



Republic of the Philippines
QUEZON CITY COUNCIL

Quezon City
22nd City Council

PO22CC-097

31st Regular Session

ORDINANCE NO. SP- **3235**, S-2023

AN ORDINANCE ESTABLISHING A SOCIAL REINTEGRATION PROGRAM FOR THE REFORMED QCITIZENS, AND FOR OTHER PURPOSES

Introduced by Councilor TATAY RANNIE Z. LUDOVICA

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Joseph P. Juico, Nikki V. Crisologo, Charm M. Ferrer, Fernando Miguel "Mikey" F. Belmonte, Candy A. Medina, Aly Medalla, Dave C. Valmocina, Godofredo T. Liban II, Kate Galang-Coseteng, Geleen "Dok G" G. Lumbad, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Maria Eleanor "Doc Ellie" R. Juan, O.D., Kristine Alexia R. Matias, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso, Victor "Vic" Bernardo, Alfredo "Freddy" Roxas and Julian Marcus D. Trono

WHEREAS, Section 10, Article II of the 1987 Philippine Constitution provides that:

"The State shall promote social justice in all phases of national development.";

WHEREAS, Section 1, Article XIII of the same Constitution also provides:

"The Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.";

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WHEREAS, as agent of the national government and being in direct communication with the grassroots level, the local legislative body may enact similar measures to promote social justice, protect human rights, and value the dignity of every person;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code 1991, provides that, "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare.";

WHEREAS, one aspect that the government should look into is the welfare of Reformed QCitizens who, after service of sentence or release from penal institution or drug treatment and rehabilitation center, experience difficulty in reintegrating into the mainstream of society particularly in seeking jobs because of the stigma that persons with criminal or drug use records are threats to the community and are not trustworthy;

WHEREAS, while imprisonment in the penal institution and confinement in a drug treatment and rehabilitation center are important and integral parts of the criminal and social justice system in every country, and play a vital role in upholding the rule of law to ensure that those who previously committed a mistake are brought to justice and changed, still, its ultimate objective is not solely to impose punishment but to rehabilitate and reform the violators to make them a changed person when reintegrated into the mainstream of society;

WHEREAS, those who have been incarcerated are not necessarily considered hardened criminals as the commission of crimes may be attributed to various factors, such as poverty, drug addiction, mental health, and other sheer necessities or, possibly, they were wrongly accused. Similarly, those who were confined in a drug treatment and rehabilitation center might be the victims of circumstances or confronted with personal problems that lured them into drug use;

WHEREAS, incarcerated or drug-rehabilitated persons are presumed to be reformed citizens considering their months or years of stay in penal institution or rehab center where they underwent or attended reformation, rehabilitation and moral recovery program;

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WHEREAS, it has been observed, however, that despite the long period of sacrifices, loneliness and remorse they suffered, the previously incarcerated or rehabilitated persons with such a notable previous criminal or drug use records are faced by problems and challenges to go back to the community because of feelings of discrimination and doubt from others;

WHEREAS, adhering to the principle of "parens patriae" (parent of the country), it is the duty of the government to ensure the welfare and protection of its citizenry, especially the vulnerable sectors who are incapacitated to take care of themselves or dependent upon the State for various reasons.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. SHORT TITLE. - This Ordinance shall be known and cited as the "Social Reintegration Program Ordinance" of Quezon City.

SECTION 2. DECLARATION OF POLICY. - It is hereby declared the policy of the Quezon City Government to promote social justice in all phases of national development and to recognize the vital role of its citizens in nation-building, including the promotion of social reintegration program for the Reformed QCitizens as a means to address the problems confronting those who were released from penal institution and drug treatment and rehabilitation center, and as a measure of crime prevention.

In consonance with this policy, the City Government shall protect the rights of Reformed QCitizens against any act that would adversely affect their dignity and self-esteem, family relations, personal development and employment opportunities.

