

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

EIGHTEENTH CONGRESS
First Regular Session

260
House Resolution No. _____



Introduced by AKO BICOL Party-List
Rep. ALFREDO A. GARBIN, JR.

RESOLUTION
**“URGING THE HOUSE OF REPRESENTATIVES TO EXERCISE ITS
OVERSIGHT FUNCTION AND TO CONDUCT AN INVESTIGATION IN AID OF
LEGISLATION ON THE IMPLEMENTATION OF RA NO. 10592”**

There was a recent report that over ten thousand inmates would soon benefit from Republic Act 10592 or the law that increased the good conduct time allowance given to inmates. One of those who was reported to be expecting to benefit from the said law is Antonio Sanchez, a former mayor of Calauan, Laguna.

However, there is a growing clamor to oppose the reported release of Antonio Sanchez, who was convicted in 1993 for the rape of University of the Philippines Los Baños (ULPB) student Mary Eileen Santos and murder of her boyfriend Alan Gomez. The Court sentenced Sanchez to serve 7 terms of reclusion perpetua for the said crimes.

Sometime In August 1999, the Court likewise convicted Sanchez for the double murder of Nelson and Rickson Peñalosa. The penalty imposed by the Court against Sanchez for this crime was 2 terms of reclusion perpetua.

Applying Article 70 of the Revised Penal Code, Sanchez is bound to serve the above cited terms of imprisonment successively but for a period which must not exceed 40 years.

However, according to the Department of Justice (DOJ), Sanchez may be scheduled for release in a couple of month despite only serving a prison sentence of more than 24 years due to R.A. 10592.

The said law modified the Revised Penal Code by increasing the good conduct time allowance (GCTA) which may be credited to a person deprived of liberty (PDL) for the purpose of reducing their prison term. In this case, Sanchez allegedly earned enough GCTA to be released from prison during his 24 years of confinement.

While at first glance, it may appear that the release of Sanchez is valid, the facts of his case and his behaviour while in prison does not coincide with the grant of GCTA which justifies the reported reduction of his sentence.

Foremost, Sanchez was convicted of “rape” and multiple “murders”. These crimes are clearly “heinous” within the meaning of R.A. 10592. As we may all

recall, persons charged with "heinous" crimes were specifically disqualified from the operation of the subject law.

Furthermore, it must be stressed that under the Uniform Manual on Time Allowance and Service of Sentence, GCTA "are not passive grants but require positive compliance to or participation in rehabilitation/ development and work programs. PDLs need to work out their time allowances and presupposes their faithful compliance to prison rules and regulation."

Unfortunately, during his stay in prison, Sanchez repeatedly violated the prison rules and committed criminal offenses.

Recent reports revealed that in 2006, a search operation conducted by the Muntinlupa Police in the jail cell of Sanchez yielded that he was in possession of Methamphetamine (Shabu) and Marijuana.

Sometime in 2010, Sanchez was again in the news after P1.5 million worth of shabu was discovered stashed in one of the Virgin Mary statues inside his jail cell.

Lastly, in another raid of the Maximum Security Compound, a flat-screen television, an air conditioner, and a refrigerator were found in the cell of Sanchez.

All these past criminal offenses and violations of the prison rules are indicative of the absence of intent on the part of Sanchez to rehabilitate and comply with the prison rules.

Hence, as it appears, Sanchez is not eligible to receive GCTA and must serve his full sentence of 40 years. To do otherwise, would be an injustice to the victims of Sanchez and a patent infraction of R.A. 10592 and the pertinent provisions of the Revised Penal Code.

More importantly, the release of Sanchez may be a precedent which would allow the early and arbitrary release of prisoners convicted of "heinous" crimes such as the self-confessed drug lords who appeared before the Justice Committee of the House of Representatives during the seventeenth congress.

While the Department of Justice and several Bureau of Corrections Officials made a U-turn by stating that Sanchez may not be qualified after all, the fact that his name was reported to be one of those who would benefit from the implementation of R.A. 10592 calls into question whether there are sufficient safeguards placed on the law itself and/or in its implementing rules sufficient to guard against abuse.

Likewise, the recent news reports of Sanchez's inclusion as one of the beneficiaries of R.A. 10592, notwithstanding his not so good behaviour while incarcerated as well as the very nature of the crimes committed by him, calls into question the integrity of the screening process and those responsible for the computation of good conduct credit.

Fairly recently, a cabinet secretary was of the impression that the premature announcement of Sanchez's release may have been meant to railroad his release and present a fait accompli," referring to a done deal or an accomplished and, presumably, irreversible act. This must be investigated, otherwise, a Pandora's Box allowing the release of convicted drug lords,

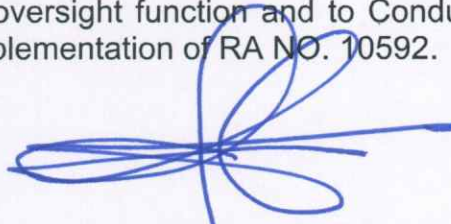
murderers, rapists and plunderers may be had under the guise of compliance with R.A. 10592.

Thus, an exercise of Congress's oversight functions and an inquiry in aid of legislation involving the screening process applied to Sanchez is imperative to facilitate the review or formulation of legislative policy concerning the reduction of prison terms of a person deprived of liberty.

Make no mistake about it, Republic Act 10592 is a good law, it seeks to promote a rehabilitation criminal justice - one that seeks to help, rather than to punish. Moreover, it seeks to unclog the country's overly populated jails. However, there is a need to determine whether the criterion used in the implementing rules of the law is consistent with the very law it seeks to implement. More importantly, it should be determined whether someone should be made accountable for recommending the release of Sanchez pursuant to said Republic Act 10592.

NOW, THEREFORE BE IT RESOLVED, that the House of Representatives exercise its oversight function and to Conduct an Investigation in Aid of Legislation on the implementation of RA NO. 10592.

Adopted.



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