considered, and after discussion, the Board resolves, as it hereby Resolved, to request the Administrator, Parole and Probation Administration, to require all Chief Probation and Parole Officers to see to it that:

1. The reason/s contained in the request for transfer filed by the parolee/pardonee has/have been verified to be true and correct; and
2. A certificate/statement that the parolee/pardonee has complied religiously with the conditions of his/her parole/pardon is attached to the Request.

The board also resolved to request the Administrator, Parole and Probation Administration to require the Regional Directors to submit to the Board for confirmation all requests for transfer of residence not later than ten (10) days from date of approval of the request.

Let a copy of this Resolution be furnished the Administrator, Parole and Probation Administration, for his guidance and implementation.

September 17, 1998

(SGD.) RAMON J. LIWAG  
Undersecretary and  
Acting Chairman of the Board

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ESTER DE JESUS AMOR  
Member

(SGD.) LETICIA T.A. MOLINA  
Member

(SGD.) CLETO B. SEÑOREN  
Member

(SGD.) ARTEMIO C. ASPIRAS  
Member

(SGD.) GREGORIO F. BACOLOD  
Ex-Officio Member

ATTESTED BY:

(SGD.) REYNALDO G. BAYANG  
Acting Executive Secretary  
of the Board

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

January 6, 1999

**MEMORANDUM CIRCULAR**  
**NO. 02            S. 1999**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY FIELD OFFICES**

**SUBJECT           :**        **Additional Requirements in the Submission of Infraction Reports, Summary Reports and Confirmation of Transfer of Residence**

Quoted hereunder for your information and guidance is the 1<sup>st</sup> Indorsement dated December 16, 1998 of Atty. Cesar A. Crisostomo, Chief Parole Officer of the Board of Pardons and Parole on the above-mentioned subject matter, to wit:

*Department of Justice  
BOARD OF PARDONS AND PAROLE  
DOJ Agencies Building, NIA Road cor. East Avenue  
Diliman, Quezon City*

*1<sup>ST</sup> Indorsement  
December 16, 1998*

*Respectfully returned to the Administrator, Parole and Probation Administration, thru SPPO-OIC Neneitte L. Eugenio, Technical Service, DOJ Agencies Building, East Avenue, Quezon City, the enclosed list of parolees/pardonees for further requirement as specifically stated below:*

- 1. **Infraction Report** –In case of non-reporting, there must be a showing that exhaustive efforts have been exerted to determine the whereabouts of the absconding parolee.*
- 2. **Report on Final Release and Discharge** – Substantial compliance of the subject with the conditions of his parole should be supported with facts of his performance/accomplishment during the period of supervision.*

3. ***Confirmation of Transfer of Residence*** – *There should be a coordinated efforts between Chief Parole and Probation Officers concerned to determine the veracity of the reason why subject desire to transfer residence.*

*Very truly yours,*

*For the Acting Executive Director*

*(SGD.) CESAR A. CRISOSTOMO*  
*Chief Parole Officer*

Be guided accordingly.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**RESOLUTION No. 6950**

Re: Delegation of Authority

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In its meeting held today, the Board resolved, as it hereby Resolved, to authorize the Administrator, Parole and Probation Administration to approve all requests of parolees/pardonees for Change of Designated Parole and Probation Office provided that the request does not include a change of residence as approved in the grant of parole/pardon or as confirmed by the Board: and subject to the following conditions:

1. Requests for change of designated Parole and Probation Office shall be accompanied by a written request stating the reason(s) therefore; and,
2. All approved requests shall be submitted to the Board for confirmation at a regular meeting scheduled not later than fifteen (15) days from the date of approval by the PPA Administrator.

July 7, 1998

(SGD.) RAMON J. LIWAG  
Acting Chairman

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ESTER DE JESUS AMOR  
Member

(SGD.) LETICIA T. A. MOLINA  
Member

(SGD.) CLETO B. SEÑOREN  
Member

(SGD.) ARTEMIO C. ASPIRAS  
Member

(SGD.) GREGORIO F. BACOLOD  
Ex-Officio Member

Attested by:

For: (SGD.) PASCUALITA DURAN-CERENO  
Executive Secretary and  
Executive Director of the Board

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

October 1, 1997

**MEMORANDUM ORDER**  
**NO. 12            S. 1997**

**TO                    :**        **ALL OFFICIALS AND EMPLOYEES**  
                                 **This Administration**

**SUBJECT            :**        **Drug Test for PPA Personnel and Clientele Groups**

Pursuant to Presidential Proclamation No. 335, this year's observance of the Drug Abuse Prevention and Control (DAPC) Week is on November 9-15, 1997.

"Makabagong Pakikibaka Laban sa Droga" is the theme for this year's celebration.

In this connection, a program of activities to celebrate the DAPC week is being circularized to include the "Launching of Drug Test" for both PPA personnel and clientele groups.

In this regard, Regional Heads and Division Chiefs are hereby directed to make the necessary arrangements and encourage all officials and employees in their respective regions to undergo said test. Moreover, future applicants for employment shall be required to undergo drug test as a pre-condition for such application; while the petitioners and new parolees/pardonees are also required depending on the evaluation of the Probation and Parole Officers as to their financial resources.

For compliance.

**(Sgd.) GREGORIO F. BACLOD**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

April 14, 1997

**MEMORANDUM CIRCULAR**  
**NO. 09                      S. 1997**

**TO                                      :**        **ALL REGIONAL/PROVINCIAL/CITY FIELD OFFICES**

**SUBJECT                               :**        **Submission of Certification of Appeal**

Quoted hereunder for your information and guidance is Board Resolution No. 5501 dated March 20, 1997 issued by the Board of Pardons and Parole on the above-mentioned subject matter, to wit:

*Republic of the Philippines*  
*Department of Justice*  
**BOARD OF PARDONS AND PAROLE**  
*DOJ Agencies Bldg., NIA Road cor. East Avenue*  
*Dalian, Quezon City*

*Resolution No. 5501*

*Re: Submission of Certification of Appeal*

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*In its meeting held today the Board, in the light of the ruling of the Supreme Court in the case of People vs. Francisco Salle, promulgated December 4, 1995, GR No. 103567, resolves, as it hereby Resolved, to adopt the following remedial measures in the disposition of petitions filed for parole/executive clemency.*

- 1. Review all carpetas received on the merits.*
- 2. Cases reviewed on the merits requiring only the certification on appeal will not be granted final action, but deferred for further study.*
- 3. The Field Officers of the Parole and Probation Administration will be requested to coordinate, and obtain, from the Clerk of Court or accredited representative of the trial court, a signed Certification that no appeal has been filed on the case/s for which release is being sought or if appeal has in fact been filed, that the appeal was dismissed, withdraws/decided with finality, as per*

*attached form for the purpose. Thereafter, the PPO concerned shall transmit said certification to the Board thru the Technical Service.*

- 4. Upon receipt of the signed Certification, the case shall be submitted to the Board for such action as may be appropriate based on the merits.*

*Done this 20<sup>th</sup> day of March, 1997, Manila*

(SGD.) ARTEMIO C. ASPIRAS  
Executive Secretary  
of the Board

For your information.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

September 24, 1996

**MEMORANDUM ORDER**  
**NO. 20            S. 1996**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY OFFICES**

**SUBJECT           :**        **Amendment to PPA PERF Rating Scale for SPPOs, Sr. PPOs, PPOs II and PPOs I**

It has been observed that despite the issuance of Memorandum Circular No. 25, s. 1996, dated July 11, 1996, which provides among other things that:

“Summary Reports should be submitted to the Board, thru the Technical Service, within five (5) days after the expiration of the maximum sentence, and NEVER EARLIER”,

many field officers still continue to submit the summary reports before the expiration of the maximum sentence. On the other hand, some field officers submit the summary reports as late as three (3) months or more, and in some instances, as late as one (1) year up to five (5) years. The latter case simply shows gross neglect on the part of those concerned and can no longer be tolerated.

Accordingly, as a measure to curb the foregoing oversight, you are hereby directed to observe the above-named circular strictly. It is further directed that the PPA-PERF Rating Scale for SPPOs, Sr. PPOs, PPOs II and PPOs I, under 3.8.3 on Duties and Responsibilities, particularly the rating scale on the time measure on the submission of summery reports be amended as follows:

1 day after expiration of maximum sentence	-	10
3 days after expiration of maximum sentence	-	8
5 days after expiration of maximum sentence	-	6
7 days after expiration of maximum sentence	-	4
10 days or more after expiration of maximum sentence-		2

Field officers who submit the summary reports as late as two (2) months or more, shall be subject to disciplinary action. Accordingly, all Regional Directors are urged to execute and implement the administration policy on the submission of summary reports.

Let us bear in mind that the delay in the submission of summary reports denies the parolees/pardonees their much deserved privilege to be released and discharged from parole, and the legal, social and psychological effects relative thereto.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

August 28, 1996

**MEMORANDUM ORDER**  
**NO. 17            S. 1996**

**TO                :**        **ALL REGIONAL DIRECTORS, OFFICERS-IN-CHARGE**

**SUBJECT        :**        **Attachment to the Submission of Summary Reports**

For the purpose of evaluating and assessing the quality of the reports pertaining to parole and pardon before transmitting these to the Board of Pardons and Parole, all Regional Directors are ordered to require all field officers to attach a copy of parolee's/pardonee's respective prison record (sample of which is hereto attached) to the Summary Reports being submitted to the Technical Service.

Compliance is hereby enjoined.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**BUREAU OF CORRECTIONS**  
Muntinlupa, Metro Manila

1. Name: \_\_\_\_\_ Prison No.: \_\_\_\_\_  
Alias: \_\_\_\_\_
2. Residence: \_\_\_\_\_ Civil Status: \_\_\_\_\_
3. Birthdate: \_\_\_\_\_ Age: \_\_\_\_\_ Birthplace: \_\_\_\_\_
4. Occupation: \_\_\_\_\_ Religion: \_\_\_\_\_  
Educational Attainment: \_\_\_\_\_
5. CRIME(S)/SENTENCE(S): \_\_\_\_\_
- Min: \_\_\_\_\_ Max: \_\_\_\_\_  
\*\*\*Min: \_\_\_\_\_ Max: \_\_\_\_\_  
Total Ind: \_\_\_\_\_
6. Criminal Case(s)/No(s): \_\_\_\_\_
7. Court(s): \_\_\_\_\_
8. Appealed to the Court of Appeals/Judgment: \_\_\_\_\_
9. Commencing: \_\_\_\_\_ Date Received at NBP: \_\_\_\_\_
10. Credit for Preventive Imprisonment under RA 6127: yr(s). mo(s). day(s)
11. Expiration of sentence(s) with GCTA (Act No. 3815 and Special Credit under Act No. 2409):  
MIN: \_\_\_\_\_ MAX: \_\_\_\_\_
12. Time Served with GCTA: yr(s). mo(s). day(s)
13. Time to be served with GCTA:  
MIN: yr(s). mo(s). day(s) MAX: yr(s). mo(s). day(s)  
Time to be served without GCTA:  
MIN: yr(s). mo(s). day(s) MAX: yr(s). mo(s). day(s)
14. No. of prev. convictions: ( ) For what crime(s): \_\_\_\_\_
15. Loss of GCTA: \_\_\_\_\_ General Conduct: \_\_\_\_\_ Where Confined: \_\_\_\_\_
16. Pending Case(s) (Crim. Case No(s). & Court(s)): \_\_\_\_\_
17. Co-accused (Name(s) & Prison No(s).): \_\_\_\_\_
18. REMARKS and RECOMMENDATION: \_\_\_\_\_

#322310

Checked by: \_\_\_\_\_

Date: \_\_\_\_\_

Verified Correct:

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
DOJ Agencies Building, NIA Road,  
Diliman, Quezon City

July 11, 1996

**MEMORANDUM CIRCULAR**  
**NO. 25 S. 1996**

**TO : ALL HEADS OF REGIONAL/PROVINCIAL/CITY FIELD OFFICERS**  
**SUBJECT : Full Operationalization of the Technical Service (TS) on Parole and Pardon Program**

-----

In line with our efforts to streamline the services of this agency, particularly services pertaining to parole and pardon program, the Technical Service (TS) is hereby fully operationalized to serve as the coordinating center between the Parole and Probation Administration (PPA), and the Board of Pardons and Parole (BPP), hereinafter called the Board. The Technical Service, in addition to its duties, functions and responsibilities as prescribed in Special Order No. 197 s. 89 dated 29 December 1989, shall be responsible in reviewing, evaluating and assessing the quality of all reports pertaining to parole and pardon, after which, it shall transmit these to the Board.

Henceforth, all concerned officials are directed to submit all reports pertinent to parole and pardon to the Technical Service, for appropriate review, assessment and evaluation.