SECTION 3. DEFINITION OF TERMS. - For the purpose of this Ordinance, the following words and phrases shall be defined as follows:

- a) **"QCitizens"** - refer to the citizens or residents of Quezon City;
- b) **"Reformed QCitizens"** - refer to all QCitizens who were:

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- 1) *Convicted of a crime and later released from penal institution after service of sentence;*
 - 2) *Deprived of liberty or underwent preventive imprisonment while undergoing court trial and later released from penal institution after acquittal or dismissal of the criminal case; and*
 - 3) *Confined in a drug treatment and rehabilitation center/facility and later released after completion of their treatment and rehabilitation.*
- c) **“Penal Institution”** - refers to the following:
- 1) *The City Jail-Male and Female Dormitory under the Bureau of Jail and Management Penology (BJMP);*
 - 2) *The New Bilibid Prison (NBP) under the Bureau of Corrections (BuCor) of Department of Justice (DOJ); and*
 - 3) *The Correctional Institution for Women (CIW) under the BuCor of the DOJ; and*
 - 4) *Other similar institutions.*
- d) **“Drug Treatment and Rehabilitation Center” or “Rehab Center” for brevity** - refers to a government or private facility, duly accredited by the Department of Health or the Quezon City Government, where drug or alcohol dependents are confined for a certain period of time to undergo programs and various therapies to help treat drug addiction, alcoholism, and other substance-use disorders. It also offers a range of treatments, including counselling, values formation and character development seminars, and sports activities;
- e) **“Program”** - refers to the Social Reintegration Program under the Office of the City Mayor;
- f) **“SRC”** - refers to the Social Reintegration Council;

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- g) **"SSDD"** - refers to Social Services Development Department of Quezon City;
- h) **"BPLD"** - refers to Business Permits and Licensing Department;
- i) **"PESO"** - refers to Public Employment Service Office of Quezon City;
- j) **"QCHD"** - refers to the Quezon City Health Department;
- k) **"BCRD"** - refers to Barangay and Community Relations Department of Quezon City;
- l) **"HCDRD"** - refers to Housing Community Development and Resettlement Department of Quezon City;
- m) **"QCPD"** - refers to the Quezon City Police District;
- n) **"BJMP"** - refers to the Bureau of Jail Management and Penology-Quezon City; and
- o) **"QCADAAC"** - refers to the Quezon City Anti-Drug Abuse Advisory Council.

SECTION 4. ESTABLISHMENT OF THE PROGRAM. - There is hereby established a Social Reintegration Program under the Office of the City Mayor with the following objectives:

- a) To help the Reformed QCitizens reunite with their families and revive their harmonious relationship through the conduct of family counselling and other related activities;
- b) To help the Reformed QCitizens continue their reformation and rehabilitation efforts and undertakings;
- c) To help the Reformed QCitizens reintegrate in the mainstream of society by providing them opportunities for employment, education, skills training, primary health care, moral recovery, and other social activities and services;

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- d) *To protect the Reformed QCitizens from discrimination, inhuman or degrading treatment, bullying, abuses and other acts that would undermine their value and dignity as a person;*
- e) *To lessen the incidence of recidivism as a measure of crime prevention; and*
- f) *To help and protect the family members of Reformed QCitizens.*

SECTION 5. REGISTRATION. - *All Reformed QCitizens who wish to avail of the benefits and privileges under the Program shall register with the SRC subject to the following conditions:*

- a) *He/She must be a resident of Quezon City at the time of his/her detention in the penal institution or confinement in the rehab center, as reflected in the certified copy of court/rehab center records, certification, or other authenticated documents, and opted to continually reside in Quezon City after his/her release from the said penal institution or rehab center as certified by the concerned punong barangay; and*
- b) *The provision of the City Government's assistance and enjoyment of benefits and privileges under the Program shall be for a period not exceeding five (5) years from registration. But, at anytime, he/she may be removed from the Program if he/she has violated the applicable policies or rules and regulations, committed another crime, violated any existing City ordinance, or found positive for use of illegal drugs.*

