

Understanding the conditions of New Bilibid Prisons: Implications for Integrated Reforms

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Abstract

This comprehensive report analyzes the conditions of the Philippine Bureau Corrections (BuCor) and its flagship institution, the New Bilibid Prisons (NBP). Utilizing a holistic perspective, this report documents the interrelatedness of structural, organizational, and cultural characteristics of a penal facility. Specifically, this paper documents how prison officers and inmates dealt with the structural limitations of their work environment and the pains of imprisonment, respectively, the different organizational coping mechanisms that arose, and the cultural narratives that prison officers, inmates, and volunteers employed to justify their behaviors. Qualitative narratives from prison guards, inmates, and volunteers suggest the creation of informal organizational coping structures like the *mayores*, *pangkat*, *VIP*, and *kubol*, as a response to structural problems of overcrowding, lack of personnel, and deficiency in resources. These informal structures have short-term positive effects but long-term negative consequences that perpetuate a corrupt and predatory style of penal management. Using the mandates of the Modernization Law of the Bureau of Corrections, an integrated reform agenda that is congruent to the principles of effective correctional management is presented. In lieu of the 22,000-inmate population NBP, this paper also outlines the visions for multiple 2000-inmate population Regional Prisons.

1. Introduction

The efficient administration of criminal justice is a prerequisite to a country's national development. The humane treatment of persons deprived of liberty and their preparation for reintegration upon release are two of the key indicators of an efficient criminal justice administration. Current assessments of these two key indicators suggest that the Philippines lag behind compared to similarly situated countries (ICPS, 2014). With the passage of the Modernization Law of the Bureau of Corrections (BuCor) in 2013, however, the Philippine government is currently engaged in multiple efforts to improve the correctional pillar of its criminal justice system.

The Modernization Law of the BuCor mandates reforms in three key areas. First, it mandates the professionalism of correctional personnel by increasing the number, quality and basic pay of staff. Second, it mandates the upgrading of facilities and equipments in order to provide for the safe and humane custody of inmates. And third, it mandates the restructuring of the organization and the introduction of modern correctional practices to increase its institutional capacity in reforming inmates and in preparing them for eventual reintegration to society.

In order to successfully reform the BuCor, a grounded understanding of current problems that plague the organization needs to be in order. The BuCor, especially its flagship institution, the New Bilibid Prison (NBP), is always under media spotlight due to observance of practices that are considered "scandalous" by outside observers. One of the latest scandals that troubled the BuCor was the incident of "high profile inmates" who feigned sickness and abused their "medical passes" to conduct business in the outside as shown in CCTV footages that captured lapses in security protocol among escorting guards (De Jesus, 2014). In previous years, rich inmates had been discovered to maintain "luxurious lifestyles" inside the prison (Ramos & Endozo, 2011). The common response to these "media exposé" had been suspensions or transfers of prison guards, which are short-term solutions to long-embedded problems.

These sensationalized media reporting captures only a small portion of the resultant penal practices in the NBP and other penal facilities. Given the decades of neglect to the penal institutions (COA Report, 2005), there emerged practices that were initially introduced as stopgap measures but have become enduring features of the penal management. Examples of these practices include the *mayores*, *kubol*, *inmate patakaran*, *takal*, *pangkat* and *Very Important Preso (VIPs)*. These practices are unique adaptations to the inadequacy of resources, personnel, facilities, and programs that characterize the BuCor. These practices generate short-term benefits but also induce long-term negative impacts on penal management. These practices are not officially acknowledged and the absence of formal policies guiding their use translates into abuse and corruption. Efforts to reform the BuCor, however, necessarily entail a holistic understanding of these ingrained practices as failure to acknowledge their inter-relatedness may thwart any reform initiative. For example, efforts to eradicate the practice of *mayores* may exacerbate the condition if the root cause of the problem, which is the lack of personnel, is not addressed in the first place.

This paper presents an analytical framework for understanding the BuCor. It presents empirical narrative data gathered through participatory workshops, focus group discussions, interviews,

and surveys among personnel, inmates, and prison volunteers that were conducted in the summers of 2013 and 2014. This paper brings disparate information reported by media and casual observers about life inside Philippine prisons into a holistic and cogent perspective. Specifically, the aim of this paper is to provide a holistic assessment of the conditions of the BuCor, especially its flagship institution, the New Bilibid Prison (NBP). It will describe how current penal conditions subvert the four areas of correctional management, namely: inmate classification, housing placement, inmate programming, and documentation and assessment. From the presentation of current conditions, this paper outlines the ingredients of a holistic reform package toward a modernized BuCor that adhere to principles of effective correctional management. Specifically, this paper outlines how a 2000-inmate population Regional Prison can be achieved in the current Philippine context in lieu of the overcrowded, outmoded, and criminogenic New Bilibid Prison.

2. Analytical framework

To provide a holistic understanding of the Philippine penal conditions, this paper utilizes an integrated perspective that highlights the structural, organizational, and cultural characteristics of a penal institution. Against the structural, organizational, and cultural backdrop, a better understanding of the challenges in prison management and inmate programming can be illuminated. This perspective assumes that these three characteristics are intimately intertwined and must be addressed simultaneously in any efforts to reform the penal institution. This perspective further assumes that failure to address any of these components simultaneously may negate the gains in other components.

2.1. Structural characteristics

The structural characteristics refer to the basic conditions of the prison. These refer to the capability of the prison to provide for food, clothing, medicines, and shelter to inmates. These also refer to level of crowding and amount of cell and yard space allocated as a living quarters to inmates. The structural characteristics of the penal institution therefore describe the basic living conditions of inmates and level of services and amenities offered in the penal facility. The structural characteristics is related to “pains of imprisonment” and “levels of deprivation” (Sykes, 1958) faced by the inmates.

In an under-resourced penal setting like the Philippines, inmates are not only deprived of their cell conditions but penal officers are also strained in the conditions of their work environment. Thus, the structural characteristics of the prison also refer to number of facilities and equipment that augment the officers’ capacity for security, the number personnel assigned to secure a number of inmates, referred to as personnel-to-inmate ratio, and the budgetary resources allocated to support facility maintenance, office operations, and inmate programming. In terms of structural characteristics, therefore, some penal institutions are more deprived than others and penal institutions vary in the level of work environment they provide to their staff.

2.2. Organizational characteristics

Organizational characteristics refer both to formal policies, rules and practices officially endorsed by the organization and to informal policies, rules and practices that arose as a coping mechanism to the limitations of structural conditions. In other words, organizational characteristics refer to how the employees reconcile the formal goals of a penal institution with the resources currently available at their disposal. For example, all penal institutions are tasked with the safe custody and rehabilitation of the inmates; however, penal institutions vary in the amount of resources under their arsenal. Penal institutions that are provided with material, technological, and personnel resources are more likely to meet the officially mandated goals. Penal institutions with limited resources, on the other hand, may be forced to innovate (Merton, 1938) and introduce coping mechanisms to temporarily meet the formally stated goals. These coping mechanisms are short-term solutions to the structural problems. The coping mechanisms may soon be regularized and become a functional characteristic of the penal organization. Organizational characteristics also refer to how penal officers and inmates reconcile the tensions between the formal and informal policies, rules and practices.

2.3. Cultural characteristics

The interplay of the formal and informal policies, rules and practices is normalized, which in turn creates the “culture of the penal institution.” Cultural characteristics refer to the different values, norms, language and thinking patterns that can exist in the penal setting (Clemmer, 1940) and adhered to by the prison officers and inmates alike. Cultural characteristics are cast in terms of cultural scripts or narratives (Swidler, 1986) that inmates and prison guards utilize to justify their behaviors (Sykes and Matza, 1957) in a particular organizational scenario or context (Bourdieu, 1985). Prison officers and inmates are introduced to these different cultural scripts, and in due time, take these cultural scripts as a justification of their behavior. Prison officers and inmates who are invested in following the culture of the prison can generate social and political power within the prison setting. This creates a hierarchy of status in the prison community, the delineation of particular roles, and the articulation of a prison code that guides the behaviors of inmates and prison officers alike.

2.4. Illustration

To provide a brief illustration of how structural, organizational, and cultural characteristics are intertwined in a prison, take the following example. Given the problem of cell crowding and lack of ventilation (a manifestation of a structural condition), an officer may justify the entry of an electric fan to a sickly inmate (a manifestation of an organizational coping) and use such narrative as: “it is okay to break a rule as long as it is for humanitarian considerations” (a manifestation of a cultural narrative). As this officer continually engages in this behavior, he gains prestige and status in the prison community. Inmates learn of his status and continually seek his favor. In the short run, this setup provides a mechanism for inmates to normalize (Gutierrez, 2012) their conditions, that is, inmates can have access to ventilation. In the long run, however, this practice can mutate into corrupt practices, as other prison staff can utilize these dynamics a pretext to generate extra-income: “it is okay to break a rule as long as it is for *hu-money-tarian* purposes.” While the obvious problem that can be seen here is “corruption” and

abuse of authority by prison guards, the *initial* structural problem (that is, cell crowding and lack of ventilation) is usually hidden and not reported. Efforts to discipline the erring guards through transfer in a far-away penal colony may work in the short-run, but other prison officers will simply fill in the void caused by the transfer and the practice is again resumed. See Figure 1.

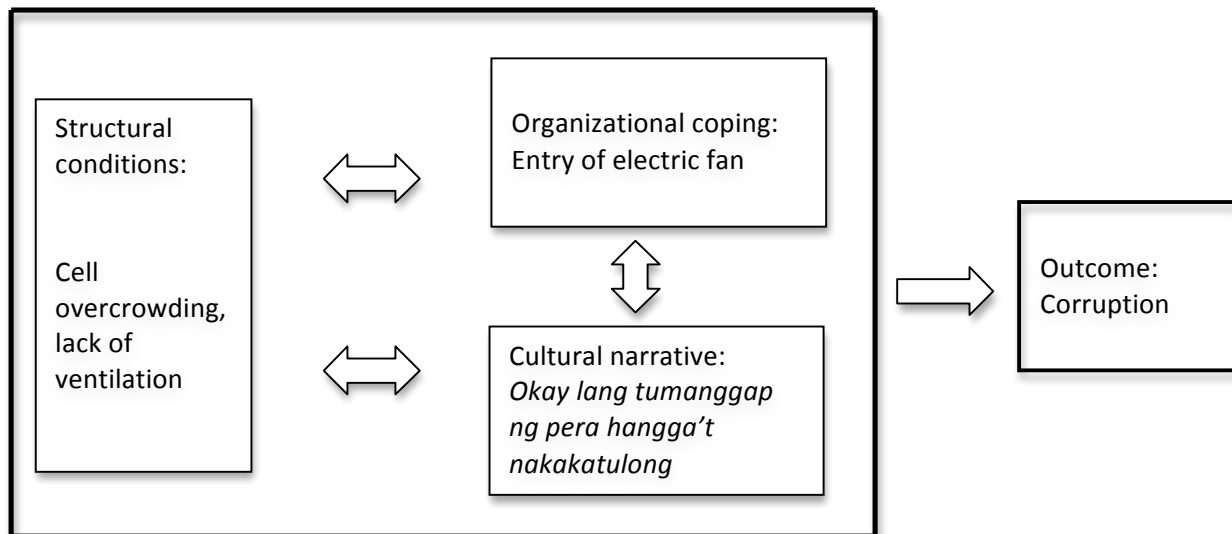


Figure 1. The interrelatedness of structural, organizational, and cultural characteristics of a penal facility and its outcome.

The following sections will provide intimate details of the inter-relationship between the structural, organizational, and cultural characteristics of the penal institution. Utilizing narratives from prison officers, inmates and volunteers, these sections will provide a voice to the people experiencing the current situation. The narratives presented here capture the lived experiences of the research participants and provide a hint of their overall experiences. To protect the confidentiality of the information, the real names of the persons are not divulged and number markings are instead provided.

3. Current situation

3.1. Structural conditions

The BuCor currently houses around 42,000 inmates nationwide but its total rated capacity for all its penal facilities is estimated at 17,000 inmates. It is currently working at more than twice its capacity. This translates to the creation of mega-prisons, which are defined as prison facilities with more than two thousand inmates.

The population crowding varies among penal facilities and even among compounds within a penal facility. The New Bilibid Prison (NBP) located in Metro Manila is the flagship prison managed by the BuCor. The current population of the NBP stands at 22,000 with a rated capacity of 9,000 inmates and the Maximum Security Compound of the NBP accommodates more than 14,000 inmates but its design capacity is only for 3,000 inmates (BuCor, 2014; see also, Cayabyab, 2014). This population overcrowding translates into multi-occupancy cell arraignments where as many as 80 to 100 inmates are crammed in a cell designed for 10 people.

On top of overcrowding and lack of space, the facilities of the BuCor in all the prison camps are mostly outmoded and poorly maintained (COA report, 2005). A very small portion of the BuCor budget is allocated toward capital outlay.

In terms of personnel, the total strength of the BuCor is 2,568 of which 1,328 are assigned in custodial functions and the rest are either assigned in rehabilitation and administrative functions (BuCor, 2014). The current custodial officer-to-inmate ratio is 1 is to 80, which could be even thinner in some shifts. Ideally, the custodial ratio is pegged at 1 is to 7 and rehabilitation ratio is 1 is to 24, both of which are not met. Additionally, there is inadequacy and insufficiency of training due to the adhoc nature of the training school where trainers are assembled only when new recruits are brought in. Though guards now are required to have at least a college degree, the amount and quality of training is minimal. Finally, the starting salary for Prison Guard 1 is Php 17,255 as of January, 2014, an increase of more than 50 percent from where it was the previous year. However, given the expensive cost of living in the urban cities like the Metro Manila, this monthly salary is barely within the poverty level.