In order to ensure the effective implementation of the TS functions, the following supplementary guidelines to the Rules and Regulations of the Parole and Probation Administration on Parole Supervision dated 26<sup>th</sup> December 1989; Memorandum Circular No. 34 s. 1991 dated July 10, 1991 and Memorandum Circular No. 30 s. 92 dated June 5, 1992 are hereby prescribed:

**I. PRE-PAROLE INVESTIGATION REPORT (PPR) AND PRE-EXECUTIVE CLEMENCY INVESTIGATION REPORT (PER)**

1. Pending the amendment of the Memorandum of Agreement (MOA) on Jail Decongestion, the CPPOs shall continue to submit the PPR/PER to the Jail Warden, and in addition submit a copy thereof to the TS together with the carpeta which contains the following:
  1. Prosecutor's Information;
  2. Court's Decision;
  3. Certificate of Detention;
  4. Commitment Order;
  5. Court certification that prisoner's case is not on appeal;

6. Prison record duly prepared and signed by the Warden; and
  7. If a national prisoner, but is confined in a provincial or city jail, a certification by the Warden stating the reason(s) why he is confined in said jail
2. The TS shall coordinate with the Board, and get a copy of the calendar of cases due for deliberation by the Board and accordingly submit the corresponding PPRs/PERs.
  3. The TS shall acquire a copy of the Board's resolution on the PPRs/PERs and send information thereon to respective offices which submitted the PPRs/PERs thru the RDs.

## II. SUMMARY REPORTS

Resolution #942 of the BPP provides the following:

"A. General Rules. As a general rule, submission of the summary report recommending and not recommending final release and discharge, shall take place after (underlining ours) the expiration of the maximum sentence of the parolee/pardonee whose case is under review for final release and discharge".

Summary reports should be submitted to the Board, thru the TS, within 5 days after the expiration of the maximum sentence, and NEVER EARLIER.

"B. Special Case. If the expiration of the maximum sentence occurs beyond the five-year period of parole report of such period as is applicable to the parolee/pardonee concerned which was stated in the release documents of the parolee/pardonee, submission of the corresponding summary report shall be made at the end of the five-year period at which time the obligation of the parolee/pardonee to personally report stops and the corresponding duty of the supervisor to exercise parole surveillance insofar as the personal report of the parolee/pardonee is concerned ceases".

This provision has generated a lot of negative reactions from field probation and parole officers, since summary reports were returned to them by the Board, until such time that the maximum sentence expires. This was therefore one of the talking points in a dialogue held between the BPP and the PPA and as a result of which it was agreed that the field officers may choose from any of the following three (3) options.

B.1 The CPPO may submit a summary report after the termination of parole surveillance and drop the case under supervision. However, he will be required to submit a progress report to the Board thru the TS after the expiration of the maximum sentence.

B.2 The CPPO may require parolee/pardonee to report up to the expiration of maximum sentence even after the termination of parole surveillance, and thereafter submit a summary report. The parolee/pardonee will remain as an active supervision case.

B.3 The CPPO may recommend the issuance of a certificate of Final Release and Discharge to a parolee/pardonee for early termination of parole supervision. However, the recommendation shall be accompanied by indubitable proof that:

1. The client has paid the indemnity and/or fine in full; or has a steady job or stable business enterprise with the potential of generating income over the poverty threshold as determined by NEDA and a viable scheme for payment of the indemnity and/or fine; and that
2. He is fully rehabilitated and normalized.

### **III. INFRACTION REPORTS**

1. Reports on alleged commission of another crime of a parolee/pardonee shall contain the following information:
  - 1.1 nature of the crime committed;
  - 1.2 name and address of the complainant;
  - 1.3 where the complaint was filed (police, prosecution or court); and
  - 1.4 admission of guilt of parolee/pardonee under oath

It is the Board's policy that the mere filing of a charge against a parolee/pardonee is not sufficient ground for the Board to issue an Order of Arrest and Recommitment of the parolee/pardonee.

If the parolee/pardonee refuses to admit under oath the crime as charged by the complainant, a "Progress Report" may be submitted. If in the evaluation of the CPO, a parolee/pardonee is disturbing the peace and order in his community or that he has not complied with any of the conditions of his parole/pardon, he may submit a PROGRESS REPORT, stating so, and if deemed appropriate with the recommendation for the issuance of an order of arrest and recommitment.

2. Three (3) successive months of non-reporting of a parolee/pardonee is considered a violation. A parolee/pardonee who failed to report for two (2) consecutive months but reappeared before the end of three (3) months, shall be subject to an investigation. If the investigation shows that the parolee/pardonee was not able to report due to circumstances beyond his control, said parolee/pardonee shall be made to make-up for his non-reporting by requiring him to report twice more than his regular reporting, until such time that he has made up for the days he was not able to report or as deemed appropriate by the supervisor; or to perform some significant community services.

### **IV. ARRIVAL REPORTS**

For better monitoring of the whereabouts of parolees/pardonees, arrival reports are hereby again required to be submitted to the Board and the TS.

## **V. TRANSFER OF RESIDENCE**

1. A copy of an approved request of transfer of residence should be furnished the TS/Board. The receiving CPPOs where transfer is effected should submit an Arrival Report.
2. For the information of field officers, the Board usually denies the confirmation of the approved request for transfer of residence of a parolee/pardonee due to the following grounds:
  - a. The client will reside within the prison/colony reservation;
  - b. The client has no guarantor;
  - c. The client has no job/work in the requested place; and
  - d. There are objections from the community where he will reside.

If the CPPO believes that the denial of confirmation by the Board is not in order a motion for reconsideration may be submitted to the Board. The receiving CPPO where transfer is effected can take steps to legitimize/regularize the transfer of parolee/pardonee by showing that the above grounds do not exist.

3. In some instances, where the Administrator approves the request of a parolee or pardonee for a change of residence from that which was indicated in the release documents, the TS shall inform the concerned CPPO's of said approval.

## **VI. TASK FORCES**

In regions where there are penal colonies, the Regional Directors shall create Task Forces to accomplish the PPRs/PERs in said colonies.

The Pre-Parole Investigation Program Coordinating Office (PPIPCO) based at BuCOR, Muntinlupa, shall submit to the TS a listing of prospective parolees/pardonees One Hundred Twenty (120) days before the expiration of their minimum sentence.

The TS shall communicate with the respective concerned officials to submit the PPR/PER 30 days before the expiration of the minimum sentence. The TS will coordinate with the PPIPCO for the proper submission of the carpeta to the Board.

All previous issuances inconsistent herewith are hereby revoked.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
PPA-PAO Bldg., NIA Road  
Diliman, Quezon City

May 13, 1996

**MEMORANDUM CIRCULAR**  
**NO. 20            S. 1996**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY FIELD OFFICES**

**SUBJECT            :**        **Guidelines on Recommendations for the Early Termination of Probation Cases**

Attached is a copy of Department (of Justice) Circular No. 37, dated 3 May 1996, on the above-mentioned subject-matter. These guidelines, duly approved by the Secretary of Justice, now form an integral part of the Rules on Probation Methods and Procedures.

For your information, guidance, dissemination and strict compliance.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

Encls.: a/s

Distribution:

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Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
*Manila*

**DEPARTMENT CIRCULAR NO. 37**

**SUBJECT : Guidelines on Recommendations for the Early Termination of Probation Cases**

In the interest of the public service and pursuant to the provisions of existing laws and with the end in view of ensuring uniform operating procedures in securing the revision or modification of the conditions of probation under Section 12 of the Probation Law of 1976, as amended, the attached "Implementing Guidelines on the Early Termination of Cases" are hereby approved and adopted.

All Chief Probation and Parole Officers and their field assistants are hereby enjoined to observe the provisions of the Guidelines. The Regional Directors of the Probation and Parole Administration shall monitor the compliance by the Chief Probation and Parole Officers with the same.

For strict compliance.

**(SGD.) TEOFISTO T. GUINGONA, JR.**  
**Secretary**

Encls.: As stated.

## **IMPLEMENTING GUIDELINES ON THE EARLY TERMINATION OF PROBATION CASES**

### **I. RATIONALE**

Section 32 of the Rules on Probation Methods and Procedures approved by the Minister (now Secretary) of Justice in July 1980 and Section III, paragraph H, of the Codification of Probation Rules and Procedures provide for the authority and grounds, respectively, for modifying the terms and conditions of probation. One of the grounds for the modification of the terms and conditions of probation refers to the “the performance or the rehabilitation level of the probationer [which] warrants reduction or extension of the period of probation.” This particular ground, however, has not been specifically clarified in order to provide probation officers with uniform standards or guidelines upon which to base the recommendation for the modification of the period of probation.

Although only one percent [1%] of the total probation cases (17,372) from 1992 to 1994 were subject to early termination, specific standards or guidelines pertinent to this action are necessary in order to prevent questionable grounds for recommending the early termination of probation.

### **II. COVERAGE**

The following probationers are eligible for recommendation of early termination of their cases:

1. Those who are suffering from serious physical and/or mental disability such as the deaf-mute, the lepers, the crippled, the blind, the senile, the bed-ridden, and the like;
2. Those who do not need further supervision as evidenced by the following:
  - a. Consistent and religious compliance with all the conditions imposed in the order granting probation;
  - b. Positive response to the programs of supervision designed for their rehabilitation;
  - c. Significant improvements in their social and economic life;
  - d. Absence of any derogatory record while under probation;
  - e. Marked improvement in their outlook in life through becoming socially aware and responsible members of the family and community; and
  - f. Significant growth in self-esteem, self-discipline and self-fulfillment;
3. Those who have:
  - a. To travel abroad due to any of the following:
    - [1] an approved overseas job contract or any other similar documents; or
    - [2] an approved application for scholarship, observation tour or study grant for a period not less than six (6) months; or
    - [3] an approved application for immigration;

- b. To render public service
  - [1] having been elected to any public office; or
  - [2] having been appointed to any public office.

Provided, however, that the probationers involved have fully paid their civil liabilities, if any.

- 4. Other probationers who have fully cooperated with/participated in the programs of supervision designed for their rehabilitation and who are situated under conditions/circumstances similar in nature to those above described at the discretion of the proper authorities.

### **III. PROCEDURE**

In the first year of implementation, the following steps shall be observed [Figure 1] to effect the early termination of probation:

- 1. The probation officer who exercises direct supervision over the probationer shall prepare the motion for the modification of probation, i.e., early termination addressed to the Court which has control and supervision over the probationer concerned in accordance with Section 12 of the Probation Law of 1976, as amended. The motion shall bear the approval of the head of the provincial/city probation and parole office without prejudice to the latter taking the initiative for preparing said motion.
- 2. The motion shall thereafter be forwarded for review and clearance to the Regional Director who shall act on said motion within a period of three (3) days after receipt of the same.
- 3. Should the motion be approved by the Regional Director, the probation officer shall file the same with the court within two (2) days after receipt thereof. Should the said motion be disapproved, the same shall be filed in the supervision case file of the probationer for future reference.
- 4. Should the motion be approved by the court, the procedure for termination due to successful completion of probation specified in the Rules on Probation Methods and Procedures shall apply.

During the succeeding year, these Guidelines shall be evaluated to determine the efficiency of this procedure. Should positive findings result from the evaluation and, considering that the heads of the field offices would already be fully equipped and oriented with the standards grounds for recommending early termination, the second and third steps in the aforementioned procedure shall be omitted during the second year of implementation and the year thereafter [see Figure 2].

#### **IV. EFFECTIVITY**

These Guidelines shall take effect upon approval.

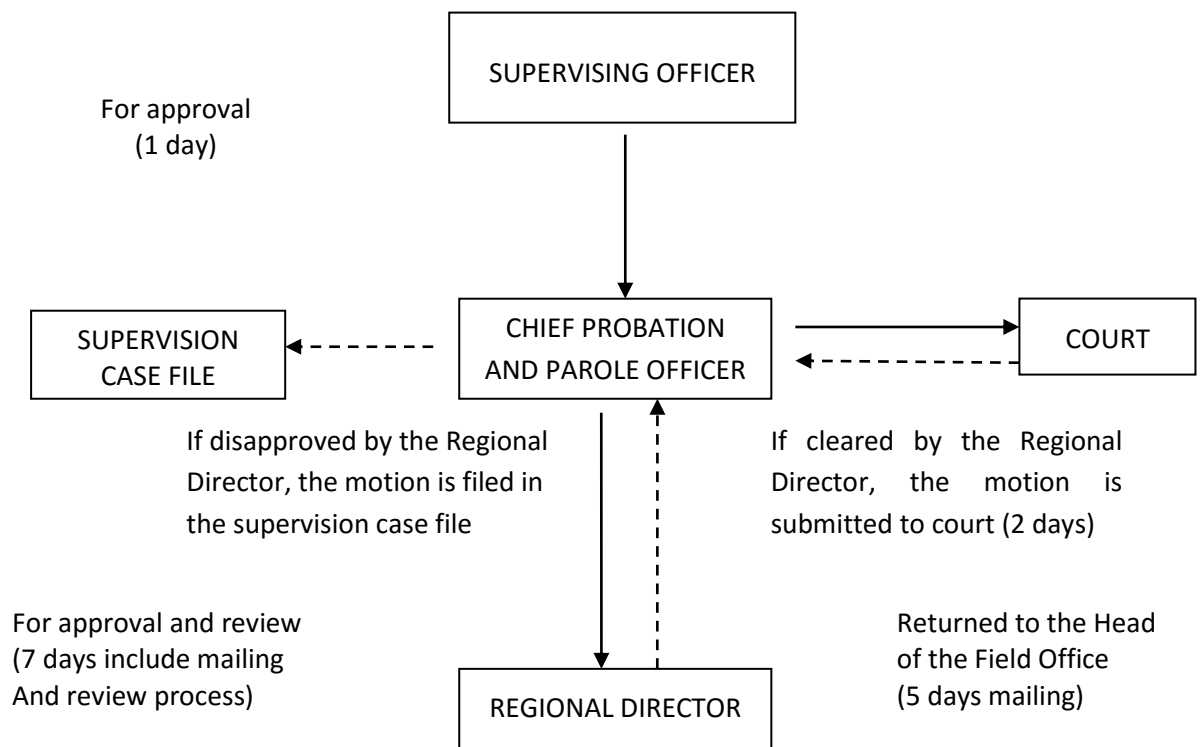
APPROVED:

