



REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT

DANGEROUS DRUGS BOARD

**BOARD REGULATION NO. 8
Series of 2021**

SUBJECT: AUTHORIZING THE BUREAU OF JAIL MANAGEMENT AND PENOLOGY TO OPERATE JAIL-BASED DRUG REFORMATION CENTERS

WHEREAS, on August 10, 2018, the Supreme Court *en banc* issued A.M. No. 18-03-16-SC (*Adoption of the Plea Bargaining Framework in Drugs Cases*), ordering the adoption of the Plea Bargaining Framework in Drugs Cases;

WHEREAS, several of the penalties in the said Resolution prescribed six (6) months treatment and rehabilitation;

WHEREAS, there has been an influx of patients in Drug Abuse Treatment and Rehabilitation Centers as a result of plea bargaining;

WHEREAS, not all of those who have opted for plea bargaining to the penalty of six (6) months rehabilitation have been assessed to have "SEVERE DRUG DEPENDENCE" requiring in-patient rehabilitation as contemplated in Board Regulation No. 7, Series of 2019;

WHEREAS, there is a need to segregate patients who have "SEVERE DRUG DEPENDENCE" from those in need of less serious treatment to prevent the overcrowding of the Drug Abuse Treatment and Rehabilitation Centers;

WHEREAS, Persons Deprived of Liberty (PDLs) classified as having "LOW RISK FOR DRUG DEPENDENCE or MODERATE RISK OF DRUG DEPENDENCE" should also be provided with interventions in jails;

WHEREAS, the Bureau of Jail Management and Penology ("BJMP" for brevity) and the Dangerous Drugs Board ("Board" for brevity) have entered into a Memorandum of Understanding, where the former would cater to PDLs ordered by the courts to undergo six (6) months of drug rehabilitation as a penalty under Section 15, Article II of Republic Act No. 9165, as amended (the "Act"), and under the Plea-Bargaining Framework in Drug Cases;

NOW, THEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED**, for the BJMP to operate jail-based reformation centers called *Kanlungan sa Piitan*, following the guidelines below:

Section 1. General Provisions and Procedures. - The BJMP shall operate the first jail-based reformation centers called *Kanlungan sa Piitan*, catering primarily to Persons Deprived of Liberty (PDL) ordered by the courts to undergo six (6) months of drug rehabilitation as a penalty under Section 15, Article II of Republic Act 9165 and under the plea-bargaining framework in drug cases covered by A.M. No. 18-03-16-SC issued by the Supreme Court on August 10, 2018.

Section 2. Screening and Assessment. - Upon order of the court to undergo six (6) months of drug rehabilitation, the PDL shall undergo screening in accordance with Section 5 of Board Regulation No. 7, Series of 2019.

Should the PDL be determined to have a LOW RISK FOR DRUG DEPENDENCE or MODERATE RISK OF DRUG DEPENDENCE, he/she shall be treated in accordance with Section 6 of Board Regulation No. 7, Series of 2019.

Should the PDL be found to be of HIGH RISK after the initial screening, he/she shall be referred for Drug Dependency Examination.

Section 3. Drug Dependency Examination. - After a Drug Dependency Examination has been conducted on the PDL, he/she shall be treated accordingly pursuant to Section 7 of Board Regulation No. 7, Series of 2019.

Should the PDL, however, be diagnosed with SEVERE SUBSTANCE USE DISORDER, he/she shall be referred to the proper Drug Abuse Treatment and Rehabilitation Centers for in-patient treatment.

Section 4. Jail-Based Reformation. - Notwithstanding the provisions of Board Regulation No. 7, Series of 2019, all treatments done pursuant to this Regulation shall be made within the confines of the premises of the jail-based reformation centers called *Kanlungan sa Piitan*.

Section 5. Penalty Clause. - Violations of this Regulation shall be penalized under the Act, without prejudice to any criminal liability arising from the same act punishable under any other provision thereof.

Section 6. Separability Clause. - If, for any reason, any section or provision of this Regulation is declared invalid or unconstitutional, the remainder of this Regulation shall not be affected by such declaration and shall remain in force and effect.

Section 7. Repealing and Amending Clause. - All Board Regulations and other issuances inconsistent with the Regulation are hereby superseded, amended or modified accordingly.

Section 8. Effectivity Clause. - This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and after its registration with the Office of the National Administrative Register (ONAR), UP Law Center, Quezon City.

APPROVED and ADOPTED, this 8th day of November, in the year of our Lord, 2021 in Quezon City.


Secretary CATALINO S. CUY, CEO VI
Chairman

Attested by:


Undersecretary EARL P. SAAVEDRA, CESE
Secretary of the Board