In terms of financial resources, the total budget of BuCor in 2014 is 1.9 billion pesos, of which 650 million pesos is allocated for personnel remuneration, 1.2 billion pesos is allocated for maintenance and operating expenses and 50 million pesos is allocated for capital outlay. In the aggregate, this translates to around 47,000 pesos per inmate per year or 130 pesos per day. The budget for food is pegged at 50 pesos per day per inmate and for medicine it is pegged at 3 pesos per day per inmate. Inmates are also allocated 3 pesos per day to cover basic supplies like blankets, laundry, mats, and mosquito nets.

3.1.1. Experiencing overcrowding

In the different workshop activities conducted in the summers of 2013 and 2014, correctional officers repeatedly complained about the effects of overcrowding. One of the major themes is impact to their security. One correctional officer reports:

“Even if I am a superman, I cannot guard all 80 to 100 inmates in just one cell that is good for 10 people. There is no way you can do that. You will be overpowered. Our life is always in danger. But you don't hear us complain about that. But these senators and congressmen, when they come and visit, they think we are the dumbest people on earth. They don't see that we are putting our lives daily in the line here” (Prison officer M1).

The statement above captures the sentiments of custodial officers who feel that their plight is not understood by the outside world. Rehabilitation personnel, on the other hand, lament the impact of overcrowding to their limited capability to introduce programs. Here is a statement by a rehabilitation officer and concurred upon by 8 other members of her discussion group:

“It is a difficult situation when we intend to conduct rehabilitation programs but we cannot do so because of lack of space. We used to have an educational program in building ___ (name of building), however that building had to be transformed into a living space because there is no more place to house the inmates. And so we moved our program to the basketball court. But it is

extremely hot there, so students stopped attending. Of course! Who will be interested? So the program died a natural death” (Rehabilitation officer, F1).

This statement captures the sentiments of most rehabilitation officers. They argue that they are willing to introduce as many programs as they can, however, the attendant facility and space are not there. And they lament the fact that they when they submit reports that show lack of activities, “they are the ones being blamed.” Here is a narrative from a rehabilitation officer:

“We had spiritual programs, sports and recreation. However, there is not enough space. There are no facilities. But they expect us to report something. That is how we are assessed of our performance. But what can we do, what can we report? And now they blame us for not doing anything” (Rehabilitation officer, F2).

This “blame game” is key issue among prison officers. The custodial officers echo the same predicament. They complain that when escapes happen, “they are usually the ones described as inept, and even corrupt, but in fact the dilapidated facilities are the real culprits.” For example, an inmate from the Medium Security Compound successfully escaped in the summer of 2013. The inmate dug a hole in the age-old perimeter fences. Officers on duty are procedurally relieved pending investigation to establish if they were neglectful of their duties. As one custodial officer laments:

“I challenge people in the _____ (a department) and the _____ (a commission) to come and take our roles. I ask them to join me in my shift, where we guard hundreds if not thousands of inmates. And look at our facilities. Panahon pa ni kopong-kopong. It is outmoded. We are doing our best to keep the prison peaceful. Dumidiskarte kami. We take actions outside the box. As long as everything is quiet, these outside people do not complain, and they are okay with our initiatives. But then when problem comes, they tell that our initiatives are wrong and blame us” (Correctional Officer, M2).

Narratives from the inmates also show similar results. Inmates complain that due to overcrowding, many inmates easily get sick and mentally imbalanced (*may bumubulong bulong*). Inmates complain of the noise:

“It is always noisy. When you take your sleep in the night. You can't have a peaceful and restful sleep. Especially if you do not have kubol. Those with kubol, they are privileged. They can sleep, but most us, we are crowded. No peace of mind” (Ordinary inmate, M1).

The lack of space also induces “little conflicts” among inmates that could turn deadly. Lack of space is a major source of conflict. An ordinary inmate recounts this incident:

“They should take pity on us. It is hard to live here. Especially if you do not have money. People will step over you when you are sleeping. One time, an inmate accidentally splashed the water he fetched to a sleeping inmate. The sleeping inmate thought it was done on purpose. He got a knife and nearly killed him. Just like that” (Ordinary inmate, M2).

Prison volunteers echo the sentiment of prison officers and inmates. They noted that lack of space hinders them from engaging into more rehabilitation activities. Here is a statement by a long-time prison volunteer:

“Sometimes, due to lack of space, we have difficulty conducting our programs. We compete with other NGOs for use of space. Sometimes, we are moved around. Other times, our program for a day is cancelled. It hampers the continuity of the programs” (Prison volunteer, F1).

From these narratives, one can see the hardships faced by prison officers, inmates, and prison volunteers as they deal with the issue of overcrowding. These lived experiences provide a glimpse of daily challenges they need to overcome. Later on, we will see that these structural conditions may induce some of the prison community members to engage in practices that are unethical, illegal or violent just to get by. Prison overcrowding is understated problem that is related to many different coping mechanisms and cultural scripts that justify different kinds of bizarre behaviors in prison.

3.1.2. Experiencing lack of personnel

As prescribed in the BuCor Modernization Law, there should be one custodial guard for every 7 inmates and one rehabilitation officer for every 24 inmates. However, the current ratio of personnel to inmate can range from 50 to 100 inmates for every custodial officer and 120 to 150 for every rehabilitation officer, depending on where they are assigned. Most prison officers admit that this situation compromises their security. A prison officer from the Maximum Security Compound in the NBP laments:

“We can be easily overpowered by the inmates. Look, it is also overcrowded and there are very few of us. There are only 10 people in this shift right now, and we are guarding as many as 14,000 inmates” (Custodial officer, M3).

The security threat lingers to the minds of every custodial officer. Accordingly, this prompts them to be always on the look out and not to slack off.

The lack of personnel also means they usually have tasks beyond their original job descriptions. Although they are assigned as rehabilitation officers, for example, “they can be pulled from their assignments and do some custodial work.” An officer has this to say:

“We are ‘all-around’ here. Sometimes I work as gatekeeper. But the training school also asks for my help, and I teach in the training school. That is after my official duty, I still have another duty. There are no additional payments for that. Just for the love of service, I am doing that” (Custodial officer, M4).

Most officers concur to the notion that they are doing “a lot of extension work.” For example, some medical officers help in the rehabilitation work, which is not part of their job description. It is commonly reported that prison officers usually “go out on their way, do work beyond their call of duty, just to keep their offices moving.” According to the prison officers, the lack of personnel translates into job stress, as “they are sometimes held for work even during their free

time.” They may be asked to work during their breaks or off duties. Yet while they do these additional duties beyond their job description and without additional pay, “their efforts are rarely appreciated.” As custodial officer recounts:

“It was the birthday of my child, I promised to bring them to Jollibee. But then, we were told to go to work. It was Saturday. That was my off. There are no extra pay because there are no over time pays. But that is not my problem. My problem is my time off my family. This Bureau, it takes everything from you. And the worst is when you work on a shift that is not yours and there arises problems. Say escape of inmate. You will be charged for neglect of duty. Because you are on duty, even if it is not your duty” (Correctional officer, M5).

The inadequacy of personnel eventually translates to the incapability of the BuCor to attract, maintain, train and develop quality personnel. Accordingly, officers from the Information and Technology Unit “cannot maintain their computer personnel as they usually transfer to other more lucrative jobs.” As such, they reported difficulties in computerizing the inmate files, which are key ingredients in the documentation of inmate progress. Medical officers, like nurses, according to officers’ accounts, “use the BuCor to gain experience and then apply for better paying jobs elsewhere when they acquired the necessary experience.” The high turnover of personnel, in return, entails additional re-training expenses and disrupts the continuity of programs. It also creates mismatches on personnel qualifications and job assignments as the personnel are continually moved around (COA Report, 2005). On the other hand, it was reported that “those who chose to stay are usually the ones who are attracted to the moneymaking ventures that arose from the prisons’ informal and underground economy,” which will be described later. A prison officer, who is about to leave the Bureau for a similar work in a different government agency, has this to say:

“I love the Bureau. It love it because I grew in this Bureau. My father used to be an officer here. And I would love to stay here longer. But man, I have a growing family. And two of my previous staff, after having trained them, they are now doing very well. They are earning three to four times my monthly income. And they work less. They tell me, bakit ka pa nagtitiyaga diyan. Why are you suffering there. It is really hard but I have to make choices” (Correctional officer, M6).

The lack of personnel is not also lost to the inmates who suffer its consequences. Accordingly, inmates suffer from poor or delayed service. As one inmate says:

“I had been requesting to be seen by a medical doctor. There are few doctors and there are many sick inmates. And even when I am seen by the doctor, there are no available medicines... sometimes, I am compelled to request to be seen a by doctor outside the compound. But then that will take time. So many approval letters: from the doctor, to the superintendent, to the director. And no one is monitoring the request. You need to personally follow up the request... there are not enough personnel to meet the inmate needs” (Ordinary inmate, M3).

Many inmates concur to this observation. Accordingly, many inmates wanted to join educational and rehabilitation programs but there are not enough personnel to implement it. The lack of personnel sometimes translates into longer sentences for inmates. Here is a common observation:

“There are inmates who could have been released because of the expiration of their sentence. But due to lack of personnel following up the case, sometimes records personnel do not update the case status... I don't know the reasons why. I only know that there are so few of them working in the records and documents section” (Ordinary inmate, M4).

Prison volunteers who observe the conditions in the BuCor also lament the lack of personnel. A longtime volunteer shares the following observation:

“You pity the rehabilitation officers. They are doing a lot. They work double or triple time. They spend their own money. They talk to recalcitrant inmates. And then sometimes, they are the objects of tsismis. Gossip. They are accused of keeping the money they generated for rehabilitation programs to themselves. Sala sa init, sala sa lamig. Catch 22. If they do something, they are damned, if they don't, they are also damned” (Prison volunteer, F2).

These narratives highlight the significance of lack of personnel. It provides a glimpse of the lived experiences faced by prison officers, inmates, and prison volunteers. It also shows the challenges they need to overcome in a day-to-day basis. It shows that correctional officers can be viewed as “victims” of their work environment. As a top-level officer of the BuCor mentioned during a focus group discussion:

“We are like children playing in a dirty house. Of course, we get dirty. And then when we get dirty, we are blamed of the dirt. But the father should be the one blamed. And the father is the government” (Correctional officer, M7).

3.1.3. Experiencing lack of funding

Another complaint from the prison officers that characterizes the structural conditions of prisons is the lack of funding. Custodial officers had long been requesting for CCTVs, firearms, and other security equipment, and they lament, “it usually takes years before these requests could be given them, if approved at all.” This lack of funding for security programming and equipment, accordingly, “compromises their capability to provide a safe environment for the inmates.” The officers cannot regularly monitor the activities of the inmates. “Once they are in their cells, we don't know what they are doing,” admits a custodial officer. Rehabilitation officers, on the other hand, request for funds to finance spiritual, educational, livelihood, sports and behavior modification programs. However, the rehabilitation officers report, “These budgetary needs are seldom incorporated in the annual budget of the Bureau.” As such, the rehabilitation officers make do with whatever resources they have. For example, the prison psychologists report that they “had long been requesting for the purchase of a diagnostics tool for the proper classification of inmates.” Since the requests were not yet approved, they “make do of the classification tools that they can get from elsewhere.” They also transform any of the unused spaces, like vacant lots, to conduct their educational and livelihood programs. Prison officers have to be “creative” to generate income. For example, the correctional officer who complained about working extra duties without pay also mentions the following:

“Just imagine this. I was able to confiscate drugs in an inmate cell. So I did the paper works to file the appropriate charges. Now, I had to send the drugs to the NBI for certification that it was indeed a drug. But I have to pay for my own transportation. I can request for gasoline but it will take time. I requested money from the mayores of the inmate so I can send the drugs to the NBI. That is how pathetic it is” (Correctional Officer, M5).

The lack of funding for programs forces the BuCor to rely to Non-Governmental Organizations (NGOs), religious, and educational groups that offer services. These outside organizations provide programs and material needs of the inmates such as food, clothing, and toiletries (Gutierrez, 2012). The BuCor also relies on the visitors of the inmates for their day-to-day sustenance. According to prison officials, “without the outside organizations and inmate visitors, the BuCor as an institution would have collapsed.”

As one inmate mentions:

“Here in Bilibid, we have cost-sharing measures. We share in the payment of electricity. We share in constructing buildings. We do not rely to the BuCor. The BuCor rely on us” (Inmate leader, M5).

3.1.4. Summary of the structural conditions

In summary, the BuCor is characterized by structural deficits. Penal institutions are characterized by overcrowding and lack of living space, lack of personnel, and lack of resources. The inmates and personnel alike experience these structural limitations. Inmates are not only punished by the deprivation of their liberty but they are also punished by the very conditions of their confinement. Prison officers, on the other hand, are neglected by the nature of their working conditions.

3.2. Organizational Characteristics

The workshop participants reluctantly but honestly admitted that these structural deficits exacerbate inmates’ pain of imprisonment and compromise the correctional officers’ working environment. The correctional officers are tasked with gargantuan responsibilities, that is, to provide safe custody and to rehabilitate inmates, yet they are not provided with necessary resources to achieve these responsibilities. As such, inmates and correctional officers developed *shared* coping mechanisms to deal with pains of their imprisonment and deficiencies of their work environment, respectively. Accordingly, correctional officers allow certain informal practices to mitigate deficiencies of the correctional system. In due time, these coping mechanisms become ingrained independent structures that complement, but at times contradict, the formal structures of BuCor. Below are detailed explanations for these different coping mechanisms.