(SGD.) TEOFISTO T. GUINGONA, JR.  
Secretary

3 May 1996  
Manila, Philippines

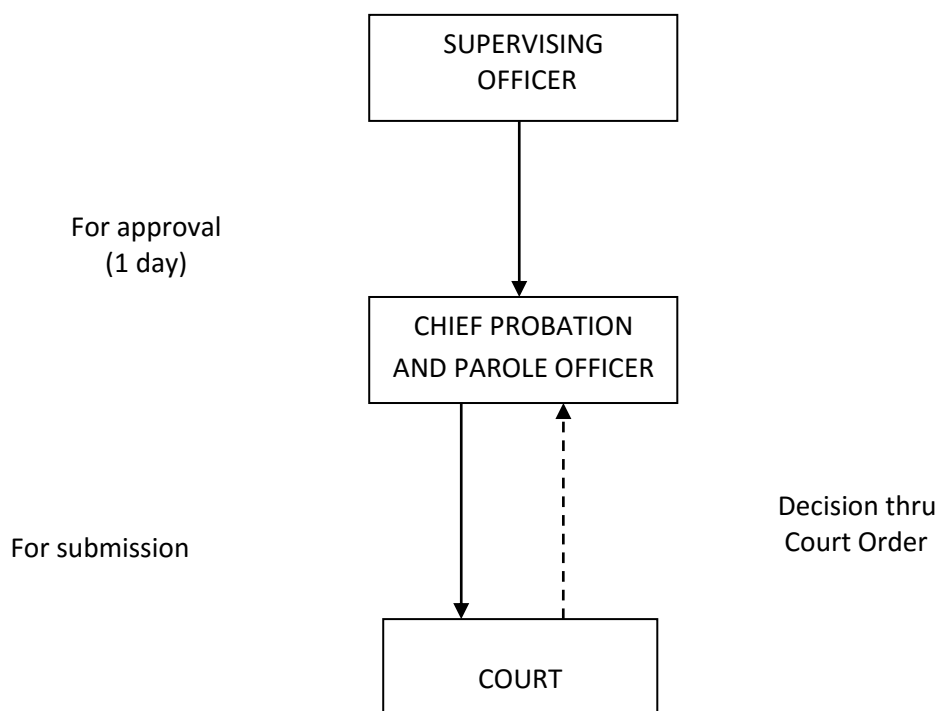
**FIGURE 1**

**FLOW CHART FOR EARLY TERMINATION OF PROBATION CASES**



**FIGURE 2**

**FLOW CHART FOR EARLY TERMINATION OF PROBATION CASES**



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
PPA-PAO Building, NIA Road  
Diliman, Quezon City

April 19, 1996

**MEMORANDUM CIRCULAR**  
**NO. 14            S. 1996**

**TO                    :**        **ALL HEADS OF REGIONAL, PROVINCIAL AND CITY FIELD OFFICES**

**SUBJECT           :**        **Board of Pardons and Parole Resolution No. 4595**

Attached hereto is a copy of Board (of Pardons and Parole) Resolution No. 4595 dated 28 February 1996, setting the guidelines on submission of reports for parole/pardon violation, for your information, guidance and appropriate dissemination.

**(SGD.) GREGORIO F. BACOLOD**  
**Administrator**

Encl.: a/s

Distribution:

1            - Deputy Administrator  
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Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
NIA Road corner East Avenue  
1104 Diliman, Quezon City

27 March 1996

The Administrator  
Parole & Probation Administration  
PPA Building, NIA Road cor.  
East Avenue  
Diliman, Quezon City

Attention: Technical Service

Sir:

We are transmitting herewith, for your information, guidance and dissemination to field offices a copy of Board Resolution No. 4595 dated 28 February 1996, setting guidelines on the submission of Reports for parole/pardon violators.

Very truly yours,

**(SGD.) ARTEMIO C. ASPIRAS**  
Executive Director

Encl.: as stated

Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
NIA Road corner East Ave.,  
Diliman, Quezon City

**Resolution No. 4595**

**Re: Guidelines on submission of reports for parole/pardon violation**

---

Whereas, reports on parole/pardon violations submitted by Parole/Probation officers are invariably denominated as “Infraction Reports” regardless of the condition reportedly violated by the parole/pardonee whose conduct and activities are being supervised;

Whereas, in cases where the violation allegedly committed consists in the commission of an offense, the “Infraction Report” is submitted even while the complaint is still pending with the police, the Fiscal’s office or with the Courts.

Wherefore, premises considered and to ensure uniformity in the submission of violation reports, the Board in its meeting held today, resolves as it hereby Resolved, to issue the following guidelines, to wit:

1. Reports relayed to the Board on the conduct and activities of parolees/pardonees including statements on alleged parole violations should simply be denominated as a “Progress Report”.
2. Reports on the alleged commission of a crime shall:
  - a) State the nature of the crime committed;
  - b) The name and address of the complainant; and
  - c) The agency (police, Fiscal’s office or Court) where the complaint was filed
3. The information so relayed shall indicate whether an admission under oath before a Parole and Probation Officer has been made by the parolee/pardonee against whom the complaint is filed, or whether the parolee/pardonee so charged has been convicted by final judgment.

28 February 1996

(SGD.) DEMETRIO G. DEMETRIA  
Acting Chairman

(SGD.) BENEDICTO J.R. ARROYO  
Member

(SGD.) ESTER DE JESUS AMOR  
Member

(SGD.) LETICIA T.A. MOLINA  
Member

(SGD.) CLETO B. SEÑOREN  
Member

(SGD.) FRANCISCO C. RUIVIVAR, JR  
Member

(SGD.) GREGORIO F. BACOLO  
Ex-Officio Member

(SGD.) ARTEMIO C. ASPIRAS  
Secretary of the Board

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J & T Bldg., R. Magsaysay Blvd.  
Sta. Mesa, Manila

October 14, 1992

**MEMORANDUM CIRCULAR**  
**NO. 49            S. 1992**

**TO                    :**        **ALL HEADS OF REGIONAL/PROVINCIAL/CITY FIELD OFFICES**

**SUBJECT            :**        **Release on Parole/Pardon of National Prisoners in Local Jails**

Quoted hereunder for your information and guidance is Resolution No.1262 of the Board of Pardons and Parole, dated August 12, 1992, on the above-mentioned subject matter, to wit:

**"Resolution No. 1262**  
**Re: Release on Parole/Pardon of National Prisoners in Local Jails**

-----

WHEREAS, there are at present national prisoners confined and serving their sentences in city and provincial jails;

WHEREAS, there is a need to expedite the release on parole or pardon of these national prisoners;

WHEREAS, in the interest of the public service, for humane and economic considerations and pursuant to Section 16 of its Rules and Regulations, the Board Resolves, as it has hereby Resolved, to consider the release on parole/pardon of a national prisoner serving sentence in a provincial or city jail provided his confinement therein is due to circumstances beyond his control, and that the warden concerned shall submit to the Board thirty (30) days prior to the expiration of the minimum sentence of the prisoner the following documents: (1) Certification stating the reason or reasons for the continued confinement of the national prisoner in his jail (2) the prisoner's carpeta and prison record (3) other relevant documents such as the mittimus or commitment order, prosecutor's information and court decision on the case.

Let a copy of this Resolution be furnished the Secretary of Interior and Local Government, the Director, Bureau of Jail Management and Penology and the Director of Corrections for their information/dissemination.

August 12, 1992.

(SGD.) RAMON J. LIWAG  
Undersecretary of Justice and Chairman of the Board

(SGD.) BENEDICTO J. E. ARROYO  
Member

(SGD.) LINO AÑOVER  
Member

(SGD.) ESTER AMOR DE JESUS  
Member

(SGD.) ROLAN C. ESTEBAN  
Member

(SGD.) LETICIA T. A. MOLINA  
Member

(SGD.) DEMETRIO G. DEMETRIA  
Ex-Officio Member

(SGD.) ARTEMIO C. ASPIRAS  
Executive Director/Secretary to the Board

Be guided accordingly.

**(SGD.) FRANCISCO C. RUIVIVAR, JR.**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J&T Bldg., R. Magsaysay Blvd.,  
Sta. Mesa, Manila

September 1, 1992

**MEMORANDUM CIRCULAR**

**NO. 41            S. 1992**

**TO                :**        **ALL FIELD OFFICERS**

**SUBJECT        :**        **Permission for Overseas Employment**

Quoted hereunder for your information and guidance is Resolution No. 842 of the Board of Pardons and Parole, dated 17 December 1991, on the above-mentioned subject matter, to wit:

**RESOLUTION No. 842**

**Re:            Issuance of permission to leave for overseas employment to  
Parolees/Pardonees**

-----

Recognizing the need to speed up the rehabilitation and reintegration of parolees/pardonees into the mainstream of society, the Board, in Resolution No. 411 dated June 18, 1991 issued a policy statement which encourages said parolees/pardonees to seek overseas employment abroad during the period of parole surveillance.

To implement and operationalize the above policy statement, a Memorandum Agreement was signed on November 11, 1991 with the Parole and Probation Administrator, the Acting Chairman of the Board of Pardons and Parole, the representatives of the National Manpower and Youth Council, and the Overseas Contracting and Employment Industry of the Philippines, as signatories.

After discussion and to facilitate the departure of those found capable, properly documented, and qualified for such overseas employment, the Board Resolved, as it hereby Resolved, to authorize the Executive Director, Board of Pardons and Parole and the Administrator/Deputy Administrator, Parole and Probation Administration to issue permission to said parolees/pardonees to undertake overseas employment during the period of parole surveillance.

December 17, 1991.

(SGD.) ALEJANDRO S. URRO  
Undersecretary of Justice and  
Acting Chairman of the Board

(SGD.) ESTER DE JESUS AMOR  
Member

(SGD.) LINO L. AÑOVER  
Member

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ROLAN C. ESTEBAN  
Member

(SGD.) LETICIA T.A. MOLINA  
Member

(SGD.) DEMETRIO G. DEMETRIA  
Member

For your information.

**(SGD.) DEMETRIO G. DEMETRIA**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J & T Bldg., R. Magsaysay Blvd.,  
Sta. Mesa, Manila

June 5, 1992

**MEMORANDUM CIRCULAR**  
**NO. 30            S. 1992**

**TO                    :**        **ALL REGIONAL DIRECTORS**

**SUBJECT           :**        **Approval of Parolee's/Pardonee's Travel/Transfer**

Quoted hereunder for your information and guidance is Resolution No. 992, dated March 24, 1992, of the Board of Pardons and Parole (BPP), amending Resolution No. 01, dated May 30, 1990, re Delegation of Authority, on the above-mentioned subject matter, to wit:

**RESOLUTION No. 992**

**Re:    Amendment to Resolution No. 01 dated May 13, 1990**  
-----

In its meeting held today, the Board resolved as it hereby Resolved, to further amend Resolution No. 01 dated May 13, 1990, to read as follows:

1. The Regional Director of the region where the parolee/pardonee is actually residing is authorized to approve the request for transfer of a parolee/pardonee or for outside travel for a cumulative duration of more than 30 days within a period of 6 months as provided under sections 24-25 of the Rules and Regulations of the Board: Provided that, where the parolees/pardonees requesting for transfer is actually residing at the region to which he requests to be transferred, the Regional Director of the region where the parolee/pardonee is actually residing is hereby authorized to approve the request for transfer.

The authority given to the Regional Director is subject to the condition that all approved requests shall be submitted to the Board for confirmation not later than fifteen (15) days from the date of approval.

24 March 1992.

(SGD.) RAMON S. ESGUERRA  
Acting Chairman of the Board

(SGD.) ESTER AMOR DE JESUS  
Member

(SGD.) LINO L. AÑOVER  
Member

(SGD.) BENEDICTO J. E. ARROYO  
Member

(SGD.) ROLAN C. ESTEBAN  
Member

(SGD.) LETICIA T.A. MOLINA  
Member

(SGD.) DEMETRIO G. DEMETRIA  
Ex-Officio Member

Attested by:

(SGD.) ARTEMIO C. ASPIRAS  
Secretary to the Board

Accordingly, Memorandum Circular No. 15, s. 1990, dated June 20, 1990 on the Approval of Parolee's/Pardonee's Travel/Transfer, is hereby amended.

Be guided accordingly.

**(SGD.) DEMETRIO G. DEMETRIA**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J&T Bldg., R. Magsaysay Blvd.,  
Sta. Mesa, Manila

March 4, 1992

**MEMORANDUM CIRCULAR**  
**NO. 13            S. 1992**

**TO                    :**        **ALL FIELD OFFICERS**  
**SUBJECT           :**        **Parolee/Pardonee Final Release and Discharge**

Quoted hereunder for your information and guidance is Resolution No. 942 of the Board of Pardons and Parole, dated 26 February 1992, on the above-mentioned subject matter, to wit:

**RESOLUTION No. 942**

Re:    Recommendation by the Regional Parole and Probation  
      Officer for Issuance of a Final Release and Discharge

-----  
Pursuant to the provisions of Sec. 6 Art. 4103, as amended, "The Indeterminate Sentence Law", which insofar as pertinent provides that "xxx (I)f during the period of surveillance such parole prisoner shall show himself to be a law-abiding citizen and shall not violate any of the laws of the Philippine Islands, the (Board of Indeterminate Sentence) Board of Pardons and Parole may issue the final certificate of release in his favor, which shall entitle him to final release and discharge"; and acting on a letter dated November 26, 1991 to the Undersecretary of Justice and Acting Chairman of the Board of Pardons and Parole from the Parole and Probation Administrator, the Board, after discussion, Resolved as it hereby Resolved, to issue the following policy for immediate implementation:

A. General Rule. As a general rule, the submission of the summary report recommending and not recommending final release and discharge, shall take place after the expiration of the maximum sentence of the parolee/pardonee whose case is under review for final release and discharge.