SECTION 6. ENTITLEMENT TO BENEFITS AND PRIVILEGES. - *All Reformed QCitizens who were admitted to the Program shall be entitled to the following benefits and privileges, to be granted by the concerned departments/offices of the Quezon City Government, as follows:*

- a) *Skills and Livelihood Training;*
- b) *Small business capital assistance;*
- d) *Referral for employment;*
- e) *Medical services and counselling;*
- f) *Scholarship grants and educational stipend; and*
- g) *Temporary shelter or House rental for three (3) months.*

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SECTION 7. FAMILY PROFILING. - Upon registration to the Program, SSDD, PESO, BCRD, QCHD, HCDRD, and the punong barangay concerned shall jointly conduct an assessment, investigation, or data gathering about the family members of the Reformed QCitizens, particularly with respect to the source of income or livelihood, health condition, education of children, shelter and status of residency, and other pertinent information. Thereafter, the SSDD, PESO, BCRD, QCHD, HCDRD, and the punong barangay concerned shall make a report and recommendation to the SRC for appropriate action.

SECTION 8. CREATION OF THE SOCIAL REINTEGRATION COUNCIL. - A Social Reintegration Council (SRC) is hereby created and attached to the Office of the City Mayor and placed under its administrative supervision. The SRC shall be chaired by the Head of the SSDD and shall be composed of the following members:

- a) Head of the BPLD or his/her duly authorized representative;
- b) Head of the PESO or his/her duly authorized representative;
- c) Head of the QCHD or his/her duly authorized representative;
- d) Head of the BCRD or his/her duly authorized representatives;
- e) Head of the HCDRD or his/her duly authorized representative;
- f) President, Liga ng mga Barangay or his/her duly authorized representative;
- g) City Legal Officer or his/her duly authorized representative;
- h) Chairperson, City Council's Committee on Public Order and Security or his/her duly authorized representative;
- i) Chairperson, City Council's Committee on Social Justice or his/her duly authorized representative;
- j) District Director of the QCPD or his/her duly authorized representative;
- k) Jail Warden of the male/female dormitory of the BJMP-Quezon City or his/her duly authorized representative;
- l) President, Quezon City Chamber of Commerce and Industry, Inc. (QCCCII) or his/her duly authorized representative;
- m) Representative from the QCADAAC;
- n) Representative from the Quezon City Drug Treatment and Rehabilitation Center, also known as the "Tahanan"; and
- o) Representative from the private drug rehabilitation and treatment center/facility.

The abovementioned representatives shall be at least holding the position with Salary Grade 18 or its equivalent, except the representatives of the QCCCII and the private drug rehabilitation and treatment center/facility.

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The SRC shall meet at least once a month on the date and time they agreed upon, except if there are urgent matters that require the holding of a special meeting. The monthly or special meeting of the SRC shall be held within the complex or building of Quezon City Hall.

SECTION 9. SECRETARIAT. - *The SRC Chairperson shall designate at least three (3) personnel from the SSDD to serve as the Secretariat, with the assistance of at least two (2) personnel from the Office of the Secretary to the Sangguniang Panlungsod (OSSP).*

SECTION 10. DUTIES AND FUNCTIONS OF THE SRC. - *The SRC shall have the following duties and functions:*

- a) To inform the Head of the penal institutions about the Program for dissemination to the Reformed QCitizens;*
- b) To receive applications for the Program, verify the records of the applicants-Reformed QCitizens duly issued by the concerned penal institution or rehab center, and determine the applicants' qualifications;*
- c) To assist the Reformed QCitizens in reuniting with their families, and help them revive their harmonious relationship, after providing them with the appropriate counselling;*
- d) To provide temporary shelter to the homeless or neglected Reformed QCitizens who are either abandoned or rejected by their families;*
- e) To make assessment as to the physical/mental condition of the Reformed QCitizens and their basic needs;*
- f) To provide or make referrals/recommendations for employment, skills/livelihood training, educational assistance and medical treatment, and extend other social services that will promote the best interest and welfare of the Reformed QCitizens and lead them to change their behaviour and character, and totally leave their dark past;*
- g) To monitor the conduct and activities of the Reformed QCitizens while under the Program which shall be the basis for their continuance or early exclusion in the Program;*