3.2.1. Overcoming overcrowding, lack of facilities, and lack of space

Prison officials tacitly allow inmates to construct *tarima* (beds), *kubol* (private rooms) and *kubo* (cottages) (Flores, 2011). They also allow inmates to engage in the construction of offices,

basketball courts, tennis courts, parks, church buildings and temples inside the penal compound (Almasco, 2012; Gutierrez, 2012). Prison officials informally allow inmates to overcome deficits of space and facilities as a remedy to prison overcrowding. These practices are usually rationalized using a “humanitarian narrative.” It is common to hear rehabilitation officers to justify a behavior this way:

“We pity the inmates who stay in overcrowded rooms, especially those inmates who are old and sick, and since these inmates can build what the government failed to provide, why not allow them to do it instead?” (Rehabilitation officer, M8).

Accordingly, this practice is a mechanism to maintain prisoners’ dignity (Torres, 2011). By allowing inmates to construct their own *kubol*, they are shielded from the dehumanization of sleeping in a cold damp floor. A rehabilitation officer suggests:

They are still people. Inmates are people. But we cannot treat them humanely, if we do not have resources. So we allow them to build their own kubol. They are people; they deserve a dignified place to sleep” (Rehabilitation officer, F3)

Other officers justify this practice on the grounds of “practicality.” For example, a custodial officer suggested that this is a modified form of Build Operate and Transfer (BOT), where inmates build the facilities, operate the facilities while they are in prison, and then transfer the facilities to the Bureau upon their release. Other inmates can then use the facilities upon the turnover to the Bureau. Due to this scheme, the officers argue, “that basketball courts, tennis courts, mini-parks, religious temples, and other facilities are constructed.” Accordingly:

“It is a practical way to augment the very meager resources that we had. Admittedly, the Bureau does not have resources, and these projects are volunteered. It is given on their own free will. We did not force them. It is just practical, right?” (Custodial Officer, M9).

Other prison officers justify this practice as a way to “maximize prison space.” They argue “there are spaces that are not utilized properly (*nakatiwangwang lang*.)” Accordingly, “allowing inmates to built structures from these unused spaces is a creative way to overcome governments’ lack of funding.” A top prison manager says:

“This is operating outside the box. If we don’t utilize all the resources under our arsenal, then it is useless. For example, before, all these (pointing to the basketball court) were vacant spaces. We had been repeatedly asking the government to provide us money to develop it. Nothing came out of our repeated appeals. Here comes an inmate. He has lots of money. He promised to donate money, contact his friends from the outside. What should we do? We did not ask for it. Grasya na ang lumalapit. The only request of the inmate is to have a kubol outside the building. That is okay with us” (Correctional Officer, 10).

This coping mechanism to a lack of space and overcrowding, through construction of *kubol*, cottages, and other structures, is what media and casual observers usually see and highlight (Malig, 2011; Yap, 2011). They see these as “aberrations” to avowed formal goal of punishing the inmates. They highlight bizarre instances like inmates having “hotel-type” amenities in their

rooms. They complain loudly to the “soft treatment” of prisoners. What the media and casual observers are remiss however is the fact that only few inmates have these types of amenities. The media is silent to the fact that most inmates succumb to suffocation and tuberculosis due to cell overcrowding. Destroying the *kubol* and cottages are short-term media gimmicks; inmates and prison officers will continue to build them as long as the overcrowding and cell deficits characterize structural condition of penal facilities.

As one inmate says:

“The media should not put their attention to the kubol. Those are only barong-barong. Small rooms. The media should instead ask congress “Why they couldn’t provide for the basic housing of inmates?” It is that simple. All of us would want to go back inside our cells if there is enough space. But there is none. Then what do you do? That is basic survival... We cannot get inside the cells because it is too full. Now those who do not have money are the ones who are in a pitiful condition. The cell space will be even smaller for them. But what can we do. It is a fact of life here. You need to find a way to have your own kubol. If you work hard and save, you can have one eventually anyway. Just don't do drugs and gamble. If you lose, you might sell even your kubol” (Inmate leader, M6).

3.2.2. Overcoming the lack of personnel

Prison officials informally utilize inmates for custodial, administrative, and rehabilitation functions (see also Narag, 2005; Gutierrez, 2012). Inmate leaders are informally selected and groomed, and these inmates are tacitly given custodial authority to supervise other inmates. They assist prison guards in head-counting other inmates; they monitor the whereabouts of inmates who go out of the cells; and in some instances, they hold the keys of specific cells. Inmate-marshals assist in providing security to visitors and volunteers. Other inmates are actively recruited in administrative functions like being a typist in the records sections. Inmates are also tapped as teachers, church workers, sports officers, kitchen personnel, and other functions to augment the rehabilitation programs (Gutierrez, 2012). In some cases, inmate leaders and inmate gangs are utilized to control inmates charged with terrorism (Jones and Morales, 2012). It is estimated by one long-time prison official that every personnel must have at least 2 to 3 inmate trustees under their disposal to ease their workloads. As one custodial officer mentions:

“This is a very unique set up. We fully utilize the inmates. We employ them as marshals. They are the ones providing security to visitors and volunteers coming and going to the cells and buildings. Of course, the ____ (a government agency) knows about this. When we have meetings, ____ representatives talk to the mayores. So they knew that the mayores exists. They do not formally approve that but they know their existence” (Custodial officer, M11).

Most officers rationalize the use of inmates as “augmentation force” on the grounds of rehabilitation. They argue that utilizing inmates “instill in them the value of work, that by being productive inside the prison compound, they still maintain their dignity.” As one rehabilitation officer mentions:

“Most of our rehabilitation workers are inmates. They are a big help. And they take the assignments seriously because they learn from the experience. For example, inmates who teach in our Alternative Learning System (ALS) acquire teaching skills. They become even more competent” (Rehabilitation officer, F4).

Other prison officials justify use of inmate labor in terms of resources that inmates bring. Prison officers intimate that some inmates in prison are “intelligent, and their skills can be put into good use.” Officers in the Reception and Diagnostic Center (RDC) justify their use of inmates as “prison sociologist” and “prison psychologist” on the grounds that “the officers cannot perform all of their functions without the help of the college educated inmates.” Other custodial officers say that “idle inmates are more difficult to govern” and that giving inmates some positions elevates them in the inmate social hierarchy, and thus “develop a sense of identity.” Accordingly, this practice helps keep the peace (Gutierrez, 2012). A statement by an officer from the RDC captures this sentiment:

“Some inmates are college- educated. They are good in computers. They can design software programs. We have one inmate who taught in a (computer) University. We discovered his skills. He has helped us design software that tracks the participation of inmates in our activities. His software can also monitor inmates who have visitors. Just amazing talent that most us here do not possess. If we ask an outsider to design the software, it will cost the Bureau much money... Just imagine if he stays in his cell. His talents will be wasted. Of course, we know that employing inmate in our record section is against the rules, so we have to do it informally. It must be discreet. If people ask us, we will simply say he is an ordinary inmate, but among us, he is our big helper. He has his own desk here. We simply have to assign an officer to watch over his use of the computer” (Rehabilitation officer, F5).

Inmates provide a different take on the evolution of the mayores system. For them, the mayores developed out of the void created by the lack of personnel. Here is narrative by an inmate leader:

The Bureau did not create the mayores system. Inmates created that. We selected our own leaders, because if there are no structures in the cells, it is more chaotic. And in the end, we are the ones who suffer the consequences. The guards do not even come to the cells. They do not know what is happening in the cells unless we report. And so we took upon ourselves to put order” (Inmate leader, M5).

Most inmates share this sentiment. For them, inmates are left to their own devices and so it is incumbent on their part to provide order. The inmates are emphatic in their claim that mayores system provides order in the cells. Another inmate leader has this to say:

It is chaotic here. There are many inmates who are unruly, undisciplined. So we took upon ourselves the role to discipline our fellow inmates. For example, I myself conduct drug test, to determine who among my cellmates are drug users so I can request for their immediate transfer. If I don't do that, if other mayores don't do that, then there will many problems and conflicts. Without us (mayores) this will be a hellhole (Inmate leader, M7).

To maintain order in the cells and brigades, the prison officers also tacitly allow inmates to develop their own *patakan* (rules) with its corresponding mechanisms to resolve conflict and administer punishment for rule violators. The *patakan* encourages inmates to respect the prison officers, inmate leaders, visitors and volunteers. It encourages inmates to respect the property of other inmates. It also prohibits inmates from messing with the wife or girlfriend of other inmates. The custodial officers tacitly endorse the *takal* or corporal punishments for recalcitrant inmates. Custodial officers also recognize the request of inmate leaders to transfer inmates who are unruly in the cells. As one custodial officer recounts:

“The inmates have their own rules. We do not meddle with their affairs. We let them run their own show. As long as it is within the acceptable limits. They know the limits. No killings. No maimings. If that happens, then we have to intervene. But as long as they keep the peace inside the cells, we let them have autonomy” (Custodial officer, M12).

The rehabilitation officials also encourage the inmates to come up with their own sports, spiritual, and livelihood programs (Gutierrez, 2012). Prison officials openly support inmates who become pastors of religious groups inside the prison. They also liberally allow the formation of inmate associations that provide services to their fellow inmates. They even allow inmates to register their associations to the Securities and Exchange Commission, giving these groups legal identities to solicit funds for their fellow inmates. In addition, the prison officers also rely on the help of Non-Governmental Organizations, educational and religious institutions to augment rehabilitation programs. These NGOs and educational and religious groups, as long as they follow the basic security requirements, like registering the names of their participants, are given a free reign to administer programs inside the prison compound. A rehabilitation officer has this to say:

The NGOs are a big help to us. They provide manpower and resources. Sometimes you have to be careful because some NGOs abuse their privileges, but most of the time they are okay. They provide a breath of fresh air. They infuse ideas in the prison. Without the NGOs, it would be hard to introduce different activities” (Rehabilitation officer, M13).

Custodial and rehabilitation officers justify the use of inmate and NGO initiated-programming as “alternative self-help mechanisms.” Since prison officials recognize the limitations of their own Bureau, they justify and allow these initiatives as “mechanisms to fill-in the void.” Additionally, the rehabilitation officers allow these practices since they gain from it: The inmate and NGO projects are usually recorded as their own “achievements.” The tolerant approval of this inmate and NGO initiated programming creates a festive atmosphere inside the prison compound. Popular bands, TV and movie personalities, renowned religious pastors and other “big shots” regularly visit the prisons. Basketball and other sports tournaments serve as recreation programs that entertain inmates, visitors, volunteers, prison officials, and other curious observers.

The media, on their good spirits, also pick up on these “human-interest” stories. The media would highlight the “inmate music concerts,” “the graduates of the Alternative Learning programs,” the “inmate paintings and artistic projects” and portray these as common occurrences inside the prisons. While describing these activities in patronizing terms, such as “its impact on rehabilitation of the inmates,” they are remiss of the fact that only a few inmates participate in

these activities. Worse, as will be described later, some of these activities are not rehabilitative in nature: they are offered without assessment to the needs of inmates participating in them, and these programs are sometimes used by inmates and prison officers to advance moneymaking interests. On the other hand, some media quarters can cherry pick on these “bizarre prison practices” and portray them as mechanisms of inmates to re-create an entertainment-laden community. These activities are then portrayed as examples of the “kid-gloves treatment” of hardened criminals by the government.

3.2.3. Overcoming lack of funding

To deal with the deficits in basic necessities, the prison officials encourage the external support from the visitors and volunteers. Family supporters and NGOs are allowed to bring food, clothing, toiletries, medicines and other basic needs of the inmates. NGOs are also allowed to conduct feeding programs and medical missions. Though formally stated as contraband, cash is tacitly allowed in the prison compound. In the process, a *talipapa* (market) where inmates can purchase foods, crafts, services, and other needs flourish (Gutierrez, 2012). With the free flow of cash and services, prison inmates can come up with businesses inside the prison compound. Inmates can raise a bakery, hamburger stalls, livelihood and crafts, and other income-generating schemes. Accordingly, a few of the more enterprising inmates send money to meet the needs of family members outside the prison (Gutierrez, 2012). Prison officials justify these practices as “livelihood” programs for the inmates. Accordingly:

“It keeps inmates busy and they learn some business skills. There are many inmates here who learn to put up a business and so when they are released, they know the mechanics. They become hustlers. Make profits” (Custodial officer, 14).

Some prison officers believe that “the hustling skills of the inmates are harnessed inside the prison, which prepares them for their eventual release.” The rehabilitation officers justify the reliance on family members as “a way to keep inmates connected to their loved ones.” In this way, inmates maintain their family connections. An officer confides:

“We simply allow family members and their friends to come. It is a lot of work. Sometimes, it is abused. ‘Tilapia’ (prostitutes) from the outside come as friends and family members and they provide sexual services for the inmates. That is why, we are strict. We introduce many requirements before they can come in. Provide a notice, a letter of certification, etc. But we don't deny inmates their family visitations. Except when they violate the rules, then we can suspend it” (Custodial officer, M15).

The prison officials further justify that “by keeping the family members actively involved in the upkeep of the inmates, they have a powerful tool over the inmates: they can suspend their visiting privileges if inmates are engaged in infractions.” Again, here are some words from a custodial officer:

“The inmates know that we can suspend the visitation privileges. Anytime. And so they toe the line. They follow us. We let their visitors come so that they know what they will be missing. That is how we keep the peace here” (Custodial officer, M15).