B. Special Case. If the expiration of the maximum sentence occurs beyond the five-year period of parole report of such period as is applicable to the parolee/pardonee concerned which is stated in the release document of the parolee/pardonee, submission of the corresponding summary report shall be made at the end of the five-

year period at which time the obligation of the parolee/pardonee to personally report stops and the corresponding duty of the supervisor to exercise parole surveillance insofar as the personal report of the parolee/pardonee is concerned ceases.

Regional Parole and Probation Officers during the period of surveillance, and even before the expiration of the maximum sentence, may recommend the issuance of a certificate of Final Release and Discharge to a parolee/pardonee. The recommendation shall be accompanied by indubitable proof that:

1. The client has paid the indemnity and/or fine in full; or has a steady job or stable business enterprise with the potential of generating income over the poverty threshold as determined by NEDA and with a viable scheme for payment of the indemnity and/or fine; and that
2. He is fully rehabilitated and normalized.

26 February 1992.

(SGD.) CLETO B. SEÑOREN  
Acting Chairman of the Board

(SGD.) ESTER DE JESUS AMOR  
Member

(SGD.) LINO L. ANOVER  
Member

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ROLAN C. ESTEBAN  
Member

(SGD.) LETICIA T. A. MOLINA  
Member

(SGD.) DEMETRIO G. DEMETRIA  
Ex-Officio Member

Attested by:

(SGD.) ARTERMIO G. ASPIRAS  
Secretary to the Board

For your information and guidance.

**(SGD.) DEMETRIO G. DEMETRIA**  
**Administrator**

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J & T Bldg., Ramon Magsaysay Blvd.,  
Sta. Mesa, Manila

November 26, 1991

**MEMORANDUM CIRCULAR**  
**No. 63            S. 1991**

**TO                    :**        **ALL REGIONAL/PROVINCIAL/FIELD OFFICES**  
**SUBJECT           :**        **Expanded Coverage of NBI Clearances for Probationers,**  
                                 **Parolees and Conditional Pardonees**

Quoted hereunder, for your information and guidance, is Opinion No. 154 (Series of 1991) of the Acting Secretary of Justice, issued on November 14, 1991, amending number 5 item of the enumeration in Opinion No. 21 (Series of 1987), on the above subject, to wit:

“OPINION NO. 154  
Series of 1991

November 14, 1991

Administrator Demetrio G. Demetria  
Parole and Probation Administration  
Sta. Mesa, Manila

S i r:

This has reference to your letter recommending modification of Opinion No. 21, s. 1987 of this Department which would in effect revise the policy being implemented by the National Bureau of Investigation (NBI) on the notation of “No Pending Criminal Case” on NBI clearance certificates.

Specifically you recommend modification of item no. 5, “Cases covered by the Probation Law”, to “Cases of persons who have been released on probation, parole or conditional pardon”.

In Opinion No. 21, s. 1987 this Department upon query posed by the NBI ruled that the latter can refrain from stating/noting in the NBI clearances the following cases:

1. Convictions for light offenses;
2. Convictions for offenses not involving moral turpitude;

3. Convictions (for offenses) that are 10 years (or more) old and the sentence has already been served;
4. Convictions for political offenses under the Marcos regime; and
5. Cases covered by the Probation Law

It appears that on August 21, 1991, the Parole and Probation Administration issued Memorandum Order No. 07, s. 1991 containing the "Guidelines Implementing BPP Resolution No. 411, s. 1991, on Travel Abroad of Parolees/Pardonees". This Memorandum Order bears my signature of approval.

In view of the approved guidelines and in order to implement the policy now being adopted that parolees and pardonees will be allowed to work abroad, the number 5 item of the enumeration in our Opinion No. 21, s. 1987 is hereby amended as recommended, to read thus: "Cases of persons who have been released on probation, parole or conditional pardon".

Very truly yours,

(SGD.) SILVESTRE H. BELLO III  
Acting Secretary"

You are hereby directed to sufficiently disseminate the above information to the probationers, parolees or conditional pardonees under your supervision, particularly those interested and probably qualified to travel and work abroad pursuant to the provisions of PPA Memorandum Order No. 7 (s. 1991).

Please be guided accordingly.

**(SGD.) DEMETRIO G. DEMETRIA**  
**Administrator**

Distribution:

1 - Deputy Administrator  
1 ea - Divisions/Staffs/Sections  
1 ea - All Field Offices  
1 - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J & T Bldg., R. Magsaysay Blvd.,  
Sta. Mesa, Manila

November 16, 1991

**MEMORANDUM CIRCULAR**

**NO. 60            S. 1991**

**TO                :**        **ALL REGIONAL/PROVINCIAL/FIELD OFFICES**

**SUBJECT        :**        **Guidelines on Processing the Request of Probationers/Parolees/Pardonees for Transfer of Residence to Metro Manila**

In line with the declared policy of the government to decongest the population in the National Capital Region, the following guidelines on processing the request of a probationer/parolee/pardonee, hereafter referred to as client, for transfer of his residence to Metro Manila, are hereby issued for the observance and guidance of all concerned:

1. Field offices outside the National Capital Region must require the client to submit the following at least one month before the date of the requested transfer, to wit:
  - a) Duly accomplished request for transfer of residence (PPA Form No. 19.1) indicating, among others, the reasons for the proposed transfer of residence to Metro Manila; and
  - b) Certificate or other proof of employment issued by the NCR-based employer, or a letter-guaranty issued by the client's relative or benefactor residing in Metro Manila, who will guarantee the client's good conduct and well-being in the NCR, or other appropriate document as determined by the concerned Chief Probation and Parole Officer.
2. Such field offices shall determine whether or not valid reasons exist for the requested transfer of residence. In this connection, a courtesy referral shall be sent to the appropriate office in the National Capital Region in order to verify the guaranties submitted by the client and the feasibility of his request.

3. If the request is made by a parolee or pardonee and is found valid and feasible, the Chief Probation and Parole Officer shall indorse the same to the Regional Director, together with the supporting documents, indicating his recommendations and reasons therefor.

In the case of probationers, the request for transfer shall be submitted to the Court for approval in accordance with the Rules on Probation Methods and Procedures.

4. The Regional Director shall approve or disapprove the request for transfer of residence of the parolee/pardonee. He shall forward his written approval within five (5) days thereof to the Board of Pardons and Parole thru the Parole and Probation Administration Technical Service for confirmation, copy furnished the recommending Chief Probation and Parole Officer and the Regional Director of the National Capital Region. Otherwise, he shall return the application to the Chief Probation and Parole Officer and state thereon the reasons for the disapproval.
5. The client's Supervising Officer and the recommending Chief Probation and Parole Officer shall see to it that the client requesting transfer of residence clearly understands the effects of such a request and the rules to be observed in connection therewith.
6. In no case shall the Supervising Officer or the Chief Probation and Parole Officer grant permission to any probationer, parolee or pardonee to transfer residence without the prior approval of the Court or the Regional Director as the case may be.

Prior issuances inconsistent herewith are hereby repealed, amended or modified accordingly.

This Memorandum Circular shall take effect immediately.

(SGD.) DEMETRIO G. DEMETRIA  
Administrator

DISTRIBUTION:

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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J&T Bldg., R. Magsaysay Blvd.  
Sta. Mesa, Manila

October 7, 1991

**MEMORANDUM CIRCULAR**  
**NO. 56            S. 1991**

**TO                    :**        **ALL REGIONAL/PROVINCIAL/FIELD OFFICES**

**SUBJECT            :**        **Necessary Assistance of the Jail Wardens of City and Municipal Jails to Parole and Probation Officers in the Conduct of Pre-Parole/Pre-Executive Clemency Investigations**

Quoted hereunder, for your information and guidance is the directive, dated August 21, 1991, of the Bureau of Jail Management and Penology, Department of Interior and Local Government, released thru the Philippine National Police communication facilities, to its Assistant Regional Directors for Jail Bureau of Regions 1-12, NCR, CRECOM and ARMM, on the above subject, to wit:

"TO:    RDs RECOM 1 TO 12 CMA NCR CMA CRECOM AND ARMM PASS ARD JAIL BUREAU  
SVC MSG INTO TWO PARTS    CLN FM CBJMP TO ALL ARDs QTE PART ONE PROBATION AND PAROLE OFFRS OF PAROLE AND PROBATION ADM CMA DEPT OF JUSTICE WILL CONDUCT INTERVIEW SLANT INVES TO PRIS SLANT DET IN ALL CITY SLANT MPL JAIL ALL OVER THE COUNTRY TO MEET THE 60 DAYS PERIOD BEFORE THE EXPIRATION OF THE MINIMUM SENTENCE OF THE PRIS PD ITCOM CMA ADVISE UR JAIL WARDENS TO EXTEND NECESSARY ASST TO SUBJ OFFRS PARTICULARLY ON THE FOLWG CLN ALFA DASH ACCESS TO RECORDS OF ALL PRIS BRAVO DASH PROVISION FOR OFFICE SPACE WHERE PAROLE AND PROB OFFRS CAN INTERVIEW PRIS CHARLIE DASH INSURE AVAIL OF INMATES ON SCHED DATES OF INTERVIEW SLANT INVES PD PART TWO DASH TO INSTITUTE CORRECTIVE MEASURES ON THE OBSERVATION MADE BY PROBATION AND PAROLE ADMINSTRATOR THAT PRIS ARE BEING ALLOWED TO ROAM FREELY OUTSIDE PRISON COMPOUND EVEN WITHOUT LEGAL AUTHORITY FROM THE COURT PD FOR STRICT COMPL END SGD NAZARENO."

Please be guided accordingly.

**(Sgd.) DEMETRIO G. DEMETRIA**  
**Administrator**

**DISTRIBUTION:**

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1 ea - Regional/Provincial/City Offices  
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Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

October 4, 1991

**MEMORANDUM ORDER**  
**NO. 41            S. 1991**

**TO                    :**        **ALL HEADS OF REGIONAL/PROVINCIAL/CITY PAROLE AND PROBATION OFFICES**

**SUBJECT           :**        **Guidelines for the Conduct of Pre-Parole and Pre-Executive Clemency Investigation**

The Board of Pardons and Parole, through its Resolution No. 229 dated April 2, 1991, authorized the Parole and Probation Administration "to conduct Pre-Parole and Executive Clemency Investigation of any city, provincial and national prisoner confined in city and provincial jails, the national penitentiary and penal colonies." This is another task given to Probation and Parole Officers that exemplifies their capability and dedication to the service.

In order to ensure the effective implementation of this function, the following guidelines are hereby prescribed:

**I. OBJECTIVES.** The objectives of pre-parole/pre-executive clemency investigation (PPI) are:

1. To provide the Board with necessary and relevant information which it can use in determining a prisoner's fitness for parole or any form of executive clemency;
2. To provide jail and prison wardens with a useful tool for a better understanding of their wards and for identifying the most appropriate programs for their rehabilitation; and
3. To provide the client's Supervising Officer with adequate information for the formulation of the appropriate supervision and rehabilitation plan.

**II. CLIENTELE COVERED.** The clientele for pre-parole investigation includes:

1. National prisoners confined in the National Penitentiary, the Correctional Institute for Women and the penal colonies;
2. National prisoners not yet transferred to the National Penitentiary and still confined in the city/provincial jails; and
3. City and provincial prisoners sentenced to a definite term or an indeterminate maximum sentence of more than one year.

- III. **FIELD OFFICES INVOLVED.** Parole and Probation Offices located in the same city or provincial capital where city and provincial jails or national prisons or penal institutions are found, are specifically tasked with the implementation of BPP Resolution NO. 229 in their respective areas of jurisdiction. Where there are two or more such field offices in the same area, the Regional Director shall exercise his discretion in identifying which office shall conduct the PPI, considering the caseload ratio of the personnel.
- IV. **LIST OF PRISONERS.** The Chief Probation and Parole Officer of the office tasked to conduct the pre-parole investigation shall coordinate with the Jail Warden or Prison Superintendent in his area and secure from the latter a list of those prisoners whose minimum sentence will expire within ninety (90) days from the date of the list and those who may be considered for executive clemency in accordance with the Rules and Regulations of the Board of Pardons and Parole. The CPPO shall also request the Warden/Superintendent to furnish the Parole and Probation Office with a list of such prisoners on or before the 5<sup>th</sup> day of every month thereafter. The list, in effect, will serve as a “referral” for PPI.
- V. **GENERAL INVESTIGATION PROCECURES.** The following procedures shall be observed in conducting the pre-parole investigation:

**1. Receipt, Assignment and Docketing of Referrals for PPI**

- a. Upon receipt of the list from the Jail Warden/Prison Superintendent, the receiving clerk shall immediately note the date and time of such receipt.
- b. The CPPO shall issue the office order(s) assigning the prisoners in the list to the proper officer(s) for the pre-parole/executive clemency investigation.
- c. The referrals for PPI shall be entered in the Pre-Parole/Executive Clemency Investigation Docket Book (See ANNEX “A”, docket book form).
- d. Each prisoner in the list shall be assigned a Pre-Parole Investigation Docket Number starting with 001 for the first case referred during the year and ending with the total number of cases referred for that year. The docket number shall reflect the year, month and sequential numbering of the cases. (Ex. PPI-9110-001)
- e. An Investigation Case File shall be set up for each referral which shall contain the documents and records related thereto. (If parole or conditional pardon is granted, and the supervision is undertaken by the investigating office, the investigation records shall be transferred to the left side of the folder containing the Supervision Case File).