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- h) To seek legal assistance from the City Legal Department, Public Attorney's Office (PAO), and other entities or Non-Governmental Organizations (NGOs) offering or providing legal services to protect the Reformed QCitizens from discrimination, inhuman or degrading treatment, bullying, and other forms of abuses;
- i) To coordinate with and seek assistance from other government offices, department and agencies for the betterment and development of Reformed QCitizens;
- j) To submit report to the City Mayor every end of the semester as to the status, development, progress, and needs of the Reformed QCitizens;
- k) Furnish the concerned punong barangay a list of Reformed QCitizens who availed of the Program for the purpose of monitoring their behavioral changes, personality development, character, and reputation in the community; and
- l) To perform other relevant duties and functions as may be prescribed by the City Mayor from time to time.

SECTION 11. OBLIGATIONS OF THE REFORMED QCITIZENS. - While under the Program, the Reformed QCitizens shall:

- a) Refrain from violating the policies and rules and regulations of the Program, committing any criminal activity, or violating any existing City ordinance; and
- b) Participate in any activity of the City Government or barangay where he/she resides, particularly with respect to cleanliness and beautification, crime and fire prevention, and other activities affecting the environment and public order and security.

SECTION 12. ROLE OF THE HEAD OF THE PENAL INSTITUTION. - The Head of the penal institution shall, upon issuance of release paper, endorse in writing to the SRC those Reformed QCitizens who want to avail of or be registered in the Program.

SECTION 13. DISCRIMINATION. - It shall be unlawful for any person to discriminate or put in ridicule all Reformed QCitizens by reason of their criminal or drug use records. The SRC shall be responsible in the monitoring of any act of discrimination against the Reformed QCitizens.

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SECTION 14. BAHAY TULUYAN. - There is hereby established a Bahay Tuluyan in Quezon City to be operated and managed by the SSDD which shall provide temporary shelter and care to the homeless or neglected Reformed QCitizens. The stay in Bahay Tuluyan shall not exceed six (6) months unless, after a careful assessment by the SRC, it would appear that there is a necessity for its extension which shall also not exceed six (6) months.

Upon approval of this Ordinance, the SRC shall identify a City-owned property which can be used as temporary Bahay Tuluyan until such time that a permanent one is established or constructed.

SECTION 15. PENALTIES. - For the purpose of this Ordinance, the following penalties shall be imposed:

- a) For violation of Section 13 hereof, particularly the act of discrimination, the violator shall render community service in accordance with the provisions of Republic Act No. 11362, otherwise known as the Community Service Act; and
- b) For the unjustifiable non-cooperation of the heads of departments and offices under the Quezon City Government, as well as their employees, in the implementation of this Program, a fine of Five Thousand Pesos (Php5,000.00) shall be imposed, without prejudice to the filing of appropriate administrative charges in accordance with the existing national laws and City ordinances.

SECTION 16. IMPLEMENTING RULES AND REGULATIONS. - The City Mayor, City Administrator, and the Head of SSDD, after consultation with the members of the SRC, shall promulgate the necessary rules and regulations for the effective implementation of this Ordinance within sixty (60) days from its approval.

SECTION 17. SEPARABILITY CLAUSE. - If any provision of this Ordinance is held unconstitutional, other provisions not affected thereby shall remain valid and binding.

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SECTION 18. REPEALING CLAUSE. - All City ordinances, resolutions, rules and regulations, and other administrative issuances found to be inconsistent with the provisions of this Ordinance are hereby modified or repealed accordingly.

SECTION 19. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.

ENACTED: May 22, 2023.


GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: OCT 02 2023


MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on May 22, 2023 and was PASSED on Third/Final Reading on May 29, 2023.


ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)