Another unique coping mechanism to the lack of funding is the development of the *Very Important Preso (VIP) system*. In the VIP system, some inmates are given privileges like ownership of a *kubol* in exchange of providing support to the cell and brigade needs. VIPs are expected to contribute to cell and brigade expenses, like cell maintenance, medicines of sick inmates, and contribution to “public relations (PR) expenses” to prison guards. There are different categories of VIPs (ordinary VIP, bigtime VIP, Super bigtime VIP) and their contributions vary as well. It is estimated that in the Maximum Security Compound, there are around 20 to 50 super bigtime VIPS for every brigade. As custodial officer, who supports the VIP system has this to say:

“We all know that the Bureau lacks funds. And so what do we do, we call the VIPs. They know their roles. We use the money for operational expenses. For gasoline expenses, for example. It is important that we keep them” (Custodial officer, M16).

Rehabilitation officers also recognize the importance of VIP inmates. These VIPs finance some of their programs. A rehabilitation officer admits:

“There is nothing to be ashamed of. The VIPs know that the money we are soliciting them goes back to the inmates. These VIPs want to be recognized of their contributions and so we acknowledge them as our sponsors” (Rehabilitation officer, M17).

The inmates also provide a different explanation on why VIPs emerge. For the inmates, the formation of the VIPs is a mechanism to help themselves. It is also based on the Filipino cultural value of *damayan* (sharing) and *bayanihan* (community support). Here is an explanation by one inmate leader:

“The VIP system is developed by the inmates. The Bureau did not introduce it. The mayores offer a newly arrived inmate whether he likes to be a VIP. If he says yes, then he will be a VIP, as long as he fulfills his role. He has to financially contribute to the needs of the cell and brigades. The mayores will give him sleeping quarters, inmate servers, as long as he gives contributions and takes good care of the wellbeing of his inmate-servers. Feed them for example. And when inmates are sick, the mayores can run to the VIPs for assistance. We have to devise this to help ourselves. It is a damayan and bayanihan” (Inmate leader, M5).

3.2.4. Summary of the coping mechanisms

These coping mechanisms are initially introduced as alternate structures to deal with the inmates’ pain of imprisonment and the staff’s deficiencies in work environment. These informal mechanisms are palliative solutions to enduring problems. Due to lack of personnel, custodial officers tacitly allow inmate leaders to supervise other inmates, giving rise to an intricate system of *mayores* where inmates play a key role in shared governance, despite the prohibition from the BuCor Manual on the delegation of custodial responsibilities to the inmates. To have order in the cells and brigades, correctional officers tacitly allowed inmates to develop their own *patakan* (rules) with its corresponding mechanisms to resolve conflict and impose physical punishments, even resulting to loss of lives and limbs, despite the BuCor Manual’s strict

prohibition on the use of inmate “kangaroo” courts. Due to the lack of sleeping and cell facilities, inmates are informally allowed to construct their own *tarima* (beds), *kubol* (private rooms) and *kubo* (cottages) despite the formal prohibitions from the BuCor Manual. Inmates are also allowed to bring their own resources in the prison compound, like cash, appliances, and other materials, thus creating a mechanism for private and commercialized properties to develop, despite the formal designation of these materials as contrabands. The insufficient provisions of basic necessities like food, clothing, medicines, and other needs, necessitated the external support from the visitors and volunteers. In the process, a *talipapa* (market) where inmates can buy foods, crafts, and other needs flourish, despite the BuCor Manual’s declarations that these practices are prohibited.

This setup has some positive effects as it provides opportunities for reform-oriented inmates to be engaged in educational, church, and sports activities, and thus expose them to pro-social orientations. This setup also gives a venue where inmates maintain a spoiled-free self-concept and shield them from the corrupting effects of surveillance-laden incarceration (Gutierrez, 2012). This setup is also rooted to the Filipino culture of *damayan* and *bayanihan*.

3.3. Cultural characteristics

The alternative structures had become independent structures that co-existed with the official organizational structures of the Bureau. A dual structure emerges that accommodate both the formal and informal practices. According to the workshop participants, correctional officers and inmates should be familiar with the interplay of the formal and informal mechanisms in order to successfully navigate the dynamics of correctional management and prison life, respectively. For example, while correctional officers recognize the presence of a Prison Manual that officially prohibits these existing alternate informal structures; they also recognize the need to rely on these alternate structures to perform their jobs. As such, correctional officers acknowledge the discretion within their disposal as to when to utilize the formal or informal rules of prison management. The lack of guidelines gives individual prison officers wide latitude on when to invoke or when not to invoke the formal or the informal rule. While helpful in the short-run, the coping mechanisms can have far-reaching negative implications to the administration of justice. These coping mechanisms tend to create cultural scripts that can be utilized to normalize different corrupt practices. Indeed, some prison officers and inmates had utilized these cultural scripts to advance personal and monetary gains. The following section describes the mechanics of this cultural trait.

3.3.1. Discretionary powers

Given the wide latitude on the use of either the formal and informal rules, prison officers developed discretionary powers within their disposal. The lack of guidelines as to when to invoke or not to invoke the formal or the informal rule gives prison officers significant powers over inmates. A prison officer admits:

“This wide discretionary latitude can potentially translate to corrupt practices inside the prison. No one knows and no one is accountable. For example, an inmate requested you to follow-up his legal case and then, as an act of gratitude, gave you some cash. Will you accept it or not. Of

course, the answer is 'NO,' that is a form of bribery. But then you realize, when you follow-up the case, you spend your personal money to visit the offices. It is okay if it happens only once. But, what if there are many requests? You cannot shell out money for all of those requests. So informally, it is your discretion to accept the money in recognition to your service... If I accept the money, I can use the money to follow up other cases. So, it did not benefit me... By accepting the money, I can support more inmates... Now, the problem is when this set up is abused. That is, some officers demand payment even before the service" (Custodial officer, M18).

In local prison parlance, "these become considerations that are convertible to cash." Prison guards admit "they can utilize this arbitrary discretion to curry favors with selected inmates and generate additional income." According to custodial officers, "some favored inmates are given access to the coping mechanisms, like owning a *kubol*, if they cough up the corresponding amount." As mentioned earlier, prison officers can utilize a humanitarian narrative to justify their approval of inmate requests. A prison officer confides:

"The problem is some officers abuse their power. Take for example the electric connections. If inmates request for electric connections, the SOP (Standard Operating Procedure) is you need to give 50,000.00 pesos to an officer. Without that money, your request will never be given attention. They will say it is against the rules. However, if the amount is there, they act quickly. And they will say, it is for humanitarian considerations" (Custodial officer, M19).

3.3.2. Cynicism

The arbitrary "code switching" (Anderson, 1999) from the formal to informal rules translates into discriminatory practices. Some moneyed inmates are provided access to a coping mechanism, while other less-resourced inmates are not granted of similar requests. The arbitrariness of the rules also becomes a major source of prison officer-to-inmate conflict. It makes the inmates cynical of the narratives of the guards. They could not immediately figure what can make a request be granted or denied. An inmate leader provides an example:

"Sometime you don't understand what they want. You provide formal letters of request, but they sometimes don't act on it. Then you send feelers. Probably they need grease money. But even then, sometimes, they still don't give in. It is very unpredictable sometimes. Sometimes, you give money and they accept, but don't act on it" (Inmate leaders, M8).

Lengthy conversations with inmates suggest that inmates devise different mechanisms to deal with the prison officers' discretionary powers. Accordingly, inmates can retaliate by "exposing the behaviors of prison officers on the pretext that that these prison officers are unfair." Inmates use their connection to the outside world to leak some information of the "abuses" going inside the prison. This practice is called "*palundag*." An inmate provides an example:

"For example, we threatened to file administrative or criminal charges to a particular officer. He keeps getting money from us, but he does not keep his side of the bargain. So we filed a case against him. Now, he knew that we are serious. He straightened out" (Inmate leader, M7).

Inmates can also overcome the discretionary power of the prison officers by finding other prison officers, usually of a higher rank, who can override the decisions of an officer whom they were at odds with. According to the informants, “inmates usually do this by providing the right ‘considerations,’ say by increasing the amount of bribe.” An inmate explains this mechanism in this way:

“We already approach an officer. We already made an arrangement. Both legal and otherwise. But then, suddenly he changed mind. Umayaw. He doesn't want to do it anymore. So we went to the higher up. We made arrangement to the higher up. That is how you overcome the system” (Inmate leader, M7).

The leniency practiced by the officers deepens the level of cynicism among their ranks. Upright prison officers who use the formal rules to justify legitimate decisions are usually frustrated by higher-ranking prison officers who override their decisions due to informal considerations that these higher-ranking personnel had with inmates. These inconsistencies in the application of the formal rules lower the morale of well-intentioned prison guards. Worse, well-intentioned prison officers admit that “if they do not bend to the whims of other prison officers, they can be administratively sanctioned, like transferred to other distant penal colonies, and they do not even know the reasons behind the transfers.” During one of the focus group discussions, a custodial officer shares this incident:

“So we were following the rule that all visitors must be sent home that night. No conjugal visitations. But we check one inmate and found that his girlfriend is sleeping in the cell. We told the inmate to send the visitor out. But the inmate said, he already had permission from a higher up. And so we called the higher up. And indeed the higher up accordingly gave under-the-table approval. The inmate is also trying to bribe us. But we did not relent. We drag the visitor out. The following day, we were the ones called for disciplinary infraction. Kami pa ang mali” (Custodial officer, M20).

3.3.3. Padrino system

According to the knowledgeable insiders, “it then pays that prison officers and inmates develop a relationship that both can benefit.” In the process, a *padrino*-client (Scott, 1972) relationship between guards and inmates develop. Inmates are forced to cultivate a personalistic relationship (Hutchcroft, 1998) with prison guards in order to continually curry a favor. A prison guard also develops a relationship with inmates to be assured of continued financial kickback and political support. An inmate leader confides the following practice:

“Here are the request I got from the prison officers today. (Showing the text messages). One prison guard says, ‘Kindly send me a cake, it is my daughter’s birthday.’ Another prison guard requests, ‘Kindly send me gasoline, my family has an outing in Tagaytay. And still another guard pleads, ‘Hope you won’t me mind again requesting, but I still need money to buy medicines for my sick wife. She is undergoing Chemo” (Inmate leader, M9).

All these requests came in a one-hour span. Inmate leaders must thus be able to generate money from other other inmates and to generate income from either licit or illicit business in order to

meet these demands and requests. In return, the inmates are assured of these officers support in time of need. The same inmate leader recounts:

“All those who come to me for personal request, I am happy to oblige. That way, when I need their help, I can count on them. For example, some of my cellmates get caught with contrabands in their bodies. Nababagansya sila. Their cellphones are caught. When that happens, I go to the guards and tell them, those are my people. And they return the item. When I request something, for example, one of my members need to bring in a material in prison (like a TV set) then, I can mobilize my friends in the offices” (Inmate leader, M9).

The padrino system strengthens the relationship of prison officers and inmates who are invested in this setup. However, not all prison guards and inmates adhere to this style of prison management. Many prison officers still cling to the formal structures and procedures of the Bureau. As one prison officer says:

“I had been in the service for almost 40 years, but I can proudly say that I never received any money from the inmates. Ni isang singkong-duling (Not even a penny)” (Administrative officer, F6).

However, most officers admit that this “professional mentality” is losing out in the Bureau. Officers who subscribe to professional ethics are on the defensive. Prison guards without a support partner or *kakampi* continually find themselves threatened by other guards. This is even worse for “upright” prison guards who do not involve themselves in the corrupt practices. These upright prison citizens are considered pariahs in the prison community and branded as “*walang pakikisama*” (do not know how to get along).

Inmates who despise the padrino system are also at a bind. If they don't give in to the request of the prison guards and inmate leaders, then their hard-fought privileges can be taken from them. As one inmate narrates:

“Sometimes you are annoyed by all the requests from the guards and even inmates. It is as if they are expecting you to have private bank here in the prison and give them money every time they need it. But you cannot do anything. If you deny their request (tablahin mo sila), you know very well the consequences. They will make stories against you, and then you just find out, you are already transferred to another cell or camp, or take away your kubol” (Inmate leader, M10).

For most inmates, joining gangs is the practical solution to be protected from abusive prison guards and other predatory inmates (Castillo, 2012; Gutierrez, 2012). However, once inside the gangs, their own gang leaders can prey upon inmates. Gang leaders, given the informal powers accorded to them by the prison officials, act as pseudo-prison officials. In fact, gang leaders have the power over the lives and limbs of their fellow inmates. Gang leaders can use these powers to play favorites among the inmates: currying favors to selected inmates and denying favors to inmates who do not toe their line. Like the prison officers, the gang leaders can convert their powers to the generation of cash. For example, the gang leaders can decide who among the inmates can have *kubol*, who has the right to operate a business, and who has access to other

privileges. For the lowly inmates therefore, learning how to cultivate personalistic relationships with gang leaders, fellow inmates, and prison officers are keys to survival.

Prison officers also need to develop relationships with inmate gangs. Prison officers can serve as the *padrino* to the gangs, or be a gang member themselves. As Tesoro, the former superintendent of the NBP in his widely read blogs laments: “It is not unusual to discover that a handful of prison guards would rather be recruited to the fold of gangs not necessarily to do its bidding but out of survival.” They give what the gangs need in exchange of the gangs’ financial and political support. Prison guards who are supported by inmate gangs are secured of a political base: they cannot be easily sanctioned by their higher ups even when they are caught committing a violation. They can use the gang’s political muscle to shield them from criminal and administrative sanctions. Though gang membership is not full-proof protection from all potential sanctions, it provides the prison officer-cum-gang member an initial base of support. An inmate gang leader confides:

“Almost all the top officers here are under the gang’s payroll. It is a tradition here in the Maximum. During their birthdays, all the gang leaders provide gifts. It is an SOP. They (officers) don’t ask. It is voluntary given” (Inmate leader, M7).