**2. Investigation Proper**

- a. The assigned investigating officer (IO) shall commence the PPI within five (5) days from receipt of the office order.
- b. He shall interview the referred prisoner using the Pre-Parole Questionnaire (PPQ) and the Pre-Parole Report (PPR). This shall be conducted in the proper atmosphere conducive for interview and with appropriate privacy and security within the jail or prison premises.

- c. The IO shall instruct the prisoner to sign the certification at the end of the PPQ and to fill up the waiver. (Use PPA Form 2 – Waiver).
- d. He shall secure such additional information as may be needed from the prisoner's records in the prison/jail, from the court and other appropriate entities.
- e. In the event that vital data needed to complete the report are not available within the area of jurisdiction of the Parole and Probation Office, a courtesy referral may be made to the CPPO of the city or province having jurisdiction of the source of information in like manner as courtesy referrals in post-sentence investigation cases.

**3. Prison Records.** - The CPPO shall request the Warden/Superintendent to make available to the Investigating Officer the prison records of the prisoner under pre-parole investigation. In the event the prison records do not contain all the needed information, the IO shall use his initiative and resourcefulness to secure such information with the assistance of the Warden/Superintendent.

**4. Report Preparation.** - The Investigating Officer shall prepare the Pre-Parole Questionnaire and the Pre-Parole Report in five (5) copies, to be distributed as follows:

Original -	BPP thru the PPA Technical Service
2 <sup>nd</sup> copy -	CMRD (attach to Form 21)
3 <sup>rd</sup> copy -	Regional Office
4 <sup>th</sup> copy -	Warden/Superintendent
5 <sup>th</sup> copy -	Investigation Case File

In the preparation of the PPR and PPQ, the Investigating Officer shall see to it that (a) the data he has gathered are accurate; (b) the facts are complete; and (c) in case of doubt, the same is resolved liberally in favor of the prisoner.

**5. Submission and Approval of the Report.** - The Investigation Officer shall submit the PPR, with the PPQ attached to the CPPO for review and approval within (15) days after case assignment. The CPPO shall, within five (5) days from receipt of the report, review and approve the same and submit to the offices concerned their respective copies, which shall not be later than sixty (60) days before the expiration of the minimum sentence of the subject prisoner.

## **VI. MONITORING**

The CPPO shall maintain an up-to-date record of the pre-parole investigations accomplished by his office. He shall report the same in the Monthly Parole Caseload Report (PPA Form 21).

## **VII. EFFECTIVITY**

These guidelines shall take effect immediately.

**(Sgd.) DEMETRIO G. DEMETRIA**  
**Administrator**

**Encls.:**

1. PPI Docket Book Form
2. Revised PPR and PPQ Forms

**Distribution:**

1	-	Deputy Administrator
1 ea	-	Chiefs of Divisions/Staffs
1 ea	-	Field Offices
1	-	Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

**PRE-PAROLE REPORT**

**I. PERSONAL DATA**

PRISONER: \_\_\_\_\_ Prison No. \_\_\_\_\_

Last Name                      First                      Middle

Alias(es): \_\_\_\_\_ Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Civil Status: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Citizenship: \_\_\_\_\_ Religion: \_\_\_\_\_ Identification Marks: \_\_\_\_\_

Residence: City \_\_\_\_\_

Provincial \_\_\_\_\_

Father's Full Name: \_\_\_\_\_

Address of Father: \_\_\_\_\_

Mother's Full Name: \_\_\_\_\_

Address of Mother: \_\_\_\_\_

If Married, Name of Spouse: \_\_\_\_\_

Address of Spouse: \_\_\_\_\_

Children:	NAME	AGE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Occupation Prior to Imprisonment: \_\_\_\_\_

Work While in Prison, if any: \_\_\_\_\_

Other Employable Skills: \_\_\_\_\_

Highest, Educational Attainment: \_\_\_\_\_

Other Training Completed: \_\_\_\_\_

State of Physical and Mental Health: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **II. PRISONER'S CRIMINAL HISTORY**

### **A. PRESENT CRIME AND IMPRISONMENT**

Charged with: \_\_\_\_\_ Date: \_\_\_\_\_

Place of Commission: \_\_\_\_\_ Date: \_\_\_\_\_

Convicted of: \_\_\_\_\_ Date: \_\_\_\_\_

Plea: \_\_\_\_\_

Mitigating Circumstances: \_\_\_\_\_

Aggravating Circumstances: \_\_\_\_\_

Offended Party: \_\_\_\_\_

Address: \_\_\_\_\_

Co-Defendants (Names, Disposition, Custody Status):

\_\_\_\_\_

Trial Court: \_\_\_\_\_ Case No. \_\_\_\_\_

Appellate Court: \_\_\_\_\_ G.R. No. \_\_\_\_\_

Status of Case: \_\_\_\_\_

Sentence: Min. \_\_\_\_\_

Max. \_\_\_\_\_

Civil Ind. \_\_\_\_\_

Accessory Penalties \_\_\_\_\_

Commencing Date: \_\_\_\_\_

Expiration of Sentence with GCTA: Min. \_\_\_\_\_

Max. \_\_\_\_\_

Pre-Conviction Detention: Inclusive Date: \_\_\_\_\_

Total Period: \_\_\_\_\_

Time Served: \_\_\_\_\_

### **B. FACTS OF THE CASE:**

C. *PRISONER'S VERSION OF THE CASE:*

D. *OTHER CRIMINAL RECORDS:*

E. *INSTITUTIONAL HISTORY*

Present Classification: \_\_\_\_\_

Where Confined: \_\_\_\_\_

Conduct during the last six months: \_\_\_\_\_

Record of Punishment: \_\_\_\_\_

Outstanding Achievement and Special Preparations: \_\_\_\_\_

\_\_\_\_\_

Evidence and Results of Desire to Improve Himself During Imprisonment:

\_\_\_\_\_

\_\_\_\_\_

### **III. *BOARD'S PREVIOUS ACTION***

**IV. INVESTIGATING OFFICER'S COMMENTS AND RECOMMENDATIONS\***

\_\_\_\_\_, Philippines, \_\_\_\_\_, 19 \_\_\_\_\_

SUBMITTED BY:

\_\_\_\_\_  
Name and Signature

\_\_\_\_\_  
Position/Designation

REVIEWED AND APPROVED BY:

\_\_\_\_\_  
Name and Signature

\_\_\_\_\_  
Position

***NOTE: \*If the recommendation is favorable, state among other matters, the recommended place of residence of the subject where he/she is acceptable to the community.***



Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**

***PRE-PAROLE QUESTIONNAIRE***

RE: \_\_\_\_\_  
Last First Middle

Prisoner's Name

***I. OFFENSE DATA***

***A. Present (For which he was imprisoned)***

1. Did you plead guilty to this crime when you were charged?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
2. Were you under the influence of drugs/liquor when you committed the crime? \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Was your victim under the influence of drugs/liquor when you committed the crime? \_\_\_\_\_ yes \_\_\_\_\_ No
4. Did you have any co-accused? \_\_\_\_\_ Yes \_\_\_\_\_ No
5. If yes, what is/are his/their name/s and where is/are he/they now?

NAME	ADDRESS
_____	_____
_____	_____
_____	_____
_____	_____

6. Is your case on appeal? \_\_\_\_\_ Yes \_\_\_\_\_ No

***B. Other Derogatory Information***

1. Do you have any pending criminal case? \_\_\_\_\_ Yes \_\_\_\_\_ No
2. If yes, what crime/s? \_\_\_\_\_  
\_\_\_\_\_
3. Do you have any previous conviction/s? \_\_\_\_\_ Yes \_\_\_\_\_ No
4. For what crime/s \_\_\_\_\_ against persons  
\_\_\_\_\_ against property  
\_\_\_\_\_ national security  
\_\_\_\_\_ chastity  
\_\_\_\_\_ drug related  
\_\_\_\_\_ others, please specify,  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. When and where was/were this/these crime/s committed?

Crime	When	Where
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Have you ever been paroled/granted probation before?

\_\_\_\_\_ Yes \_\_\_\_\_ No

7. If yes, when? And for what crime? \_\_\_\_\_  
\_\_\_\_\_

8. Did you violate your parole/probation condition/s?

\_\_\_\_\_ Yes \_\_\_\_\_ No

9. If yes, what violation? When? Where?

\_\_\_\_\_

10. Were you ever granted termination/final release and discharge from probation/parole/pardon? \_\_\_\_\_ Yes \_\_\_\_\_ No

11. If yes, when? \_\_\_\_\_

## II. IMPRISONMENT DATA

1. Have you ever escaped? \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If yes, when? Where? And how many times?

\_\_\_\_\_

3. Have you ever violated any prison rule/regulation?

\_\_\_\_\_ Yes \_\_\_\_\_ No

4. If yes, when? Where? And how many times?

\_\_\_\_\_

5. Did you learn any vocational skills while in prison?

\_\_\_\_\_ Yes \_\_\_\_\_ No

6. If yes, what? \_\_\_\_\_

## III. PRESENT SITUATION

1. Do you have any vice? \_\_\_\_\_ Yes \_\_\_\_\_ No

2. If yes, what vice/s? \_\_\_\_\_

3. Do you take regulated/prohibited drugs/liquor?

\_\_\_\_\_ Yes \_\_\_\_\_ No

4. If yes, what particular drug/liquor? \_\_\_\_\_  
How often? \_\_\_\_\_

5. Have you ever taken drugs/liquor before? \_\_\_\_\_ Yes \_\_\_\_\_ No
6. If so, have you ever been committed to any drug rehabilitation center? \_\_\_\_\_ Yes \_\_\_\_\_ No
7. If yes, when? And where? \_\_\_\_\_
8. Are you suffering from any disease/physical defect?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
9. If yes, what disease/physical defect? \_\_\_\_\_
10. Does any member of your family have any history of mental disorder?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
11. If yes, who? What relationship? And what disorder?  
\_\_\_\_\_
12. Where did you live prior to your arrest/imprisonment?  
\_\_\_\_\_
13. With whom? Relationship? \_\_\_\_\_
14. Do you maintain regular contact with your family?  
\_\_\_\_\_ Yes \_\_\_\_\_ No
15. With whom? \_\_\_\_\_ Wife/Husband  
\_\_\_\_\_ father/Mother  
\_\_\_\_\_ Brother/Sister  
\_\_\_\_\_ Children  
\_\_\_\_\_ Others, please specify  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
16. How? \_\_\_\_\_ By actual jail visit  
\_\_\_\_\_ By mail  
\_\_\_\_\_ By handcarried letters  
\_\_\_\_\_ others, please specify  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
17. Did/do you have problems in your relationships with your family/relatives? What?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18. Did/do you have problems in your relationships with other people in the place where you lived (No 12) or where your family now lives? What?

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---

---

19. Do you expect the above problems, or any other problem, to cause difficulties for you once you are released?

\_\_\_\_\_ Yes \_\_\_\_\_ No

20. If yes, how will you resolve them?

---

---

---

#### IV. PLANS

1. Do you have anyone to go home to if released on parole or pardon?

\_\_\_\_\_ Yes \_\_\_\_\_ No

2. If yes, who in particular will you stay with?

\_\_\_\_\_ Wife/Husband

\_\_\_\_\_ Parents

\_\_\_\_\_ Brother

\_\_\_\_\_ Sister

\_\_\_\_\_ Children

\_\_\_\_\_ others, please specify

---

3. What is his/her exact name and address?

---

4. If the answer to No. 1 is "No", where would you want to stay?

---

With whom? \_\_\_\_\_

Why? \_\_\_\_\_

5. If released, what are your plans?

\_\_\_\_\_ look for work

\_\_\_\_\_ engage in business

\_\_\_\_\_ go back to school

\_\_\_\_\_ others, please specify

---

## ***CERTIFICATION***

I, \_\_\_\_\_, hereby declare that the above facts and information are true and correct to the best of my knowledge, that the same have been explained to me in the language I understand, and that I am aware of the intent and consequences thereof.

Signed this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
at \_\_\_\_\_, Philippines.

