



HOUSE OF REPRESENTATIVES

H. No. 6482

BY REPRESENTATIVES ANGARA, CALIMBAS-VILLAROSA, ACOP AND
PRIMICIAS-AGABAS, PER COMMITTEE REPORT NO. 2350

AN ACT PRESCRIBING STRICTER PENALTIES ON 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 1. Article 156, Chapter 5, Title 3, Book Two of Act No.
2 3815, as amended, otherwise known as the Revised Penal Code, is hereby
3 amended to read as follows:

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

1 **[arresto] PRISON mayor IN ITS MINIMUM AND MEDIUM PERIODS**
 2 **OR TWO DEGREES LOWER THAN THAT IMPOSED TO THE**
 3 **PRISONER IN ITS MEDIUM PERIOD shall be imposed[.],**
 4 **WHICHEVER IS HIGHER.**

5 “If the escape of the prisoner shall take place outside of said
 6 establishments by taking the guards by surprise, the same penalties
 7 **PRESCRIBED IN THE IMMEDIATELY PRECEDING PARAGRAPH** shall
 8 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, is hereby amended to read as follows:

12 “ART. 223. *Conniving with or consenting to evasion.* – Any
 13 public officer who shall consent to the escape of a **CONVICT OR**
 14 **DETENTION** prisoner in his custody or charge, **OR WHO SHALL**
 15 **RELEASE SUCH CONVICT OR DETENTION PRISONER AND ALLOW**
 16 **HIM TO RETURN TO PRISON OR DETENTION WITHOUT ANY**
 17 **PROPER COURT ORDER OR AUTHORIZATION** shall be punished:

18 “1. By *prison [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 special]
 23 **PERPETUAL ABSOLUTE** disqualification, if the fugitive shall have
 24 been sentenced by final judgment to any penalty.

25 “2. By *prison [correccional]* **MAYOR** in its minimum period
 26 **OR THE PENALTY EQUIVALENT TO THAT PRESCRIBED TO AN**
 27 **ACCESSORY BASED ON THE CRIME IMPUTED UPON THE**

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

6 "3. BY *RECLUSION PERPETUA* AND PERMANENT ABSOLUTE
7 DISQUALIFICATION, IF THE FUGITIVE WHO IS HELD AS A
8 DETENTION PRISONER HAS BEEN CHARGED FOR ANY CRIME
9 PENALIZED BY *RECLUSION PERPETUA* TO DEATH."

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, is hereby amended to read as follows:

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

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

5 SEC. 5. *Effectivity Clause.* – This Act shall take effect after fifteen
6 (15) days following its publication in the *Official Gazette* or in any newspaper
7 of general circulation.

Approved,

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