Additionally, prison officers must also ally themselves with other prison officers. They need to join officers’ cliques based on family ties (*kamag-anak* system) in order to strengthen their own local positions. The creation of a base of support is necessary to be protected from the whims and caprices of people above the prison hierarchy and from the unnecessary demands of people below the hierarchy. Since prison officers are insecure of their positions as any misstep can have them transferred, suspended, or removed from the job, the gang and clique support can shield them from the vagaries of prison life.

The prevalence of the *padrino* system makes the Bureau even more inefficient. It lowers the morale of officials dutifully performing their functions. As one custodial officer laments:

“There are so many guards who do not go to work, but then you will see that they are not officially recorded as absent. They are covered by their kamag-anak (family members who also work in the Bureau). This could happen for a whole month. They receive a whole month salary without even showing up. It is us who regularly come to work who suffers. But employees tolerate it because it is their kamag-anak. This has to stop. You lose interest (nakakawalang gana)” (Custodial officer, F7).

3.3.4. Inmate prisonization

Newly arrived inmates are “prisonized” (Clemmer, 1940) to the set up and they learn the acceptable and unacceptable norms and behaviors in due time. They are told to learn the rules (formal and informal) and know where to position themselves in the inmate structure. *Marunong kang lumugar* (know your social location). Inmates who learn how to negotiate successfully their way into the setup can become inmate leaders, and they may access privileges not given to other inmates. Inmates who know how to utilize their resources, connections and skills can slowly rise in the inmate hierarchy. Inmates can thus embark on a “career” while inside the

prisons where they can rise to the hierarchy of political and social space, if they learn how to accumulate the correct political, social and cultural capital.

Inmates who are not up to the task or inmates who fail to grasp the “way of the prison” (*pangungulangan*) can be perennially victimized by fellow inmates and corrupt prison guards. Inmates who do not know how to adjust their pre-prison values (*ugaling laya*) will have a difficult time navigating through the prison society. An inmate recounts:

“At first, I did not go out of the cell. I did not join activities. I studied the whole situation first. I did not want to be dragged in any issues. Eventually, people learn about my character and they trust me... You need to put yourself in the proper place. Follow the rules. Don't be flashy. Don't seek attention. But don't be a sissy. Know when and how to fight, if you need to fight at all...” (Inmate leader, M11)

3.3.5. Summary of cultural characteristics

The structural deficits of the BuCor (lack of facilities, personnel, equipment, and resources), coupled with the formation of informal coping practices (*mayores, kubol, patakan, VIP*), translated to the evolution of a unique prison culture. While in the short run, this setup has benefits to the correctional officers in particular, and to the BuCor in general, in the long run, this set up compromises the overall mandates of the Bureau of Corrections. This ingrained prison culture, which is recognized by the correctional officers and inmates alike, provides the foundation for both developmental and predatory relationship among inmates, inmate leaders, and correctional officers. The wide discretionary latitude accorded to the correctional officers translates to opportunities for both rehabilitation and corruption. Since inmates are utilized to co-manage the cells and brigade, inmates are given the opportunities to develop leadership and social skills that are helpful for their eventual release. Inmates are actively involved in self-reformation activities, like mentoring of other inmates, providing them with mechanism to maintain a positive self-concept while in prison. The presence of *talipapa* and other moneymaking opportunities also train inmates to be entrepreneurial and anecdotal reports are ripe with stories of inmates successfully starting their businesses upon release from prison. With the power to generate income from their fellow inmates, inmate leaders are tasked to contribute in prison operational expense, like paying the Bureau's electric bills or providing gasoline for correctional officers' visit to other offices.

These rehabilitation potentials of the coping practices, however, come at a huge cost. Workshop participants admitted that informal coping mechanisms are subject to abuse. In the local prison parlance, the discretionary powers of correctional officers are “convertible to cash.” For example, correctional officers can utilize their arbitrary discretion to curry favors with selected inmates. Favored inmates are given access to alternative coping mechanisms (for example, access to the use of *kubol*) if inmates cough up the right amount of bribes. In this scenario, the correctional officers justify decisions based on the informal rules of the game. However, inmates who are not at the good graces of a prison officer (*tiryado*) or are unwilling to give bribe money are denied access to legitimate services. In this scenario, the correctional officers will utilize the formal rules of the Prison Manual as basis for denial. The code-switching from the formal to informal policies and rules is a key power of the prison officers over the inmates. These

inconsistencies in the application of the rules lower the morale of well-intentioned correctional officers and heighten their cynicism.

In the process, a *padrino*-client relationship between correctional officers and inmates develop. Inmates are forced to cultivate a personalistic relationship with correctional officers in order to continually curry a favor. A correctional officer also develops a relationship with inmates to be assured of continued financial kickback. Inmates and correctional officers without a support group continually find themselves threatened by other inmates and other correctional officers. As such, inmates form gangs to protect themselves against other inmates, but once in the gangs, inmates are preyed upon by their own gang leaders. Correctional officers, on the other hand, can serve as the *padrino* to the gangs, become gang members themselves, and to develop cliques based on family ties (*kamag-anak* system) with other correctional officers in order to strengthen their own local positions. The creation of a base of support is necessary to be protected from the whims and caprices of people above the hierarchy and from the unnecessary demands of people below the hierarchy.

As such, while a semblance of peace and order is maintained amidst the overcrowding and noise, a deep-seated violence can erupt anytime. Other inmates can kill inmates if they do not follow the informal rules. Inmates are continually cautioned to know when to invoke the formal and informal rules in order to survive. And the correctional officers are insecure of their positions as any misstep can have them transferred, suspended, or removed from the job.

The interplay of the formal and informal rules is reinforced in every transaction. Newly recruited correctional officers, idealistic as they may be, are socialized to the ways of the prison, and those who lack comprehension of its mechanics, or those who do not adhere to its unstated rules are ostracized. Prison officers admit that they are in a bind: though they do not morally agree with the practices inside the prisons, they are forced to adapt to it in order to survive. They concur to the Filipino adage, “*kung ano ang tugtog, yun ang sayaw*” (dance to the tune of music). As such, a morally upright prison guard may be forced to accept bribe just to keep his/her lowly position.

Newly arrived inmates are prisonized to the set up and they learn the acceptable and unacceptable behaviors in due time. Inmates who know how to negotiate successfully their way into the setup can become inmate leaders, and they may access privileges not given to other inmates.

As such, a very tangible prison culture structures the way of life in the prison community. This culture is so pervasive that it penetrates every components of correctional management: from classification of inmates, to their housing assignments, to the type of programs offered, and to the quality of documentation and assessment. The BuCor is fragmented where the different components of reformation, custody, and administration have become “independent republics” that do not effectively communicate with each other. In return, stopgap and uncoordinated programming activities becomes the norm. The following sections provide detailed descriptions of how these emergent practices affect correctional management. Again, a succinct description by Venjo Tesoro, a long-time Superintendent of the NBP, lifted from his popular blog:

Graft and corruption in BuCor is systemic. When a new prison leadership assumes command and institutes a system through the numerous confidential staff he would bring into the organization, that is where the real problem on graft and corruption begins. The entire agency will be parceled according to territory. One will take charge of the procurement, another with the dispensation of supply, while others will check on the list of celebrity prisoners wanting any direct line for assistance or whatever arrangements to be forged. There are those who would monitor if penal farms have surfeit in prison products, while the rest are seeking any other contracts to be bilked for possible considerations. Caterers, dealers and suppliers are oftentimes the target of these personalities. And these characters, having been blessed as part or sinecures of the leadership have powers over ordinary officers and they do not even have any official mandate nor (are they) liable if anything unfortunate happens.

4. Implications to correctional management

Correctional literature suggests that inmate prison experiences can be alleviated through an integrated programming, which starts from a successful classification system (Austin, 1986; Bonta and Motiuk, 1992; Kane, 1986). In an ideal correctional system, inmates are classified based on needs and behavioral risks. Upon successful classification of the inmates, a corresponding individual program is designed. Individualized treatment programs are ideal, as inmates have differing needs and pose different levels of risks. Inmates undergo these individualized treatment plans in housing locations that correspond to their levels of risk. As such, housing assignment corresponds to the classification and type of programs inmates must undergo to. Inmates' performances are documented and assessed, and these pieces of information are used to guide the reclassification and potential early release of inmates.

The BuCor officially subscribes to this idealized inmate programming. In fact, a Reception and Diagnostic Center (RDC) currently exists, whose function is to classify and diagnose inmates. A housing placement based on sentence length is also prescribed. The BuCor also offers a host of educational, spiritual, livelihood, sports and other programs. However, due to limitations in personnel, facilities, and funding that were identified earlier, an alternative system of classification, housing placement, inmate programming, and assessment and documentation arose.

4.1. Classification of inmates

Instead of classifying inmates based on needs and risks, the classification system of the inmates is based on legal variables, such as length of sentence, presence of pending cases, and prior history. Inmates are automatically classified as "Maximum" if the length of sentence is more than 20 years and "Medium" if the length of sentence is 20 years and below. Inmates with pending cases in a lower court or on appeal, and recidivists are also classified as "Maximum." Inmates who had served time and nearing the completion of their sentence can be reclassified as "Minimum."

Informal discussions with RDC officers suggest that they are trying their best to overcome some of these limitations. They try their best to incorporate the needs of inmates in their classification

schemes. Despite limited number of personnel, they incorporate detailed information in their diagnosis of the prisoners' life. They also develop an "inmate reformation plan." However, the RDC employees lament the fact that despite their innovations, their findings of classification and recommendations for inmate programming are never followed. They report that "while inmates are properly oriented in the RDC during their 60-day reception, and fully introduced to the Therapeutic Community modality, these gains are not followed through when inmates are sent to the Medium or Maximum Security Compounds." They also lament the fact that "inmates with special needs, like the sickly and the elderly are seldom identified, and even when identified, there are limited mechanisms and capacity to separate them from the general population." Additionally, the RDC officers also complain that "once inmates are transferred from RDC to their respective housing units, there is no way they can monitor what had happened to inmates, unless of course, these inmates are committed to prison again." As one officer in the RDC mentions:

"When inmates arrive in the RDC, we try our best to orient them. And we can see that they listen to us. They are very courteous when they are here. But when they are transferred to the Maximum or Medium, we later hear that they have changed. They are now the mayores or tirador (warriors). We don't know what happened to them. We just know that when they were under us, they used to dutiful inmates" (RDC officer, F8)

Inmates confirm that indeed, the life in the RDC is unrelated to their life in the Maximum or Medium. There is no continuity in programs. An inmate mentions:

"I actually liked my stay in the RDC. I was very active in the Therapeutic Community program. I thought that will be the same program in the Maximum. But no, it is totally different. They even erased my tattoo in the RDC, so I thought there will be no more gangs in the Maximum. But when I came here, the gangs are very strong. So I become a gang member again" (Ordinary inmate, M11).

4.2. Housing placement of inmates

As previously mentioned, the classification of inmates, by default, is solely based on the on legal variables. Upon designation to a particular "security level" (Maximum, Medium, and Minimum), inmates are placed based on gang affiliations. There are two approaches developed informally through the years on how to deal with gangs: congregation or diffusion. There is no specific guidance from the Prison Manual on this issue and prison officers in the different penal camps had developed their own "traditions" on how to deal with gangs.

The Maximum Security Compound in the NBP follows the congregation practice. In this practice, inmates of the same gangs are assigned to specific dorm cells (*butas*). Inmates who have tattoos in their bodies that signify membership to a gang are automatically placed in their specific gang cells. Bigger gangs occupy more dorm cells. In the Maximum, there are 12 active gangs with varying number of inmate members. These gangs have cognitively marked territories and properties, that is, there are some areas in the prison compound that are claimed by gangs and are off-limits to non-gang members.

The Medium Security Compound in the NBP follows the diffusion practice. In this practice, inmates can be accommodated in any dorm regardless of gang membership. As such, a dorm can have inmates that come from different gangs. During daytime, however, gang members can congregate in their *pondohan* (a territory claimed by the gang outside of the dorm) to conduct activities.

This difference in housing policy has both strengths and weaknesses from the correctional management point of view. In Maximum Security Compound, placing inmates with the same gangs in a single dorm or brigade, coupled with erecting a wall that separates the gangs from each other, reduce the risks of inter-gang conflicts. It minimizes occurrences of inter-gang riots. However, correctional officers admit that “grouping inmates together makes them even more united and they can easily influence the official policies of the BuCor.” They also admit that “it makes gang leaders more powerful over their members, and the intra-gang conflicts are harder to mediate.”

In the Medium Security Compound, placing inmates with different gangs in a cell lessens gang unity and makes the inmates easier to control. By diffusing the members, prison officers report “the control of the gang leaders over their members is somehow diffused.” However, the officers admit “inter-gang conflicts can erupt more occasionally as gang members are frequently exposed to the hassles of members from opposing gangs.” The congregation and diffusion models are followed in different penal camps of the BuCor.