\_\_\_\_\_  
Prisoner

ATTESTED AND SUBMITTED BY:

\_\_\_\_\_  
Name and Signature

\_\_\_\_\_  
Position/Designation

NOTED:

\_\_\_\_\_  
Name and Signature

\_\_\_\_\_  
Position

**I. DOCKET BOOK FOR PRE-PAROLE INVESTIGATION REFERRALS RECEIVED**

DOCKET NO.	NAME OF PRISONER	RESIDENCE ADDRESS	C.C. NO.	NAME OF PRISON/JAIL	OFFENSE	SENTENCE	DATE			INVESTIGATING OFFICER	PPO's RECOM.	BPP DISPOSITION	REMARKS
							OF REFERRAL	REFERRAL RECEIVED	REPORT SUBMITTED				

**II. DOCKET BOOK FOR COURTESY PRE-PAROLE INVESTIGATION REFERRALS RECEIVED**

DOCKET NO.	NAME OF PRISONER	REQUESTING OFFICE/CPPO	DATE		REASONS FOR REFERRAL	INVESTIGATION OFFICER	REMARKS
			RECEIVED	RETURNED			

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J&T Bldg., R. Magsaysay Blvd.,  
Sta. Mesa, Manila

August 26, 1991

**MEMORANDUM ORDER**

**NO. 7                      S. 1991**

**TO                      :**        **ALL HEADS OF REGIONAL/CITY/PROVINCIAL PAROLE AND  
PROBATION OFFICES  
CHIEF, FINANCIAL & MGT. DIVISION  
ACTING CHIEF, TECHNICAL SERVICE**

**SUBJECT              :**        **Guidelines Implementing BPP Resolution No. 411, S. 1991, on  
Travel Abroad of Parolees/Pardonees**

On 18 June 1991, the Board of Pardons and Parole passed a resolution, the text whereof is quoted below:

*"RESOLUTION No. 411*

*Re: Travel Abroad of Parolees/Pardonees*

-----  
*In its meeting held today, the Board considered the request of Director Benilda M. Escobar of the National Capital Region, indorsed by the Administrator, Parole and Probation Administration for a policy statement on the requests of parolees/pardonees to travel abroad.*

*After discussion, the Board resolved, as it has hereby Resolved, that:*

- 1. Parolees and pardonees should be encouraged to apply for overseas work during their period of surveillance;*
- 2. Application for travel abroad shall be supported by a certification of acceptance to work abroad from the prospective employer;*
- 3. Physical report shall be suspended effective upon departure;*
- 4. While abroad, the parolee/pardonee shall keep his supervisor informed in writing of his activities every two months;*
- 5. Parolee/pardonee shall pay to the Parole and Probation Administration 10% of his net monthly salary as payment of the fine and indemnity;*
- 6. Full payment of the fine and indemnity at anytime during parolee/pardonee's stay abroad shall make him eligible to apply for absolute pardon."*

To effectively implement the afore-quoted resolution, the following guidelines are hereby prescribed for the guidance of all concerned:

## **I – General Provisions**

1. Policy Objectives. – Conformably with the basic policy of the Board of Pardons and Parole (Board) and the Parole and Probation Administration (PPA) to uplift and redeem valuable human material to economic usefulness, promote the economic stability of clientele as a key factor in their rehabilitation, facilitate the payment of restitution to clients' victims and improve the country's finances as well, parolees and pardonees are encouraged to seek employment abroad during their period of supervision/surveillance, provided that their activities are properly monitored and that payment of their liability for fine and indemnity, if any, is reasonably assured.

For purposes of these Guidelines, the term "indemnity" shall include reparation of the damage caused and indemnification of consequential damages adjudged against the accused by the sentencing court as defined in Articles 106 and 107 of the Revised Penal Code.

2. Who may Apply. – Any parolee or pardonee (Client) under active supervision/surveillance who has no pending criminal case in any court may apply for overseas work.
3. Periodic Review. – All Chief Probation and Parole Officers (CPPOs) shall conduct, at least once every quarter, a review of the case records of all parolees and pardonees under their supervision in order to identify the clients who have employable skills but are not gainfully employed or are underemployed and encourage them to apply for overseas employment.

## **II – Application for Overseas Work**

1. Application. – A client who desires to travel for overseas employment shall file an application with the CPPO at least two (2) months before the scheduled or expected date of departure, using PPA Form 19.2, Annex "A".

The application shall be accomplished in five (5) copies, to be distributed as follows: Board (original copy), Technical Service, Regional Director, CPPO (Case File), and Client.

2. Supporting Documents. – In support of the application the Client shall attach the following documents:
  - (a) A certified true copy of the final decision of the sentencing court.
  - (b) A certification of acceptance to work abroad issued by the prospective employer or by the POEA, or a certified true copy of the overseas employment contract approved by the POEA.
  - (c) An affidavit or sworn statement attesting that he has no pending criminal case in any court.



3. Indorsement. – The CPPO shall indorse the application, supporting documents attached, within five (5) days from receipt thereof, to the Board, thru the Technical Service, PPA, copy furnished the Regional Director.
4. Review/Evaluation by Technical Service. – The Technical Service shall, upon receipt of the application with supporting documents, review and evaluate the same and thereafter forward the same within three (3) days to the Board for proper disposition.
5. Approval and Dissemination. – Upon approval of the application by the Board, the Technical Service shall send copy of the board resolution to the CPPO concerned, copy furnished the Client, the Regional Director, and the Financial & Management Division (FMD).
6. Pre-Departure Orientation. – Within three (3) days before the Client's departure, the Supervisor shall conduct a pre-departure orientation or briefing on his rights, privileges and obligations while abroad in accordance with these Guidelines.

### **III – Constructive Reporting**

1. Overseas Periodic Report. – Effective upon departure of the Client, the parole condition requiring him to report in person to his Supervisor shall be deemed suspended. In lieu thereof, he shall report in writing to his Supervisor to keep the latter informed of his activities every two (2) months, using PPA Form 19.3, Annex "B".
2. Contents of Report. – The initial report, which the Client shall send by mail within two (2) months after arrival at the place of work, shall contain, among others, information on (a) the date and time of his arrival at the point of destination, (b) his exact residence address abroad and (c) his gross monthly salary and deductions.

Subsequent reports shall contain, among others, information on (a) amounts remitted, if any, to the PPA for payment of fine and/or indemnity, (b) problems related to family, work and living conditions, (c) changes in residence or work address or monthly gross income and deductions, and (d) other significant information related to his personal or family security and welfare while abroad.

3. Quarterly Progress Report. – At the end of each quarter, the CPPO shall submit a progress report to the Technical Service on the status of all clients on overseas employment under his supervision, indicating the date and amount of remittance made on fines and indemnity, if any. Copy of this report shall be furnished the Regional Director and FMD.

The CPPO shall also include in the quarterly report the status of parolees and pardonees who have travelled abroad without permit from the Board.

### **IV – Fines and Indemnity; Processing, Approval and Payment of Claims**

1. Remittance. – Client abroad shall remit to the PPA the 10% of his net monthly salary within fifteen (15) days after receipt of his monthly salary for payment of fine and indemnity.

Remittances may be made in either one of the following forms, whichever is convenient to the Client, viz:

- (a) **Bank-to-Bank Transaction** – Client shall open an account with a bank at his place of work and send the remittances on fine and indemnity through a counterpart bank in Metro Manila, or
- (b) **In Cash, Money Order, or Telegraphic Transfer** – Client names a representative or nearest kin in the Philippines who will remit the amounts to the Cashier, PPA either in cash, money order, or telegraphic transfer.

The Cashier shall immediately inform the Technical Service and the FMD of all remittances actually received, indicating the name of the client, amount, date, and official receipt number.

- 2. Deposit. – All remittances received by the PPA from the Client shall be deposited with an authorized government depository bank.
- 3. Application of Payments. – Remittances shall be applied first to the payment of the indemnity and thereafter to payment of the fine, as prescribed in Article 38 of the Revised Penal Code. Collections for fine shall be remitted to the National Treasury. Collections for indemnity, however, shall be paid upon approval by the Administrator of a formal claim filed by the victim or his legal heirs, as the case may be, as provided hereunder.

Conflicting claims, if any, shall be resolved by a claims adjudication committee to be constituted by the Administrator for the purpose.

- 4. Notice to Claimant: Indemnity Claim Application. – The Technical Service shall advise the CPPO about the PPA's receipt of the remittance and for the CPPO to notify the claimants who are to accomplish the indemnity claim application (PPA Form 19.4, Annex "C") to be filed directly with the CPPO, who shall endorse the same to the Administrator, through the Technical Service, for approval.
- 5. Distribution of Indemnity. – Upon approval of the claim by the Administrator, the FMD shall process the same for payment to the claimant or persons entitled thereto in the form and manner convenient to them, whether by check, money order, or telegraphic transfer.

Payments made to indemnity claimants shall be monitored by the FMD to the Technical Service and the CPPO concerned.

The financial transactions herein mentioned shall be subject to the usual government accounting and auditing rules and regulations.

## **V – Infraction**

- 1. Infraction. – The following shall be considered acts or omissions constituting serious infractions of the client's pardon and parole conditions:
  - (a) Failure to attend the required pre-departure orientation;
  - (b) Failure to submit to his Supervisor the required overseas periodic report;

- (c) Failure to remit to the PPA 10% of his net monthly salary for the payment of fine and or indemnity for at least two (2) consecutive months.
- (d) Failure to comply with any other condition for the grant of the permit to work abroad.

In case of such infractions, the Supervisor shall submit the corresponding Infraction Report to the Board, through the Technical Service, for appropriate action.

## **VI – Return from Abroad**

1. Debriefing. – The Client shall, within one (1) month after his return to the Philippines, report in person to his Supervisor for debriefing.

In the debriefing, the Supervisor shall interview the Client and make an overall evaluation of the latter's performance and activities while abroad as well as his compliance with all the conditions of his parole/pardon and those of his permit to work abroad. Results of the evaluation shall be submitted to the CPPO for his information and proper disposition.

2. Resumption of Surveillance. – After a determination by the CPPO that the Client has complied with all the conditions of his parole and of his permit to work abroad, the Supervisor shall resume supervision/surveillance over the Client until the expiration of his surveillance period, without prejudice to the provisions of the next paragraph.
3. Eligibility for Absolute Pardon. – full payment of the fine and indemnity, evidenced by a certification issued by the FMD, shall make the Client eligible to apply for absolute pardon. For this purpose, the Supervisor shall, after the debriefing and evaluation, submit to the CPPO, for indorsement to the Board, thru the Technical Service, a report recommending grant of absolute pardon to the said Client.

## **VII – Miscellaneous Provisions**

1. Regulatory Fee. – to cover the costs of processing required under these Guidelines, there shall be imposed upon every indemnity claimant the sum of Fifty Pesos (P50.00), payable as regulatory fee to the PPA.

Disposition of the regulatory fees collected by the PPA shall be governed by applicable laws and regulations.

2. Forfeiture of Claims. – All indemnities received or collected by the PPA from Clients herein that have remained unclaimed by the victim or person entitled thereto within a period of four (4) years from date of advice to claimants shall be forfeited in favor of the government.
3. Direct Settlement of Indemnity. – Any provision of these Guidelines to the contrary notwithstanding, any client who is qualified to apply for permit to work abroad may, at his option, settle his outstanding liability for indemnity through direct payment to the victim or parties entitled

thereto, provided that a payment plan mutually agreed upon by said Client with the victim or his heirs, as the case may be, is submitted together with the application for permit to work abroad and duly approved by the Administrator.

In such case, all payments made thereunder shall be reported by the Client in his Overseas Periodic Report to the Supervisor, duly supported by acknowledgement receipts issued by the victim/heir evidencing such payments.

4. Separability Clause. – In the event that any of the provisions of these Guidelines is declared unconstitutional the validity of the other provisions shall not be affected thereby.
5. Effectivity. – These Guidelines shall take effect upon approval by the Secretary of Justice.

**(SGD.) DEMETRIO G. DEMETRIA**  
**Administrator**

APPROVED:

**(SGD.) SILVESTRE H. BELLO III**  
**Acting Secretary of Justice**

Distribution:

- 1 - Deputy Administrator
- 1 ea - All Field Offices
- 1 ea - All Chiefs of Divisions/Sections/Staff
- 1 - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
Region \_\_\_\_\_  
Province/City of \_\_\_\_\_

Supervision Case No. \_\_\_\_\_

**APPLICATION FOR PERMIT TO WORK ABROAD**

Sir:

The undersigned Parolee/Pardonee respectfully requests permit to travel to \_\_\_\_\_ for overseas employment.

A. Job Profile

Approved Job Description \_\_\_\_\_ Monthly Salary \_\_\_\_\_  
Period of Work Contract \_\_\_\_\_ Effective on \_\_\_\_\_  
Place of Work \_\_\_\_\_  
Name & Address of Employer \_\_\_\_\_  
\_\_\_\_\_  
Name & Address of Placement Agency, if any \_\_\_\_\_  
\_\_\_\_\_

B. Case Profile

Full Name (in print) \_\_\_\_\_ Prison No. \_\_\_\_\_  
Supervision/Surveillance Period \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_  
Civil Liabilities: Fine Php \_\_\_\_\_ Indemnity Php \_\_\_\_\_  
Name & Address of Victim or Person entitled to Indemnity \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attached, as supporting documents, are: (a) certified true copy of the court decision, (b) certification of acceptance to work abroad, and (c) affidavit/sworn statement that there is no pending criminal case in any court against me.

If granted permit, I agree to comply with all conditions enumerated at the back of this application. Failure on my part to comply with any said conditions may be considered a serious infraction and violation of the conditions of my parole/pardon.

\_\_\_\_\_  
Signature of Client

Date \_\_\_\_\_

Encls: a/s

RECOMMENDING APPROVAL:

\_\_\_\_\_  
Supervisor

Date \_\_\_\_\_

X-----X

1<sup>st</sup> Indorsement

Respectfully forwarded to the Board of Pardons and Parole, thru the Technical Service, PPA, Manila, recommending favorable action on the herein application, which this Office has verified and found to be meritorious.

