

SENATE
P. S. Res No. 108

'19 AUG 27 P2 :51

Introduced by Senator Maria Lourdes Nancy S. Binay 

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEES, TO CONDUCT AN
INQUIRY IN AID OF LEGISLATION, ON THE IMPLEMENTATION OF
REPUBLIC ACT 10592 PARTICULARLY THE COMPUTATION OF THE GOOD
CONDUCT ALLOWANCES (GCTA) OF PERSONS DEPRIVED OF LIBERTY, IN
LIGHT OF THE IMPENDING RELEASE OF 11,000 INMATES DUE TO THE
REVISION OF THE COMPUTATION OF GCTA AND ITS RETROACTIVE
APPLICATION

1 WHEREAS, there has been a public outcry regarding the impending release of
2 11,000 inmates due to the Republic Act 10595 and the ruling of the Supreme Court
3 to apply the said law retroactively;

4 WHEREAS, the implementation of Republic Act 10592 had also raised
5 questions on the computation of Good Conduct Time Allowance (GCTA) of persons
6 deprived of liberty;

7 WHEREAS, according to reports, one of the possible beneficiary of the law
8 increasing the GCTA is former Calauan, Laguna mayor, Antonio Sanchez, who has
9 been convicted for the gruesome rape-slay of Eileen Sarmenta, and the murder of
10 Allan Gomez, both students of the University of the Philippines-Los Banos at the time
11 of the crime¹;

12 WHEREAS, Section 3 of Republic Act 10592 provides,

13 "Article 97 of the same Act is hereby further amended to read as follows:

¹ Philstar news website, "Ex-mayor Antonio Sanchez set for release,
<https://www.google.com.ph/amp/s/www.philstar.com/headlines/2019/08/21/1945203/ex-mayor-antonio-sanchez-set-release/amp/>

14 "ART. 97. Allowance for good conduct. – The good conduct of any offender qualified for
15 credit for preventive imprisonment pursuant to Article 29 of this Code, or of any
16 convicted prisoner in any penal institution, rehabilitation or detention center or any
17 other local jail shall entitle him to the following deductions from the period of his
18 sentence:

19 "1. During the first two years of imprisonment, he shall be allowed a deduction of
20 twenty days for each month of good behavior during detention;

21 "2. During the third to the fifth year, inclusive, of his imprisonment, he shall be allowed
22 a reduction of twenty-three days for each month of good behavior during detention;

23 "3. During the following years until the tenth year, inclusive, of his imprisonment, he
24 shall be allowed a deduction of twenty-five days for each month of good behavior
25 during detention;

26 "4. During the eleventh and successive years of his imprisonment, he shall be allowed a
27 deduction of thirty days for each month of good behavior during detention; and

28 "5. At any time during the period of imprisonment, he shall be allowed another
29 deduction of fifteen days, in addition to numbers one to four hereof, for each month of
30 study, teaching or mentoring service time rendered.

31 "An appeal by the accused shall not deprive him of entitlement to the above allowances
32 for good conduct."

33 WHEREAS, Justice Secretary Menardo Guevarra said Sanchez may be released
34 from prison along with at least 11,000 inmates in the next two months because of a
35 new law increasing good conduct allowance (GCTA) and a Supreme Court (SC)
36 decision applying the same law retroactively²;

37 WHEREAS, The Supreme Court in their En Banc session on 25 June 2019 and
38 in a decision penned by Associate Justice Diosdado M. Peralta, declared invalid
39 Section 4, Rule 1 of the Implementing Rules and Regulations ("IRR") of Republic Act
40 No. 10592 ("R.A. 10592") in so far as the said IRR provided for the prospective

² Philstar news website, "Ex-mayor Antonio Sanchez set for release,
<https://www.google.com.ph/amp/s/www.philstar.com/headlines/2019/08/21/1945203/ex-mayor-antonio-sanchez-set-release/amp/>

41 application of the grant of time allowance of prisoners for: i.) good conduct, ii.)
42 study, teaching, and mentoring service, and iii.) loyalty³.

43 WHEREAS, as a consequence, all prisoners regardless of whether already
44 serving his/her sentence or undergoing preventive imprisonment may qualify for the
45 reduction of their sentence pursuant to the time allowances under R.A. 10592⁴;

46 WHEREAS, there is a need to revisit the purpose and coverage of Republic Act
47 No. 10592;

48 WHEREAS, it is imperative that the Senate of the Philippines to look into the
49 matter to improve people's trust in our government institutions and justice system;

50 BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the appropriate
51 Senate Committees, to conduct an inquiry in aid of legislation, on the implementation
52 of Republic Act 10592 particularly the computation of the Good Conduct Time
53 Allowance (GCTA) of persons deprived of liberty, in light of the impending release of
54 11,000 inmates due to the revision of the computation of GCTA and its retroactive
55 application.

Adopted,



MARIA LOURDES NANCY S. BINAY
Senator

³ sc. Judiciary.gov.ph/4510/

⁴ Ibid.