Aside from gang considerations, another factor in the determination of inmate housing is the socio-economic status of inmates. Unaffiliated inmates (*querna*) are sometimes sold to the different gangs through a “bidding process.” This practice is locally known as a *bilihan ng bagong commit*. Inmates with resources are attractive to the gangs as they can be offered the position of a gang VIP. “Buying a VIP” therefore is short-term cost with a long-term benefit. The amount varies from inmate to inmate but super bigtime VIPs can cost to as much as 50,000.00 pesos. This money is usually partitioned among prison officers and can be utilized for operational and personal purposes. Gang leaders recuperate their losses by charging the VIP inmates once he is settled in the cell. As one inmate leader mentions:

“You cannot do anything. You need to compete. You have to be on the look out for VIPs. Especially big time drug dealers. If you don’t, then your brigade will be without resources” (Inmate leader, M12).

Additionally, inmates with financial and cultural resources, that is, those inmates who know how to negotiate successfully into the prison community, can arrange a better housing arrangement. Aside from construction of *kubol* and cottages that were already described in the previous section, inmates can also avail of better housing assignments. For example, inmates can avail of “minimum” security assignments, where they stay out of the Maximum Security Compound and be classified as “living out” inmates. Some inmates can also avail of better areas of the hospital facility and be classified as “sickly” inmates. These informal housing assignments, accordingly, “can be arranged if inmates know the proper strings to pull and people to approach.” Through the presence of an active prison economy, inmates and prison officers privatized and commercialized the allocation of precious and limited spaces.

As such, given the gang and socio-economic considerations, the housing placements designed by the RDC officers are not followed. Inmates who deserve the most assistance due to need (sickly and elderly) are not housed in facilities that have capability to support them. Inmates who pose potential risks (violent, escape prone) and even terrorists are housed in the general population and they, like all other inmates, can avail of the inmate created-amenities freely available inside the prison compounds. Finally, housing placement had become a money-making opportunity for some prison officers (see also Punay, 2011). As one officer laments:

“The housing placement is perverted. Some prison officers make money out of it. They compile a list of inmates to be transferred in the penal farms in the guise of decongesting the NBP, but if inmates pay the correct amount, they are off the list. Inmates without money and without connections are in pitiful state. It is horrible. One inmate pays at least 500 pesos just to get off the hook” (Custodial officer, M21).

The ordinary inmates support this sentiment. The problem of overcrowding is made worse by the inequality of treatment in housing placement. An inmate says:

“This cell is good for 10 people, but now, there are more than a hundred of us here. But what makes it worse is that three kubols of the mayores and VIPs occupy more than half of the cell. So three people occupy 50 percent of the cell and the 100 inmates the other half. Crazy” (Ordinary inmates, M13).

4.3. Inmate programming

The lack of proper classification of inmates and the attendant alternative-housing placement through gang membership and economic status combine with the lack of funding for inmate programming. As described earlier, the lack of funding forces the BuCor to rely on inmates, NGOs, volunteers, and visitors for the development of prison programs.

The tolerant policies on inmate programming translate to the free-flowing and unmitigated programs initiated by inmates and NGOs. This produces a plethora of uncoordinated, stand-alone activities inside the prisons. These programs are tagged as “behavior modification,” “spiritual,” “educational,” “livelihood,” “sports and recreation,” and “medical” programs. These disparate programs are devoid of any holistic philosophy that ties the programs together. “Rehabilitation” programs are offered to everyone, without proper diagnosis if these are appropriate, with the assumption that programs are equally applicable to all inmates. Worse, inmates can participate to these “reformation” programs for the wrong reasons. For example, college educated inmates can enroll as “students” in “elementary school programs” just to avail of free time that are given to students. An inmate leader, who is already proficient in computer, for example, admits that:

“I enrolled in the basic computer literacy because this will be good for my GCTA record. I can have time deducted” (Inmate leader, M9).

Program participation and completion to one program are also not related to other programs. There are no progressions from one program to another. As such, inmates can choose to participate in livelihood program (say crafts-making) as they deem necessary for years. An inmate in livelihood program explains:

“This is the only available program. Sometimes, I already get bored working in this but this is better than nothing. It would be good if there are openings in other programs soon but it hard to enlist in those programs” (Ordinary inmate, M13).

Program participation and completion are also not related to improvements in housing status. Inmates can still remain in Maximum Security Compound even if they had successfully completed all the “behavioral modification programs.”

Transfer from the different housing units is not based on program completions but rather on violations to the “rules of the prison” be it the formal or informal rules. As such, a Maximum Security Compound inmate can be “punished” by transferring him to the Medium Security Compound. Worse, inmates can be transferred to far-flung penal camps as a ploy to generate income: inmates can pay prison officials to transfer other inmates whom they are at odds with. As one inmate says:

“Inmates want to stay in the Maximum because here inmates have maximum privileges. Everything is here: drugs, alcohol, tilapia (prostitutes), cellphone, recreation, and so when they are transferred to Medium or Minimum, that is considered a punishment. They need to readjust again” (Inmate leader, M14).

There is also a mismatch between the programs offered and housing status of inmates. For example, most of the NGOs providing employment services visit the Maximum Security Compound whose inmates are not yet due for release but seldom visit the Minimum Security Compound whose inmates are nearing completion of sentences and are therefore in need of job referrals. A prison officer from the Minimum Security Compound laments:

“All the benefits are in the Maximum. The Minimum is rarely visited. We are the forgotten bunch” (Custodial officer, M22).

Since the disparate programs are initiated by different groups (that is, by a particular rehabilitation office, by a volunteer group, or by an inmate organization, and a gang), an unhealthy and acrimonious conflict among these groups ensues. These groups compete against each other over participants, space, time, and resources. For example, a “sports program” sponsored by the “Sports and Recreation Office” can conflict with the “Spiritual Office” over the use of limited facilities. A “sports program” can also conflict with a “sports program” initiated by a rival inmate group for “prestige.” This is exemplified by the quarrel among the different religious groups:

When religious groups come here, they invite any inmates who are willing to participate. It is the mayores sometimes who choose to participate in the programs. Sometimes inmates participate in similar programs. In the morning they attend the Catholic groups, in the

afternoon, they attend Protestant groups, in the evening they attend other born again groups. They sometimes get confused. And different groups try to convert each other's members to their sect. The Catholics complain that other groups poach their members. We always have to deal with this type of conflicts" (Rehabilitation officer, F9).

The quarrel can also be between the employees and inmate leaders. For example, a mid-level rehabilitation officer complains:

The gangs have so much power. They encroach to our territory. We have this partner, he is a foreigner. He introduced a certain crafts-making business to the inmates in the maximum security. He trained the inmates for a couple of months. He really invested a lot of money in the training. And we thought it would a good livelihood project. We can help the inmates. But then one day, the inmates whom he trained did not show up. Accordingly, the bosyo of their gang told them not to show up. The bosyo demanded that they get 30 percent of the profits. The bosyo said that since, they were using the gang's facility, then they should have 30 percent of the profits. I was shocked and dismayed. We cannot do anything. So we just transferred our operations in the medium security...that is really sad" (Rehabilitation officer, M23).

Rehabilitation programs are also "politicized" activities. Programs are initiated by particular groups to strengthen their political position in the prison society. Since the capacity to organize and deliver inmate programming adds to the prestige of groups sponsoring them, lining up of numerous activities solidify their power. This power can then be utilized to effect policies in the penal facility. For example, after a successful conduct of a particular activity, say a sports program, the sponsoring group gains political points, and these points can be utilized to affect succeeding policies, like appointment of rehabilitation officers. Finally, the lack of coordination between reformation and security officers make the rehabilitation programs a potential tool or front to cover some illegal activities or practices inside the prisons. Drug dealers, for example, can create fake inmate NGOs as conduits to smuggle drugs inside the prisons.

As such, there are no coherent programs in supervising and controlling inmates. The "Maximum Security Compound" is a misnomer as inmates in this facility can freely roam around the premises from sunrise to sunset. It is the least secured of the three inmate compounds in the NBP. On the other hand, the Minimum Security Compound had been in a lockdown status due to the recent escapes by inmates, thus making it the most secure compound. Worse, some officers wanted to be assigned to the Maximum Security Compound due to the profit-making opportunities it offers. One officer confides:

"There are some officers here who will do everything in their powers to be assigned to the Maximum. Because, in Maximum, inmates have money. Sometimes, I see prison officers who are about to give birth and should have taken a maternity leave go to work because just showing up to work gives them a chance to get something from the inmates (Rehabilitation officer, F10).

The concentration of moneyed inmates in the Maximum is a source of envy for those assigned in the Medium and Minimum. The Medium and the Minimum are considered "dessert" and "dry". One officer, who is against this practice, laments:

Sometimes, it is hard to believe, we have gotten this low. I even see top officers debating whether an inmate needs to be transferred to another compound or to another penal facility so that those compounds or penal facilities can also share from the benefits. Maambunan naman ng grasya. They need a big time drug lord in so and so camp so that they can also extract resources from those inmates. They plan their activities based on the corruption opportunities it will bring (Custodial officer, M24).

The lack of integrated programming activities for inmates, coupled with the absence of effective classification and housing heighten the criminogenic influences of the prison environment. For example, inmates with drug cases mingle with inmates with kidnapping cases, and anecdotal accounts suggest that these inmates combine resources to stage drug dealing activities inside and outside of the prison compound. An inmate leader says:

They meet here. They become good friends. KFR groups have the manpower. Drug groups have the goods. They build on each other's strength. That is why, you hear former inmates with KFR cases, when they get released, you read from the news, they entered in new ventures (Inmate leader, M5).

4.4. Documentation and Assessment

Prior to the summer of 2013, officers admitted that there were no systematic ways of documenting and assessing inmate activities. While rehabilitation officers note participation in prison program activities, these are not systematically incorporated to the inmate files. As such, inmates who wish to avail of Good Conduct Time Allowance (GCTA) for good behavior to support their application for Parole and other forms of early release have to rely on the personal “memory” of rehabilitation and security officers. As one officer says,

“One inmate came to me and asked me to certify his participation in religious program that happened 5 years ago. I looked for my records and I cannot find it. But I remember he did actually participate so I obliged. He is very happy I remember because he can't locate his old certification. That is why, I recommended that we should always provide a copy to the documents section” (Rehabilitation officer, M25).

Inmate infractions and other violations of prison rules were also not routinely collected and documented. While custodial officers make an official report to any disciplinary infractions, these are also not systematically incorporated to the inmate files. A cursory look at the inmate *carpeta* (physical documents of the inmates) would show that prison officers would not know the performance of inmates under their care. An officer notes:

“If you read an inmate file, there is only information about the case. But you cannot read anything about his institutional history. If he had been into fights or used drugs or any violations. If you look at the files, our inmates are all clean” (Records officer, F11).

The absence of systematic documentation translates in absence of data that can guide policy decision that are based on empirical evidence. For example, it is difficult to determine which gang is most involved in drug trade or violence or which NGO groups are responsible for most

infractions. Basic questions as to how many inmates have been disciplined in the past year will be difficult to verify as officers have differing definitions of punishment. The responses to these questions are also based on individual experiences and loyalties of the prison officers. A prison officer attached to a particular gang, for example, would never consider that gang problematic and would view other gangs as the problem even if the data shows otherwise.

In extreme cases, the computation of inmates' "Good Behavior" is easily convertible to cash as this practice becomes discretionary. Some prison officers can vouch for the inmates even if those inmates are notorious in their drug involvement. An inmate complains:

"The important thing is pakikisama. How you get along with the officers. As long as you give what they want, then you are okay. So many inmates can still be given good certification even if they deal drugs here" (Inmate leader, M5).

It is also susceptible to the manipulation of powerful politician who practice their political power the wrong way. As one officer says:

You would wonder why an inmate had been released. That inmate has a long sentence. Then you realize that he is well connected. He has connections even up until the Office of the President. He was released on parole. Heck, other inmates are more deserving of parole. And I don't know where the certification of good behavior came from. I only knew he lorded over the inmates and intimidated the guards here and violated all our rules. But he was released on good behavior. That is penal management to you, Munti style. Justice for sale" (Rehabilitation officer, F12).

The absence of documentation and assessment also means that there are no bases for re-classification of inmates. Most inmates are therefore released directly from the Maximum Security Compound as inmates had never progressed from one housing security level to another. And if inmates are transferred to Medium or Minimum, it is because transfer to these lower security camps is conceived as a punishment. Worse, the re-classification of inmates is a major source of corruption. An informal discussion between an inmate leader and a prison official yields the following:

"I saw the list of inmates to be transferred, I wonder why the names of my people are there. It cost me a lot to remove their names from the list" (Inmate leader, M7).

The officer replies:

"You know, it is June. It is payment of tuition fees of their children. They have to do something. Make a list and those who wanted to get off the hook just pays. It is easy money" (Prison officer, M26).

4.5. Summary of the current conditions

Taken all together, the current Bureau of Corrections lacks an overall correctional strategy. The different offices and divisions are fractured and they seemingly operate independently.

Management of the prisons is on day-to-day basis and geared towards the control of scandal breaking out to the media. Thus, the Bureau of Corrections is a continual source of dismay to the National Government. Media coverage of ineptitude and corruption of prison guards put the government in a bad light. Drug wars among inmates can escalate in the outside. Inmates can bribe their way out. And though the gangs and the guards maintain a semblance of peace and order, conflicts and violence are hidden in the cells and can erupt anytime. In extreme cases, prison guards who double-cross inmates are murdered. Inmates who do not follow the prison code or violate its rules are also killed. Prison officers and inmates are thus victims of the system and victimizers of each other at the same time. And almost everyone is cynical of reforms.