\_\_\_\_\_  
Chief Probation and Parole Officer

**CONDITIONS FOR GRANT OF PERMIT TO WORK ABROAD  
(Board Res. No. 411, S. 91)**

If granted permit to work abroad, I hereby agree to the following:

1. Report to my supervisor for pre-departure orientation at least three (3) days before leaving the country.
2. Keep my Supervisor informed in writing of my activities while abroad at least once every two (2) months. (To include such information as: actual date and time of arrival at place of destination; exact residence address abroad; monthly statement of gross income and deductions; amount remitted, if any, to the PPA for payment of fine and/or indemnity; problems related to work and living conditions; changes in residence, work address, monthly gross income and deductions; and other significant information related to my personal and family security and welfare while abroad).
3. Remit to the Parole and Probation Administration (PPA), Manila, within fifteen (15) days after receipt of my monthly salary, at least ten percent (10%) of my net monthly income in payment of whatever fine and indemnity that may have been adjudged against me by the court in the criminal case, until the same are fully paid. For this purpose, I hereby expressly agree that the amount paid for fine and/or indemnity shall be deposited by the PPA with an unauthorized government depository bank pending determination of the claimants or persons entitled thereto.

M\_\_\_\_\_ of  
\_\_\_\_\_,  
my representative /nearest of kin in the Philippines, shall facilitate said remittances to the PPA.

4. Obey all laws and regulations of the country of my employment abroad.
5. Report in person, within one (1) month after return to the Philippines, to my Supervisor for proper debriefing or supervision/surveillance.
6. Comply with such other conditions that the Board of Pardons and Parole may impose in issuing the permit applied for, and observe all the conditions of my parole/pardon except Condition No. 2 thereof in which I shall report in writing in lieu of physical reporting as provided in Item 2 above.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name of Client)

## CLIENT'S OVERSEAS PERIODIC REPORT

Date \_\_\_\_\_

Full Name (Please Print) \_\_\_\_\_

SECTION A: ☐ First Reporting

Instructions: Accomplish only Section A when you are reporting for the first time or, for subsequent reporting if there are changes.

Place of Destination \_\_\_\_\_ Date &amp; Time of Arrival \_\_\_\_\_

Actual Date and Time of Arrival at Place of Work \_\_\_\_\_

Address and Telephone Number:

A. Residence \_\_\_\_\_

B. Company/Employer \_\_\_\_\_

Gross Monthly Salary \_\_\_\_\_

Deductions (attach breakdown of deductions issued by company cashier)

A. Taxes \_\_\_\_\_

B. Others \_\_\_\_\_

SECTION B: ☐ Subsequent Reporting for the Months of

\_\_\_\_\_ and \_\_\_\_\_

Instructions: Accomplish section B only for subsequent reporting but if there are changes, accomplish Section A.

Remittances:

☐ Initial ☐ Subsequent (specify) \_\_\_\_\_ 1<sup>st</sup> \_\_\_\_\_ 2<sup>nd</sup> \_\_\_\_\_  
 \_\_\_\_\_ 3<sup>rd</sup> \_\_\_\_\_ 4<sup>th</sup> \_\_\_\_\_ 5<sup>th</sup> \_\_\_\_\_ 6<sup>th</sup> \_\_\_\_\_  
 \_\_\_\_\_ others

Amount Remitted \_\_\_\_\_ Currency \_\_\_\_\_

Means:

A. Bank to Bank (name) \_\_\_\_\_ Date \_\_\_\_\_

B. Thru Representative (name) \_\_\_\_\_ Date \_\_\_\_\_

Describe Briefly:

A. Working Conditions \_\_\_\_\_

Problems (if any) \_\_\_\_\_

B. Family/living conditions \_\_\_\_\_

Problems (if any) \_\_\_\_\_

Expected Date of Return to the Philippines

☐ Termination of Contract Date \_\_\_\_\_☐ Emergency Leave Date \_\_\_\_\_☐ Regular Vacations Date \_\_\_\_\_\_\_\_\_\_  
SIGNATURE

## INDEMNITY CLAIM APPLICATION

---

Date

The Administrator  
Parole and Probation Administration  
3894 R. Magsaysay Blvd.,  
Sta. Mesa, Manila

Sir:

In response to the letter notice, dated \_\_\_\_\_, which I received on \_\_\_\_\_, I hereby file my claim for indemnity remitted to that Administration by parolee/pardonee \_\_\_\_\_, based on the Decision of the court in Criminal Case No. \_\_\_\_\_, RTC/MTC of \_\_\_\_\_, Branch \_\_\_\_\_ dated \_\_\_\_\_.

I am filing this claim in my capacity as (Please check):

- ☐ Victim/offended party  
☐ surviving spouse of victim  
☐ child of victim  
☐ parent of victim      ☐ father      ☐ mother  
☐ brother/sister of victim  
☐ nearest relative of victim  
    (Specify) \_\_\_\_\_  
☐ other (Specify) \_\_\_\_\_

In support of this claim, attached are the prescribed documents as indicated at the back hereof, all verified by the Chief Probation and Parole Officer.

---

(Full Name in Print)  
CLAIMANT

## RECOMMENDING APPROVAL:

---

Supervisor  
Date \_\_\_\_\_

---

1<sup>st</sup> Indorsement

Respectfully forwarded to the Administrator, PPA, Manila, thru the Technical Service, recommending approval of the herein application which this office has verified and found to be in order.

---

Chief Probation and Parole Officer



**Back of PPA FORM 7d**

**INSTRUCTIONS**

1. Accomplish this application form (PPA Form 19.4) in three (3) copies and submit the same, together with the Xerox copies (two sets each) of the supporting documents, to the CPPO for verification and authentication.
2. Consult the following list of prescribed supporting documents:
  - \_\_\_ A – Identification card, e.g., driver's license, voter's ID, etc.
  - \_\_\_ B – Marriage Contract
  - \_\_\_ C – Residence Certificate
  - \_\_\_ D – Birth Certificate
  - \_\_\_ E – Death Certificate of victim
  - \_\_\_ F – Affidavit of being parent/brother/sister of nearest relative
  - \_\_\_ G – others \_\_\_\_\_
3. Present to the CPPO for verification the originals of:
  - \_\_\_ Victim – A, B (if married), C and D
  - \_\_\_ Surviving spouse of victim – A, B, C, D and E
  - \_\_\_ Child of victim – A, B (if married), C, D, E and G
  - \_\_\_ Parent/brother/sister of victim – A, B (if married), C, D, E, F and G
  - \_\_\_ Nearest relative – A, B (if married), C, D, E, F and G
  - \_\_\_ Other type of claimant – A, B (if married), C, D, E, F, and G
4. After examining and comparing the original with the Xerox copies, the CPPO shall authenticate the xerox copies being submitted in lieu of the original of the documents by attesting on each page, thus

"Certified True Copy:

(SGD.) \_\_\_\_\_"  
CPPO

5. After verification and authentication, attach the duly authenticated Xerox copies (two sets each) to the duly accomplished application form (PPA Form 19.4)
6. Distribution: Original to the PPA; duplicate, CPPO; and triplicate to Client

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
3894 J&T Bldg., R. Magsaysay Blvd.,  
Sta. Mesa, Manila

14 August 1991

**MEMORANDUM CIRCULAR**

**NO. 44            S. 1991**

**TO                    :**        **ALL FIELD PROBATION AND PAROLE OFFICERS**

**SUBJECT           :**        **NBI Clearance of Persons Convicted for Criminal Offenses  
Wherein Conviction(s) are not Reflected**

Quoted hereunder for your information and guidance is our letter to the Acting Secretary of Justice, dated 2 August 1991, and the reply of the NBI Director, dated 8 August 1991, on the above-mentioned subject matter, to wit:

2 August 1991

Honorable Silvestre H. Bello III  
Acting Secretary of Justice  
Padre Faura, Manila

RE: Opinion No. 21, series of 1987

Sir:

This Administration is committed to the policy of giving its clientele -- probationers, parolees and pardonees ample opportunities to find gainful employment locally or as overseas contract workers as a means of ensuring their reformation.

In pursuance thereof, we request the kind intercession of that Office with National Bureau of Investigation to consider and possibly implement the modified procedure of issuing NBI clearance certificates contemplated in Opinion No. 21, s. of 1987, dated 3 March 1987, of then Secretary of Justice Neptali A. Gonzales, copy enclosed, wherein it was ruled that the NBI may legally refrain from stating/noting in the certificate certain minor derogatory records of the applicant and instead add a footnote in the form that the aforementioned records are not reflected therein.

To paraphrase the said opinion, the desired change is in line with the philosophy of compassion our government adopts towards criminals who should be seen as human beings capable of change and reform.

Very truly yours,  
(SGD.) DEMETRIO G. DEMETRIA  
Administrator

Encls: a/s

---

8 August 1991

Hon. EDUARDO G. MONTENEGRO  
Undersecretary  
Department of Justice  
Padre Faura, Manila

Sir:

This treats of the letter dated 02 August 1991 of Administrator Demetrio G. Demetria of Parole and Probation Administration addressed to the Hon. Acting Secretary of Justice, SILVESTRE H. BELLO III which was in turn referred to this Bureau for comment, inquiring on the possible implementation of Department of Justice Opinion No. 21 S. 1987 with respect to the issuance of NBI clearance certificates to persons convicted for criminal offenses wherein the conviction(s) are not reflected.

Upon receipt of the after aforementioned Department of Justice Opinion, then NBI Director J. Antonio M. Carpio implemented a policy that instead of reflecting the criminal conviction(s) for the five (5) cases enumerated in the Department of Justice Opinion, a notation of "No Pending Criminal Case" is stated.

Please be informed that this policy has been continued under the present administration of the NBI and that we fully support its raison d'etre.

Very truly yours,

(SGD.) ALFREDO S. LIM  
Director

Likewise, quoted hereunder is Department of Justice Opinion No. 21, S. 1987, dated 3 March 1987, of then Secretary of Justice Neptali A. Gonzales for your ready reference, viz:

March 3, 1987

Director J. Antonio M. Carpio  
National Bureau of Investigation (NBI)  
Taft Avenue, Manila

Sir:

This refers to your letter requesting advice/opinion on whether your Office can legally refrain from stating/noting in the NBI clearance applicant/s, to wit:

1. "convictions for light offenses;
2. "convictions for offenses not involving moral turpitude
3. "convictions (for offenses) that are 10 years (or more) old and the sentence has already been served;
4. "convictions for political offenses under the MARCOS regime;
5. "cases covered by the Probation Law."

and instead add a footnote in the standard clearance form that the aforementioned criminal records are not reflected therein.

You state that Apolonio Valdez and many others who have derogatory records (e.g., criminal convictions) in your files are appealing for the non-disclosure of such records in their NBI clearance/s as it would practically close all avenues for them to pursue a "new" or "changed" life because they would be deprived of opportunities to find work and earn a decent living. While you agree that the aforesaid persons who are now applying for NBI clearance should be given ample opportunities to find work and chance to change, you feel that your hands are tied because the very essence of the NBI clearance requires that criminal records be disclosed therein. And that to certify that an applicant has No criminal or derogatory records in your file when in fact he has, would constitute Falsification of Public Documents. You however believe that the above-enumerated cases/records "deserve" not to be reflected in the clearance.

Pursuant to law, the NBI serves as the national clearing house of criminal and other information for the benefit and use of all prosecuting and law-enforcement agencies of the Government. For this purpose, that Bureau is charged with the responsibility of, among others, supervising the records-keeping function of all police agencies which in turn are required to submit periodically copies of all criminal records obtained by them to the NBI (R.A. No. 157, Section 1/c; P.D. No. 1, IBP Part XX., Article XI). It is in the performance of its functions as repository and national clearing house of criminal records that the NBI, upon application, issues clearance for various purposes. In the case of Mr. Apolinario Valdez

and the other applicants referred to in your letter, their applications for NBI clearance are obviously for purposes of seeking employment.

Your present practice is to disclose all criminal information obtaining on a person in a clearance certificate. As you presented, this works to the disadvantage of ex-convicts/ex-criminals who desire to live decently by being employed. However, by excepting some cases from disclosure, you feel that these less fortunate people would have better employment opportunities which are rather scarce for them.

We do not see any legal objection to this change. The footnote proposed to be added to the Form enumerating the above five (5) cases that are not reflected on the clearance will not negate the truthfulness or diminish the worth of such certificate and will still serve the purpose of giving criminal data on a person. There is therefore no concealment of information to speak of. The desired change is even in line with the philosophy of compassion our government adopts towards criminals who should be seen as human beings capable of change and reform.

Please be guided accordingly.

Very truly yours,

(SGD.) NEPTALI A. GONZALES  
Secretary of Justice

For your guidance in similar cases.

(SGD.) DEMETRIO G. DEMETRIA  
Administrator

Distribution:

1 - Deputy Administrator  
1 ea - All Divisions/Staffs/Sections  
1 ea - All Field Offices  
1 - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
2133 Taft Avenue, Malate, Manila

July 10, 1991

**MEMORANDUM CIRCULAR**  
**NO. 34            S. 1991**

**TO                    :**        **ALL REGIONAL /PROVINCIAL/FIELD OFFICES**

**SUBJECT           :**        **Infraction by Parolees/Pardonees of Parole Conditions and/or Supervision Program**

In connection with Sections 17 to 20 of the Rules and Regulations of the Parole and Probation Administration on Parole Supervision, relative to Resolution No. 189 (S. 1991) and Section 27 to 32 of the Rules and Regulations of the Board of Pardons and Parole, you are hereby directed to state clearly and fully the reasons supporting your recommendations in the Infraction Reports or similar reports on the above subject.

