



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
BUREAU OF JAIL MANAGEMENT AND PENOLOGY
NATIONAL HEADQUARTERS

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MEMORANDUM

TO : Regional Directors of the Jail Bureau
Provincial Jail Administrators
Wardens

ATTN : BJMPRO and Jail COVID-19 Task Forces

SUBJECT : **BJMP COVID-19 ADVISORY #28: SUPPLEMENTAL GUIDELINES
IN THE RELEASE OF PERSONS DEPRIVED OF LIBERTY FROM
JAILS**

DATE : **MAY 01 2020**

1. References:

- a. DILG Memorandum re: COVID-19 Testing of PDL Before Commitment to Jails and Prior to Release dated 13 May 2020; and
- b. BJMP COVID-19 Advisory #20 dated April 23, 2020.

2. This is in response to various concerns from jail units regarding the release of PDL from BJMP manned jails during the State of Public Health Emergency when an order is issued by the proper court for their release.

3. For jails under LGUs which have issued executive order/s requiring PDL to undergo COVID-19 testing before being released from jail, the guidelines set forth in the executive order shall be observed.

4. In the absence of an executive order providing guidelines prior to release of PDL from jails, the following shall be observed:

- a. The warden, through the paralegal officer or designated officer, shall verify the validity of the release order and check if the PDL has other pending criminal cases;
- b. When PDL are cleared for release, they shall be transported to their place of residence particularly those who are elderly, pregnant and sick if any, if the logistical means of the jail permit. In which case, they shall be transported to the nearest public transportation terminal;
- c. Those found to have COVID-19 symptoms shall still be released from custody but shall be referred to the nearest medical institution for further medical treatment including COVID-19 swab test;
- d. All PDL released from a jail with confirmed COVID-19 case/s shall be brought to the nearest DOH-accredited isolation facility for quarantine purposes. If needed, the Warden shall request assistance from the nearest Local Police and the LGU concerned in order to ensure that all necessary procedures, such as COVID-19 testing and quarantine, for said person/s are taken care of; and

e. In all cases, the Jail Warden shall inform the concerned LGUs and Local Police in the place of residence of the PDL of the latter's release from incarceration.

5. The warden should not continuously detain a PDL due for release in the absence of an executive order requiring PDL to undergo COVID-19 testing before release from jail. Otherwise, the warden may be held criminally liable for Delaying Release under Article 126 of the Revised Penal Code.

6. Please be guided accordingly.

BY AUTHORITY OF THE CHIEF, BJMP:



MA ANNIE A ESPINOSA
Jail Senior Superintendent
Director for Operations
Co-Chairperson,
BJMP National COVID-19 Task Force