5. The total reform package

There had been numerous but disparate efforts to reform the Bureau of Corrections. Individual erring officers had been removed or suspended from the service and inmates involved in the drug trade had been transported to distant penal colonies. However, these individual level reform efforts had limited success as other correctional officers and other inmate drug dealers immediately occupy the vacated positions. There are also current efforts to regularize the prison services. Recent reforms include articulating and delineating the procedures and standards to be followed in each department. However, given the current structural limitations of the Bureau, these idealized procedures and correctional standards are hard to meet. Finally, a series of trainings to change the prison culture of officers had been introduced. The officers are trained in anti-corruption practices. However, these cultural trainings are not sustained and prison officers who follow the tenets from the trainings complain that they are the ones being ostracized. As such, the systemic corruption in the Bureau of Corrections is so ingrained that a patch-up, disparate solutions are not enough.

The passage of the Modernization Law is thus a timely development and fits well the overall visions of the National Government to achieve peace and order and a society based on the rule of law. The Modernization Law requires a total reform package that addresses key areas of reform: the structural (lack of facilities, personnel, and resources), organizational (operational manual, personnel development, and capacity building), and cultural (corruption, *padrino*, non-professionalism). A holistic package that addresses these three areas *simultaneously* are necessary as change in one component may not be enough without corresponding changes in other components. A new prison system should also incorporate Filipino traditional values that can be harnessed towards effective prison management. The idea of a 2,000-inmate population Regional Prison is introduced.

5.1. Structural change

5.1.1. Facility development

The BuCor Modernization law mandates upgrading of prison facilities and pouring of additional resources. A physical inspection of the overall status of prison facilities must be conducted to identify facilities in need of immediate improvements. Prison facilities must be rated of actual capacities and facilities that are in excess of the current inmate population must be identified. An

inmate-population limit must be stated for every penal facility. A program for facility development in the identified prison camps needs to be in place.

New Regional Prisons must be constructed for Northern, Central, and Southern Luzon and the existing Regional Prisons in the Visayas and Mindanao must be strengthened. The New Bilibid Prison (NBP), with its 22,000-inmate population, is one of the few remaining mega-prisons in the world. A prison facility with such a huge population, as had been documented, is conducive to the development of criminogenic practices and corruption. Prison literature suggests that excess in prison populations relative to capacity is related to increases in violence and other disturbances (Farrington and Nuttall, 1980; Gaes and McGuire, 1985). The current plan to relocate the NBP must consider breaking up this gargantuan inmate population and construct multiple Regional Prisons. Prison literature suggests that prisons with inmate populations of more than 2,000 inmates are hard to control and manage, even if the facilities and personnel capacity are upgraded (Ekland-Olson, 1986; Griffin and Hepburn, 2013; Johnsen, Granheim and Helgesen, 2011; HM Inspectorate of Prison, 2009). Specifically, this report advocates for the construction of multiple Regional Prisons with an inmate population size ranging from 1,000 to 2,000 inmates for each of the administrative regions in the Philippines. The prison population size will depend on the actual number of inmate population coming from each region.

Construction of multiple Regional Prisons is favorable to the Bureau of Jail Management and Penology (BJMP), as it would lessen their cost to transfer convicted inmates. A Regional Prison in Region 1, for example, can cater to inmates coming from the BJMP and provincial jails located in that geographical area. Constructing regional prisons would also increase accessibility of the inmates to family visitations, which is a key ingredient in successful reintegration. Finally, regionalizing the prison can lessen the regional tensions among the inmates, which has been the basis of gang formation in the NBP.

Construction of Regional Prisons can be done in an incremental evidence-based approach. A model Regional Prison can be first constructed in a Region willing to host the new Regional Prison. Upon construction, a new set of prison officers who are trained in the new methods of correctional management will be deployed. Ideally, these new set of prison officers must be recruited and trained specifically for this purpose. Prison officers from the existing penal facilities may apply to the position but will be required to undergo extensive training as the new recruits. This is imperative so that old penal practices that are so ingrained in the mentality of current prison personnel will not be transferred to the new Regional Prison. Newly sentenced inmates who come from the regional area will be placed in this model Regional Prison. Inmates currently serving time in other penal facilities but who originally resided from the geographical area may request for transfer. Prior to the transfer, however, inmates need to be oriented to the regulations of the Regional Prison. Prior gang affiliations, for example, needs to be addressed. Again, these are important in order not to contaminate the new Regional Prison with the old penal practices.

The Model Regional Prison shall be the template for constructing additional Regional Prisons. The physical structures of the buildings, inmate programming, and the operational processes will be assessed and will become a template for the construction and operation of additional Regional Prisons. It is envisioned that two Regional Prisons will be constructed in three-year cycles, up

until the time that Regional Prisons are constructed in every Region. This will provide the BuCor with ample time to train personnel and learn from their previous experiences.

5.1.2. Personnel Strength

The BuCor modernization law also mandates the upgrading of personnel. The number of personnel should be increased and meet the standard personnel of inmate-guard ratio. Given the ideal custodial ratio of 1 is to 7 and rehabilitation ratio of 1 is to 24, there should be at least 7,500 personnel in the BuCor catering to 40,000 inmates. As such, at least 5,000 personnel need to be recruited to meet the ideal.

The remuneration of the correctional staff should be made at par with other similar agencies in order to attract and retain the best professionals. This is mandated by the Modernization Law and needs to be implemented as soon as possible.

In a 2,000-inmate population Model Regional Prison, at least 370 personnel (286 custodial and 83 rehabilitation officers) need to be recruited and trained. These new personnel must be thoroughly trained on the principles of effective correctional management. As mentioned earlier, these personnel must be totally weaned from the old penal practices.

5.1.3. Resource provisions

The Modernization law mandates improvement in the operational capacity of the BuCor. These include increases in the subsistence cost for inmate food, clothing, medicines, and other needs. Provision for operational expenses also needs to be increased. This includes increases in the budget for the day-to-day operations of the Bureau.

In a 2,000-inmate population Regional Prison, the operational costs for running a prison is better estimated. That is, the corresponding budget for food, medicines, personnel expenses, and operational cost can be traced to the number of inmates in a prison facility. The expenditures in a population-capped prison can thus be properly accounted.

5.2. Organizational change

5.2.1. Operational manual

Improving the structures of the penal facility is the first necessary step in a holistic reform package. However, this needs to be complemented by improvements in organizational capacity. This can be done by articulating the goals of the Bureau and by delineating the processes to achieve these goals. The BuCor needs to formally state its policies regarding the conduct of personnel, inmates, visitors, and volunteer-service providers. A Correctional Personnel Manual must delineate policies on personnel recruitment, training, promotion and development. A Correctional Personnel Manual must also delineate policies on staff discipline. A Correctional Inmate Manual must designate a policy for classification of inmates, housing placement, participation in inmate programming, and inmate discipline. This includes policies on inmate transfers, awarding of Good Conduct Time Allowance (GCTA), and participation in

programming. A Correctional Service Provider Manual must delineate policies for the recognition and partnership with service providers. This will include delineation of their roles and obligations and the bases for termination of their recognition. A Correctional Visitation Manual must also promulgate specific rules for the conduct of visiting privileges, the roles and obligations of visitors, time for visitation and who can visit an inmate.

Given the current structural limitations and the time needed to realize the construction of ideal prisons, the BuCor Manual must, in the interim, officially recognize the presence of informal practices, like use of inmate *nanungkulan* (leaders), *kubol* (cubicle), *patakaran* (rules) and *talipapa* (market). This research had shown that if used in the “proper” way, these coping structures augment the lack of manpower, facilities and programs. It provides inmates a social space to protect their self-identities, and to develop social skills, which are key for their successful reintegration to the society. These coping mechanisms are also uniquely tied to the Filipino collectivist culture of *damayan* (sharing) and *bayanihan* (community living).

By fully incorporating a guiding policy on these informal structures, the prison officers can direct its use for rehabilitative purposes. For example, prison officers can set the criteria for selection of inmate leaders, conduct inmate leaders training programs, and formalize dialogue with inmate leaders. Additionally, by formalizing the informal rules, the wide discretionary powers of the correctional officers and inmate leaders can be curbed. This lessens the opportunity for corruption and abuse of power.

Also, the awarding of informal privileges can be tied to good behavior. Meritorious criteria can be developed to guide the awarding of the privileges attendant in the *nanungkulan*, *kubol* and *talipapa* system. With the passage of the Law on Good Conduct Time Allowance (GCTA), inmates who participated and completed the rehabilitation programs and are supportive of the formal and official goals of the Bureau (reformation) can be meritoriously awarded these privileges. This should replace the commercialized and politicized allocation of limited commodities.

In model Regional Prisons where facilities, personnel and operational resources are fully provided, there will be no need to rely on *mayores*, *VIPs*, *kubol*, *patakaran*, *talipapa*, *pangkat*, and other informal structures. In the Model Regional Prisons, all policies will be formalized and an integrated inmate programming based on the principles of effective correctional management will be in place. This will be discussed in the succeeding sections.

5.2.2. Personnel development

A modern training school must be constructed. A training school needs to be created to professionalize the prison service and to improve personnel quality. The training school must be given resources to beef up its recruitment capacity. The training school must have the capacity to train at least 200 new personnel and retrain at least 100 current personnel every year. Retraining is a mechanism to increase the technical expertise of the current personnel. The trainees must be given single and full-time assignments to the training school. The trainees must have advanced degrees and experiences in effective penal management.

5.2.3. Organizational capacity

Personnel must be knowledgeable on the principles of modern correctional management. Most of the current officers do not have a background on issues of inmate security and rehabilitation. Most officers learn of the old penal practices and replicate these practices in their work. In cooperation with a local university, it is suggested that all the current officers must undergo training on the principles of modern correctional management. A certificate course can be offered to selected personnel of the BuCor, the Bureau of Jail Management and Penology (BJMP), and the Parole and Probation Office (PPA) to sensitize these agencies on the principles of effective correctional management. It is suggested that, in the next 10 years, at least 10 prison officers will be sent abroad for a two-year graduate study. This mechanism will expose the officers on the best and promising practices in other countries.

Exchange program with the BJMP and Provincial Jails can be instituted so that best practices from the local jail facilities can be adapted. A Correctional Standard shared by BJMP and the BuCor can be developed so that their practices can be integrated. For example, the classification system of BJMP and BuCor must jibe, and the rehabilitation programs undertaken by the inmates in the BJMP jails must have some continuity when they are transferred to BuCor prisons. A Correctional Journal can be jointly published by the BuCor and the BJMP, with the support of Universities offering Criminology programs, where best practices are shared, adopted and evaluated.

5.3. Cultural change

While structural and organizational change are key components of reform, the culture of corruption, *padrino system*, *kamag-anak* and other ingrained practices in the Bureau of Corrections need to be addressed as well. Improving the facilities and improving the basic pay of the staff, as mandated in the Modernization Law, will be a start in the right direction. However, these must be complemented with a cultural change.

5.3.1. Code of ethics

A code of ethics must be promulgated to guide the conduct of prison officers. All prison officers must be regularly sensitized to the code of ethics. Online and face-to-face trainings must be regularly conducted. New cultural scripts must be introduced to the personnel that will overcome ingrained cognitive views that justify corruption. For example, “*okay lang na tumanggap ng pera mula sa inmate hangga’t kusang ibinibigay*” must be changed to “*Kailanman ay hindi okay tumanggap ng anuman mula sa inmate.*” These new cultural scripts must be introduced in the training academy and continually reinforced in the different penal institutions.

5.3.2. Professional development

The BuCor must also institute a professional development program where personnel are regularly sent every three years to the training school for Advance Schooling. All personnel aspiring for promotions must also pass accreditation and/or qualifying exams. Criteria and procedures for promotions must be properly delineated. These practices can lay the foundation for developing a culture based on merit and will eliminate the *padrino* and *palakasan* (favoritism) in the promotions. Relatedly, the informal practice of recruiting new personnel from among the ranks of the relatives of the current prison officials (known as the next of kin selections) must be discontinued. This can help eliminate the *padrino* and *kamag-anak* system.

6. An integrated correctional programming in a modern BuCor

If the structural, organizational, and cultural deficits of the BuCor are addressed, an enabling environment can be put in place to support the rehabilitation and reintegration of the inmates as productive citizens upon release. An integrated programming based on the principles of effective correctional management can be introduced. The ideal programming is spelled out in a modern 2,000-inmate population Regional Prison.

6.1. Classification of inmates and the Reception and Diagnostic Center

Current correctional literature suggests that proper classification of inmates is the first step in safe custody, successful rehabilitation and reintegration of inmates. Inmates must be classified based on principles of Risk, Needs, and Responsivity (RNR) (Andrews, Bonta and Wormith, (2006). The Risk principle suggests that the amount of supervision and control accorded to inmates will be based on their risk levels, that is, high-risk inmates need more programming supervision and control, and low risk inmates need less programming supervision and control. The Needs principle suggests that the factors that led inmates to criminal behavior must be properly and fully diagnosed. The Needs principle assumes that there are different pathways on why individuals commit a crime and these pathways must be fully identified. Upon identification, an intervention program for inmate will be introduced that will address the specific factors that lead to criminal behavior. For example, inmates who maintain criminal thinking (that is, endorse a criminal and illegal behavior) must be provided with intervention programs that target to change their criminal cognition. The Responsivity principle suggests that inmates respond differently to programs and that programs must be specifically tailored to their capacity to respond. For example, correctional literature suggests that inmates with mental disabilities are less likely to respond to cognitive restructuring but respond more effectively in behavioral therapy.

The RNR principle will be put in lieu of the sentence-based classification. As previously mentioned, the BuCor currently utilize length of sentence as the sole basis for classifying inmates. A classification and assessment instrument will be constructed based on the RNR principles. This instrument will be regularly updated based on its capacity to predict inmate behavior.