In case of parolees/pardonees who have failed to report to you for supervision, before submitting your Infraction Reports or similar reports, you should first conduct and complete the field inquiry required under Resolution No. 189 (S. 1991) of the Board of Pardons and Parole and include the result of such inquiry in said reports.

Be guided accordingly.

**(SGD.) DEMETRIO G. DEMETRIA**  
**Administrator**

Distribution:

1        - Deputy Administrator  
1 ea    - Divisions/Staffs/Sections  
1 ea    - Regional/Provincial/Field Offices  
1        - Records

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
2133 Taft Avenue, Manila

April 11, 1991

**MEMORANDUM CIRCULAR**  
**NO. 21            S. 1991**

**TO                    :**        **ALL REGIONAL/PROVINCIAL/FIELD OFFICE**

**SUBJECT            :**        **Authority of Regional Probation and Parole Officers to**  
                                 **Conduct Pre-Parole Investigation**

Quoted hereunder, for your information and guidance, is Resolution No. 229 (Series of 1991) issued by the Board of Pardons and Parole last 2 April 1991, on the above subject, to wit:

*"RESOLUTION NO. 229*

*Re:    Authority of Regional Probation and Parole Officers to Conduct Pre-Parole Investigation*

- - - - -

*In its meeting held today, the Board resolved as it has hereby resolved, to authorize the Parole and Probation Administration to conduct Pre-Parole and Executive Clemency Investigation of any city, provincial and national prisoner confined in city and provincial jails, the national penitentiary and penal colonies and to submit a report of said investigation sixty (60) days before the expiration of the minimum sentence of the prisoner concerned using the form hereto attached. The pre-parole investigation should, among others, include matters covered in the questionnaire, also attached.*

*April 2, 1991.*

*(SGD.) CLETO B. SEÑOREN*  
*Acting Chairman of the Board*

*(SGD.) ESTER DE JESUS AMOR*  
*Member*

*(SGD.) LINO L. AÑOVER*  
*Member*

*(SGD.) BENEDICTO J. E. ARROYO*  
*Member*

*ROLAN C. ESTEBAN*  
*Member*  
*(Absent)*

(SGD.) LETICIA T. A. MOLINA  
Member

(SGD.) DEMETRIO G. DEMETRIA  
Member

Before its implementation, a one-week seminar on pre-parole/pardon investigation will be conducted in the Central Office in May 1991. The Regional Directors are directed to submit their recommendees/participants within five (5) days from receipt hereof. The field offices having jurisdiction over penal colonies, whether national, regional or provincial, shall have at least one participant each.

Participants shall be as follows:

1. NCR	-	5
2. Region 1	-	1
3. Region II	-	1
4. Region III	-	2
5. Region IV	-	4
6. Region V	-	1
7. Region VI	-	2
8. Region VII	-	2
9. Region VIII	-	2
10. Region IX	-	2
11. Region X	-	1
12. Region XI	-	2
13. Region XII	-	1
14. CAR	-	1
15. Central Office	-	3
-----		
TOTAL =		30
=====		

Be guided accordingly.

(Sgd.) DEMETRIO G. DEMETRIA  
Administrator

Distribution:

1 - Deputy Administrator  
1 ea - Chiefs of Divisions/Staffs/Sections  
1 ea - All Field Offices  
1 - Records



Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
M a n i l a

**PRE-PAROLE REPORT**

**II. PERSONAL DATA:**

Name:	Age:	Prison No.:
Residence:		Occupation:
Civil Status:	Citizenship:	Religion:

**III. CRIME AND IMPRISONMENT:**

Crime:

Co-Defendants:

Trial Court:	Case No.:
Appellate Court:	G.R. No.:

Sentence: (Min.:  
(Max.:  
(Ind.:

Commencing:

Expiration of Sentence w/ G.C.T.A. ( Min.:  
( Max.:

Time Served:

Previous Convictions and other police or court records:

**IV. INSITUTIONAL HISTORY:**

Present Classification:	Where confined:
-------------------------	-----------------

Conduct during the last six months:

Record of Punishment

Outstanding achievement and special preparations:

Evidence and results of desire to improve himself during imprisonment:

(x) BOARD'S PREVIOUS ACTION:

FACTS OF THE CASE:

PRISONER'S VERSION OF THE CASE:

---

Probation & Parole Officer

---

Date

Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
M a n i l a

**PRE-PAROLE QUESTIONNAIRE**

RE: \_\_\_\_\_  
Prisoner's Name

1. Do you have anyone to go home to if released on parole or pardon?  
☐ yes            ☐ no
2. If your answer is yes, who in particular will you stay with?  
☐ husband/wife  
☐ brother  
☐ sister  
☐ children  
☐ others
3. What is his/her exact address? \_\_\_\_\_  
\_\_\_\_\_
4. If answer to No. 1 is "No", where would you want to reside/stay?
5. If released, what are your plans? ☐ look for work  
☐ engage in business  
☐ go back to school  
☐ take revenge  
☐ others
6. Do you have any pending criminal case? ☐ yes ☐ no
7. If so, please give details \_\_\_\_\_
8. Do you have any previous conviction? ☐ yes                      ☐ no
9. For what crime? ☐ against persons  
☐ against property  
☐ national security  
☐ chastity  
☐ drugs  
☐ others
10. When and where was this crime committed? \_\_\_\_\_
11. Is your present case on appeal? \_\_\_\_\_
12. Did you learn any vocational training in prison? \_\_\_\_\_  
☐ yes            ☐ no

13. If so, what? \_\_\_\_\_
14. Are you suffering from any disease/physical defect? ☐ yes ☐ no
15. What disease/physical defect? \_\_\_\_\_
16. Were you under the influence of liquor when you committed the crime?  
☐ yes ☐ no
17. Was your victim under the influence of liquor when you committed the crime?  
☐ yes ☐ no
18. Have you ever been paroled/granted probation before?  
☐ yes ☐ no
19. If so, when and for what crime? \_\_\_\_\_
20. Did you violate your parole/probation? ☐ yes ☐ no
21. Were you ever granted final release and discharge from parole/pardon?  
☐ yes ☐ no
22. If so, when \_\_\_\_\_
23. Have you ever escaped? ☐ yes ☐ no
24. If so, when, where and how many times?  
\_\_\_\_\_
25. Do you take regulated/prohibited drugs? ☐ yes ☐ no
26. Have you ever taken drugs before? ☐ yes ☐ no
27. Do you have any co-accused? ☐ yes ☐ no
28. If so, what is/are his/their names and where are they now?  
\_\_\_\_\_
29. Did you plead guilty to this crime when you were charged? ☐ yes ☐ no
30. Have you ever violated any person rule/regulation? ☐ yes ☐ no
31. If so, when and where? \_\_\_\_\_
32. Do you have any vice? ☐ yes ☐ no
33. What vice? \_\_\_\_\_

Date Interviewed: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

\_\_\_\_\_  
Name of Probation/Parole Officer

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
2133 Taft Avenue, Manila

April 8, 1991

**MEMORANDUM CIRCULAR**  
**NO. 20            S. 1991**

**TO                    :**        **ALL REGIONAL/CITY/PROVINCIAL FIELD OFFICES**

**SUBJECT            :**        **Failure to Report to Probation/Parole Officers**

Quoted hereunder, for your information and guidance, is Resolution No. 189 (Series of 1991), dated 14 March 1991, of the Board of Pardons and Parole, to wit:

*"RESOLUTION NO. 189*

*Re:    Failure to Report to Probation/Parole Officer*

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*Prisoners granted pardon/parole are required to report after release from confinement to the Probation and Parole Officer designated in their released documents within the period specified for them to do so.*

*For instances where the pardonee/parolee does not comply, the Board resolved as it hereby resolved, to require all Probation and Parole Officers to inquire within 20 days from date of release from prison, why the parolee/pardonee failed to report, as required.*

*If within 45 days from date of release from prison, the parolee/pardonee concerned still fails to report, the Probation and Parole Officer shall inform the Board of Pardons and Parole of such failure, for appropriate action.*

*March 14, 1991.*

*(SGD.) CLETO B. SEÑOREN*  
*Acting Chairman*

*(SGD.) ESTER DE JESUS AMOR*  
*Member*

*(SGD.) LINO L. AÑOVER*  
*Member*

*(SGD.) BENEDICTO J.E. ARROYO*  
*Member*

*(SGD.) ROLAN C. ESTEBAN*  
*Member*

*(SGD.) LETICIA T. A. MOLINA*  
*Member*

*(SGD.) DEMETRIO G. DEMETRIA*  
*Member*

Be guided accordingly.

**(SGD.) DEMETRIA G. DEMETRIA**  
**Administrator**

Distribution:

- 1 - Deputy Administrator
- 1 ea - All Divisions/Staffs/Sections
- 1 ea - All Field Offices
- 1 - Records

Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
DOJ Agencies Bldg., NIA Road  
Diliman, Quezon City

**RESOLUTION No. 02**

**Re: Suspension of certain Sections of Board Rules and Regulations and Payment of Indemnity**

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At its meeting held today, the Board resolves, as it has hereby Resolved, that it can suspend the application of the Rules and Regulations of the Board approved on December 20, 1989 and as published on January 16, 1990 provided that there is reason for such suspension, the same is not contrary to law and that it is by unanimous decision of the Board.

The Board also resolved to request the Parole and Probation Administration to enforce strictly the condition required of a prisoner discharged on parole or pardon to remit while under parole surveillance one-fifth (1/5) of his monthly earnings as payment of the indemnity imposed by the Court.

July 27, 1990

(SGD.) RAMON J. LIWAG  
Undersecretary of Justice  
Acting Chairman

(SGD.) ESTER DE JESUS-AMOR  
Member

(SGD.) BENEDICTO L. ARROYO  
Member

(SGD.) ROLAN ESTEBAN  
Member

(SGD.) LINO L. AÑOVER  
Member

(SGD.) LETICIA A. MOLINA  
Member

(SGD.) EDITHA MULINGTAPANG  
Member  
(Ex-Officio)

Attested :

(SGD.) ARTEMIO C. ASPIRAS  
Secretary of Justice

Republic of the Philippines  
Department of Justice  
**PAROLE AND PROBATION ADMINISTRATION**  
Malate, Manila

20 June 1990

**MEMORANDUM CIRCULAR**  
**NO. 15            S. 1990**

**TO                    :**        **ALL REGIONAL/PROVINCIAL/CITY PROBATION AND PAROLE  
OFFICERS/OICs OF FIELD OFFICES**

**SUBJECT            :**        **Approval of Parolees/Pardonees' Travel/Transfer**

Quoted hereunder for your information and guidance is Resolution No. 01, dated 30 May 1990, of the Board of Pardons and Parole, on the above-mentioned subject matter, to wit:

**RESOLUTION NO. 01**

**Re:      Delegation of Authority**

In its meeting held today, the Board resolves, as it has hereby Resolved, to authorize Regional Parole and Probation Officers to approve all requests of parolees/pardonees under their jurisdiction for transfer of residence or for outside travel for a cumulative duration of more than thirty (30) days within a period of six (6) months as provided under Sections 24 and 25 of the Rules and Regulations of the Board, except those filed by parolees/pardonees in the National Capital Region and subject to the following conditions:

- (1) Requests for transfer of residence from the provinces/cities to the National Capital Region shall be accompanied by a written guaranty or proof of employment of the applicant; and
- (2) All approved requests shall be submitted to the Board for confirmation not later than fifteen (15) days from the date of approval.

May 30, 1990

(SGD.) RAMON LIWAG  
Undersecretary of Justice  
Acting Chairman



(SGD.) ESTER AMOR DE JESUS  
Member

(SGD.) LINO ANOVER  
Member

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ROLAN ESTEBAN  
Member

(SGD.) LETICIA MOLINA  
Member

(SGD.) EDITH MULINTAPANG  
Ex-Oficio Member

Attested by:

(SGD.) ARTEMIO C. ASPIRAS  
Secretary to the Board

Be guided accordingly.

**(SGD.) DIONISIO C. DELA SERNA**  
**Administrator**

Republic of the Philippines  
Department of Justice  
**BOARD OF PARDONS AND PAROLE**  
*M a n i l a*

**RESOLUTION NO. 01**

**Re: Delegation of Authority**

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In its meeting held today, the Board resolves, as it has hereby Resolved, to authorize Regional Parole and Probation Officers to approve all requests of parolees/pardonees under their jurisdiction for transfer of residence or for outside travel for a cumulative duration of more than thirty (30) days within a period of six (6) months as provided under Sections 24 and 25 of the Rules and Regulations of the Board, except those filed by parolees/pardonees in the National Capital Region and subject to the following conditions:

- (1) Requests for transfer of residence from the provinces/cities to the National Capital Region shall be accompanied by a written guaranty or proof of employment of the applicant; and
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May 30, 1990

(SGD.) RAMON J. LIWAG  
Undersecretary of Justice  
*Acting Chairman*

(SGD.) ESTER AMOR DE JESUS  
Member

(SGD.) LINO ANOVER  
Member

(SGD.) BENEDICTO J.E. ARROYO  
Member

(SGD.) ROLAN ESTEBAN  
Member

(SGD.) LETECIA MOLINA  
Member

(SGD.) EDITH MULINGTAPANG  
Ex-Officio Member

Attested by:

ARTEMIO C. ASPIRAS  
Secretary to the Board