



HOUSE OF REPRESENTATIVES

H. No. 1344

BY REPRESENTATIVES ACOP, PADUANO, GARCIA (G.), ROCAMORA AND
PRIMICIAS-AGABAS

AN ACT PRESCRIBING STIFFER PENALTIES FOR THE CRIME OF
DELIVERING PRISONERS FROM JAIL AND INFIDELITY IN THE
CUSTODY OF PRISONERS, AMENDING FOR THE PURPOSE
ARTICLES 156, 223 AND 224 OF ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS "THE REVISED PENAL CODE OF THE
PHILIPPINES"

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION I. Article 156, Chapter 5, Title Three, Book Two of Act
2 No. 3815, as amended, otherwise known as "The Revised Penal Code of the
3 Philippines", is hereby further amended to read as follows:

4 ART. 156. *Delivering prisoners from jail.* - The penalty
5 of [*arresto mayor*] **PRISION MAYOR** in its MEDIUM AND
6 maximum periods [*to prision correccional* in its minimum
7 period] **OR THE PENALTY NEXT LOWER IN DEGREE THAN THAT**
8 **IMPOSED ON THE PRISONER IN ITS MEDIUM AND MAXIMUM**
9 **PERIODS** shall be imposed upon any person who shall remove
10 from any jail or penal establishment any person confined therein
11 or shall help the escape of such person, by means of violence,
12 intimidation or bribery[.], **WHICHEVER IS HIGHER.** If other

1 means are used, the penalty of [*arresto*] *PRISION mayor* IN ITS
2 MINIMUM AND MEDIUM PERIODS OR TWO DEGREES LOWER
3 THAN THAT IMPOSED ON THE PRISONER IN ITS MEDIUM PERIOD
4 shall be imposed[.], WHICHEVER IS HIGHER.

5 "If the escape of the prisoner shall take place outside of
6 said establishments by taking the guards by surprise, the same
7 penalties PRESCRIBED IN THE IMMEDIATELY PRECEDING
8 PARAGRAPH shall be imposed in their minimum period."

9 SEC. 2. Article 223, Section One, Chapter Five, Title Seven, Book
10 Two of Act No. 3815, as amended, otherwise known as "The Revised Penal
11 Code of the Philippines", is hereby further amended to read as follows:

12 "ART. 223. *Conniving with or consenting to evasion.* -

13 Any public officer who shall consent to the escape of a CONVICT
14 OR DETENTION prisoner in his custody or charge, OR WHO
15 SHALL RELEASE SUCH CONVICT OR DETENTION PRISONER AND
16 ALLOW HIM TO RETURN TO PRISON OR DETENTION WITHOUT
17 ANY PROPER COURT AUTHORIZATION shall be punished:

18 "(1) By *prision [correccional]* *MAYOR* in its medium and
19 maximum periods OR THE PENALTY NEXT LOWER IN DEGREE
20 THAN THAT IMPOSED ON THE PRISONER, IN ITS MEDIUM AND
21 MAXIMUM PERIODS, WHICHEVER IS HIGHER and [temporary
22 special disqualification in its maximum period to perpetual
23 special] *PERPETUAL ABSOLUTE* disqualification, if the fugitive
24 shall have been sentenced by final judgment to any penalty.

25 "(2) By *prision [correccional]* *MAYOR* in its minimum
26 period OR THE PENALTY EQUIVALENT TO THAT PRESCRIBED TO
27 AN ACCESSORY BASED ON THE CRIME IMPUTED UPON THE
28 PRISONER, IN ITS MAXIMUM PERIOD, WHICHEVER IS HIGHER

1 and [temporary special] PERPETUAL ABSOLUTE disqualification,
2 in case the fugitive shall not have been finally convicted but only
3 held as a detention prisoner for any crime or violation of law or
4 municipal ordinance.

5 “(3) BY *RECLUSION PERPETUA* AND PERMANENT
6 ABSOLUTE DISQUALIFICATION, IF THE FUGITIVE WHO IS HELD
7 AS A DETENTION PRISONER OR CONVICT HAS BEEN CHARGED
8 FOR OR CONVICTED OF ANY CRIME PENALIZED BY *RECLUSION*
9 *PERPETUA*.”

10 SEC. 3. Article 224, Section One, Chapter Five, Title Seven, Book
11 Two of Act No. 3815, as amended, otherwise known as “The Revised Penal
12 Code of the Philippines”, is hereby further amended to read as follows:

13 “ART. 224. *Evasion through negligence*. – If the evasion
14 of the CONVICT OR DETENTION prisoner shall have taken place
15 through the negligence of the officer charged with the
16 conveyance or custody of the escaping prisoner, said officer
17 shall suffer the penalties of [*arresto mayor* in its maximum
18 period to *prision correccional* in its minimum period] *PRISION*
19 *CORRECCIONAL* IN ITS MEDIUM AND MAXIMUM PERIODS OR THE
20 PENALTY EQUIVALENT TO THAT PRESCRIBED TO AN
21 ACCESSORY BASED ON THE CRIME IMPUTED UPON THE
22 CONVICT OR DETENTION PRISONER IN ITS MAXIMUM PERIOD,
23 WHICHEVER IS HIGHER and [temporary special] ABSOLUTE
24 disqualification.”

25 SEC. 4. *Repealing Clause*. – All laws, executive orders, administrative
26 orders, rules and regulations or parts thereof which are inconsistent with this
27 Act are hereby amended, repealed or modified accordingly.

1 SEC. 5. *Effectivity.* – This Act shall take effect fifteen (15) days
2 following the completion of its publication in the *Official Gazette* or in at least
3 two (2) newspapers of general circulation.

Approved,

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