The classification of inmates will be conducted in a Reception and Diagnostic Center (RDC). In the modern corrections, a Regional Prison of 2,000 inmates shall have a fully staffed RDC. The RDC is the point of entry of the inmates in the correctional facilities. Inmates stay in the RDC

for a maximum 60 days. Ideally, at most 10 percent of the inmate population (200 inmates) will be housed in the RDC for a particular point in time.

Based on this classification, the RDC staff, in consultation with the inmate, will develop an Individualized Rehabilitation Plan. The Individualized Rehabilitation Plan will guide the inmates on what rehabilitation modules to undertake while serving their sentences. The Inmate Rehabilitation Plan will also specify the Length of Housing Placement for each inmate as they progress through their sentences.

In line with the provisions of the Good Conduct Time Allowance (GCTA) Law, the RDC staff will also discuss to inmates the different ways in which he or she can be credited with Good Conduct Time Allowance. A key activity in the RDC is the simulation how good behavior and participation in rehabilitation programs will translate to early release. This will impress to inmates that their release will all depend in their own performance.

Thus, while in the RDC, inmates will be properly oriented on desirable inmate behaviors. Inmates will be oriented on prison rules and regulation. A Correctional Inmate Manual will be provided to each inmate. The Correctional Inmate Manual spells out the dos and don'ts inside the prisons. The Correctional Inmate Manual will also spell out the penalties that will be assessed to the inmates if they violate any of the rules and regulations. The Correctional Inmate Manual will spell out the disciplinary process and the rights of the inmates in the disciplinary process.

In line with effective record keeping practices, basic information will be gathered from the inmates. This includes gathering of demographic information, biometric information, case information, criminal history, and life history of the inmates. The RDC will maintain a computerized database of inmate information. All documents pertaining to the inmates will have an electronic version (case decisions, certification of detention, certification of good moral character, etc.) These information must be systematically linked to the Records and Document section database.

The re-structured RDC must be staffed with competent personnel. Masters level psychologists, social workers, criminologists, and sociologists must be immediately hired to increase technical capacities of the staff. Computer programmers must also be hired to systematize the data collected in the RDC.

6.2. Housing placement

The housing assignment is an integral part of inmate programming. In a 2,000-inmate population prison, there shall be three housing security levels (Level III, II and I). These levels will have varying levels of control, inmate movement, programs, and privileges. Special housing will be designated for inmates with special needs.

In each of the housing levels, inmates can be grouped together in dormitories, wings within dormitories, or cells within wings, where they can be part of dormitory, wing or cell-based

programs. This setup is in recognition of the communitarian nature of Filipino inmates where they tend to create small communities.

6.2.1. Level III housing

Level III housing is designed for inmates with higher levels of risk and needs. The level of control on inmate activities will be restrictive. Intensive surveillance will be in place. Inmates will have a restricted movement and privileges will be minimal. Inmate programs are geared towards cognitive change like psychotherapy, counseling, and substance detoxification. It is ideal that in a 2,000-inmate prison population, not more 15% of the inmates (350) will be classified in this category. The number of inmates per cell in this housing unit should NOT exceed two inmates (double celling). Custodial officers assigned in this housing level are expected to have training in handling high-risk inmates. Rehabilitation officers assigned in this housing level should have training on individual counseling and cognitive therapies.

6.2.2. Level II housing

Level II housing is designed for inmates with moderate levels of risk and needs. The level of control on inmate activities is less restrictive compared to Level III inmates. Moderate surveillance is in place. Inmates are freer to move around and have more privileges compared to Level III inmates. Inmate programs are more geared towards social equipping like livelihood, education, and prison industries. In a 2,000-inmate prison population, it is ideal that 50% of the inmates (1,000) will be classified under this category. The cell arrangement can be multi-occupancy where 6 to 8 inmates can form a basic unit. Programs can be implemented in the cells. Custodial officers assigned in this housing unit are expected to serve as role models for the inmates. Rehabilitation officers must be knowledgeable in implementing group programs like community therapies and faith-based programs. Inmates with good behavior can be recruited as “Peer Mentors” and they can serve to assist rehabilitation officers in implementing the programs. These “Peer Mentors” must be properly selected, trained and groomed and will serve as role models for inmates. The “Peer Mentors” however will not be given custodial functions over other inmates.

6.2.3. Level I housing

Level I housing is designed for inmates with low levels of risk and needs. Inmates who are nearing the completion of their sentences can also be transferred to Level 1 housing. There is minimal control on inmate activities. Inmates are allowed to roam freely. Inmate programs are geared towards reintegration of inmates upon release like establishing ties with family, employment and community, and reaching out to victims. In a 2,000-inmate prison population, it is ideal that 35% of the inmates (850) are placed under this category. The cell arrangement can be cottage occupancy where 15 to 20 inmates can for a basic unit. Programs can be implemented on the cottages. Custodial officers assigned in this housing unit are expected to be role models. Rehabilitation officers must be equipped in implementing prisoner reentry programs. Like in the Level II, “Peer Mentors” can be mobilized in the implementation of rehabilitation programs.

6.2.4. Special Housing

Special housing placements shall be in place for inmates with mental and medical health needs. Inmates in need of protective custody from other inmates or inmates who perennially violate the rules or engage in violence shall be placed in special housing unit (SHU). Inmates in Special housing units are single cells or 1 inmate per cell.

6.2.5. Transfer of housing

Transfer of housing must strictly be based on behavioral criteria. Inmates who had dutifully followed the rules and regulations in higher-level security housing can be transferred to lower-level security housing. Inmates who failed to follow rules and engaged in infractions can be transferred to higher security levels. It is ideal that inmates advance to lower levels of security upon demonstration of good behavior and inmates are released from Housing Level 1 so they can avail of pre-release programs.

6.2.5. Old Penal practices

These new housing placement suggests that dorm and cell assignments must be reclaimed from the inmate leaders and their gangs. The Bureau should have the sole prerogative to determine inmate-housing placement. The “bidding process” where inmates are auctioned to the highest bidders should also be eradicated. The placement of inmates to “Minimum” due to special arrangements with prison officials should be eradicated as well.

6.3. Inmate programming

Upon successful classification and housing placement, inmates must undergo a holistic and sustained programming. The programs inmates undergo to must address the criminogenic factors that led them to the commission of their crimes. For example, inmates who used and abused drugs must undergo Drug anti-relapse prevention programs and inmates who committed sex-related offenses must undergo Sex therapy programs.

6.3.1. Inmate Rehabilitation Plan

The Reception and Diagnostic Center must provide each inmate with an Inmate Rehabilitation Plan. The plan must identify the programs the inmate will undergo to for at least the first two years of stay in prison. The Inmate Rehabilitation Plan will form part of the carpeta (files) of the inmates. The rehabilitation officers, who will design the Rehabilitation Plan for succeeding years, will conduct assessment of the performance of the inmates.

6.3.2. Program characteristics

The inmates must undergo modular programs. That is, programs must have a beginning and an ending date. This will ensure that there is a basis to determine inmate completion of programs. Programs can run for 3 months, 6 months and 1 year. All programs must have clear criteria for participation and selection so that inmates needs and program content will match. The programs

must have a clear description and must identify specific activities that inmates undergo to. There must be a curriculum or a syllabus that describes the content of the programs. The programs must also be based on sound criminological theory and needs to be continually evaluated. Programs that are not effective in reforming the inmates need to be discarded. All new programs must be pilot-tested for effectiveness prior to wide scale implementation.

6.3.3. Types of programs

The programs can be generally classified in three broad categories: Cognitive change programs, equipping programs, and reentry programs. Cognitive change programs are programs intended to change criminogenic thinking and behavioral patterns among the inmates. These programs are most helpful for inmates in the higher levels of security (III and II) and for inmates who are new to the prison system. The programs include: Cognitive restructuring, Anger Management, Psychotherapy, Therapeutic community, Intensive counseling, and Drug detoxification. Faith based programs and Yoga can also be placed under this category. Equipping programs are programs intended to improve the social and technical skills of the inmates. These programs are most helpful for inmates in the lower levels of security (II and I) and for inmates who completed most of the cognitive change programs. The programs include: educational and vocational programs, computer literacy, livelihood, crafts making, arts and the like. Reentry programs are programs that are intended to prepare inmates for their release. These programs are most helpful for inmates in the lowest security level (level I) and inmates about to be released (at least two years before release). The programs include: work furloughs, resume development, connecting with potential employers, locating family members, and reaching out to victims and community.

All these programs can be offered in the different Housing Levels but with varying emphasis. Cognitive change programs will be emphasized in Security level III, equipping programs in Security Level II, and reentry program in Security Level I.

6.3.4. Program providers

The BuCor, through its Rehabilitation Section, will supervise the implementation of the programs. The Rehabilitation Section will come up with a list of program offerings, the number of inmates that can be accommodated in a particular offering, the type of inmates that will be accommodated in a program offering, and the length of time the program will be offered. Non-governmental organizations, religious groups, and other service providers, must provide a detailed description of their programs. The BuCor shall evaluate whether programs are congruent to the overall goals of the institution and these programs may be approved (or disapproved) for implementation.

6.3.5. Inmates role in rehabilitation programs

As mentioned, good behavior inmates can be tapped a “Peer Mentors” and they can help facilitate the implementation of the programs. Inmates must be trained and groomed for these roles. They must serve as role models to other inmates. For inmates to become and remain as “Peer Mentors”, they should continually exhibit good character and should not be involved in

rule infractions. In exchange for their participation, “Peer Mentors” can be provided with more privileges and grant of the GCTA.

6.3.6. Old penal practices

The success of the inmate programming depends on the level of integrity of prison officials. As such, prison officers should do away with personal fraternization among the inmates and desist from serving as *padrino* to the gangs. There should also be a strict prohibition against “*orbit*” where prison guards request money from the inmates. Prison guards must also do away with favoritism and treat the inmates equally.

6.4. Documentation and assessment

6.4.1. Program participation

Inmate participation in all the rehabilitation programs must be fully documented. The Rehabilitation section and the specific service providers who offered the programs must provide a certificate of completion. Participation in these programs can count towards the awarding of the inmates GCTA. This shall also be the basis for application for Parole and other forms of early release. The rehabilitation officers shall furnish the Documents and Records Section information of all the rehabilitation participation of the inmates.

6.4.2. Institutional behavior

Aside from program participation, inmates’ institutional behavior must also be documented. This includes rule violations, conflict with inmates and staff, and other behaviors that are prohibited in the Correctional Inmate Manual. The Custodial Section shall also furnish the Documents and Records Section information on all the rule violations committed by the inmates.

6.4.3. Inmate reclassification

The overall body of work of the inmates will be continually assessed. This shall form the basis for reclassification of inmates and transfer to lower levels of housing security. Inmates may apply for reclassification upon completion of the programs designated in the Inmate Rehabilitation Plan or every two years, which ever comes earlier.

6.4.4. Personnel development

The re-structured Documents and Records Sections must also be staffed with competent personnel. Masters level statisticians, policy analysts, and public administrators must be hired to increase the competency of these offices. The data collected can be a rich source of information that can guide the formulation of new policies.

6.4.5 Old Penal practices

The re-classification of inmates must be based purely on merit. This suggests that the old practice of creating a list of inmates to be transferred to a different penal facility and requiring inmates to pay in order to be removed from the list must be done away with. Additionally, the creation of certification of participation and good conduct will be based on documentary evidence. The old practice of providing certifications based on personal memory, a practice susceptible to abuse needs to be eradicated.

7. Summary and conclusion

Without a doubt, the realization of a modern Philippine Corrections will take time. It took decades for the existing penal practices to develop, it will equally take decades to undo these now ingrained penal practices. However, allowing the current penal practices to continue translates to the perversion of correctional principles, the effect of which can be seen by the series of scandals reported by the local media. Additionally, the haphazard and knee-jerk reactions to these reported scandals, like the transfer and suspension of personnel, without looking at the root causes of the problems, simply deepen the cynicism of the general public on prison reforms.

This paper provided ample narratives from prison officers, inmates, and volunteers that described the actual conditions inside a Philippine penal facility. It basically shows that the structural conditions like overcrowding, lack of personnel, and insufficient resources induce the creation of informal coping structures. These structures have short-term benefits as they keep a deficient facility from collapsing, however, in the long-term, it perverts the principles of effective correctional management.

A holistic strategy that addresses all three components (structure, organization, and culture) simultaneously must be in place. This is congruent with the mandates of the Modernization Law of the Bureau of Corrections. This paper provided an outline and numerous suggestions of how these three components can be addressed. The vision for a Model Regional Prison was also presented.

Glossary of terms

Bayanihan	A Filipino cultural trait that emphasizes community support
Bosyo	Top position in an inmate hierarchy
Damayan	A Filipino cultural trait that emphasizes helping one another; sharing of resources
Kamag-anak	Kinship system
Kubo	Cottage, stand alone private rooms constructed by the inmates outside of the cell
Kubol	Cubicle, private rooms constructed by inmates, either inside or outside of the cell
Mayores	Cell or brigade leader, leadership structure
Nanunungkulan	Inmate with a leadership position
Orbit	A corrupt practice where prison guards extort from cell to cell, like the earth orbiting the sun
Padrino	A patron
Pangkat	Gang or inmate brotherhood
Patakaran	Cell rules and regulations promulgated by the inmates and tacitly endorsed by the prison staff
Palakasan	Favoritism
Takal	Paddle, a form of punishment
Talipapa	Market
Tarima	Beds constructed by inmates
Trustee	Inmates employed by the prison staff on a personal basis
VIP	Literally, very important preso. Inmate who avail of privileges inside the cell in exchange of the support he provides

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