

A/CONF.6/C.2/L.24

FIRST UNITED NATIONS CONGRESS ON THE PREVENTION
OF CRIME AND THE TREATMENT OF OFFENDERS
GENEVA 1955

OPEN INSTITUTIONS

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UNITED NATIONS

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In accordance with the tradition of past Congresses, it has been possible to secure the co-operation of certain national prison administrations for the printing of documentation for the First United Nations Congress on the prevention of crime and the treatment of offenders, which is from an historical point of view the Thirteenth International Penal and Penitentiary Congress. Thus the present report has been generously printed by the Federal Bureau of Prisons of the United States of America, in the prison printing plant at Leavenworth, Kansas.

A/CONF. 6/C. 2/L. 24

21 March 1955



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I. Introduction

In the Philippines the first attempt to employ prison labour outside the confines of the prison was made by the establishment of the Iwahig Penal Colony in 1904. Originally the institution was designed as a means to detach hardened and dangerous criminals from the main prison at Manila for permanent banishment to that remote island. However, a riot which resulted in the escape of the majority of these prisoners soon after their arrival at the institution caused the prison authorities to recommend a complete reversal of the operational scheme and the colony was converted into a model institution where the best type of first offenders were to be sent for rehabilitative treatment. The success of this experiment led to the establishment of a Penal Farm attached to the San Ramon Prison in 1912. During the next twenty years the advantages which the application of open institution standards to penal colonies afforded, both with respect to the individual prisoner and to the community, became even more apparent, and in view of the steady increase in prison population the Davao Penal Colony was established in 1932. Of more recent origin is the open unit of the New Bilibid Prison which was put into operation when that institution was transferred to its present site in 1937. Its creation was motivated mainly by the desire of the prison authorities to provide employment for hundreds of inmates who would be suited for assignment to an open institution but who could not be sent to penal colonies because of the short duration of the sentence imposed upon them. All these institutions are administered in accordance with policies laid down by the Central Bureau of Prisons in pursuance of the laws and regulations governing the correctional system of the country.

Even in the case of the Iwahig Penal Colony which was originally planned to take care of the most hardened criminals then confined in the Bilibid Prison at Manila, relief from over-crowding was one of the most important reasons that

led to the establishment of penal colonies and penal farms in sparsely populated agricultural regions of the country. The failure of the original plan led to its revision, resulting in the establishment of the first open institution in this part of the world. As the prison population grew, the penal farm unit of the San Ramon Prison, and later the Davao Penal Colony were opened. Early in 1954, the President issued an Executive Order creating the Sablayan Penal Colony and Farm in the island of Mindoro, and during the same year the opening of another penal settlement in the southern tip of the island of Palawan was authorized. Although it is true that the governing idea behind the creation of open type institutions was to exploit the vast natural resources of the country while pursuing a rehabilitative correctional programme, penal colonies of the open type are fast gaining favour in view of their self-sufficiency in maintenance and operating costs. Since it is impossible for any closed institution to employ all inmates in their custody, idleness becomes a major problem. This situation does not exist in the penal colonies and farms where all kinds of work projects abound. Public lands which otherwise would be left nonproductive are improved and become an asset to the State. The Philippines being an agricultural country, training and experience in farm work benefit almost all inmates who eventually go back to their own small farms when released from confinement. The opportunity for self-improvement gives them new courage and renewed hopes for a more secured and happy future. Incidentally, in the case of the Davao Penal Colony, its timely establishment by the government discouraged the dangerous trend of landholding schemes contrived by thousands of Japanese immigrants who succeeded in owning vast areas of fertile lands which they converted into well developed abaca plantations. The existence of a government owned reservation right in the heart of Davao's agricultural belt served as a deterrent for further expansion and exploitation by foreign capital and labour.

II. NATURE, SIZE AND SITUATION OF THE INSTITUTIONS

The Iwahig Colony is situated on the island of Palawan in the southwestern part of the Philippine archipelago. The area

originally reserved for the colony was an immense stretch of virgin forest and grassy lowlands covering approximately 41,006 hectares (101,284.82 acres); the area of the reservation is now 45,000 hectares. The average inmate population is 1,300. The inmates are employed primarily in agricultural industries. From its establishment as an open institution in 1904 the Iwahig Penal Colony was intended to provide first offenders who showed tractable tendencies and good behaviour with adequate accommodation and food while at the same time giving them a chance to cultivate the fields and to live with their families in complete freedom under an institutional programme designed for their rehabilitation.

The Penal Farm of the San Ramon Prison is situated in the province of Zamboanga on the southern tip of the large island Mindanao. It covers an area of 1,160 hectares and has an average inmate population of 800 employed mainly in farming. The San Ramon Prison, originally established to house political prisoners and totally destroyed in 1899, was reconstructed in 1907 because it was felt necessary to provide a central penal institution in the southern part of the archipelago for offenders coming from all the non-Christian and Mohammedan provinces. Five years later a penal farm was attached to the prison as a food producing and money earning project and providing a second institution of the open type in the country.

The Davao Penal Colony, which was opened in January 1932, is situated in the province of Davao on the island of Mindanao where approximately 28,816 hectares of virgin land were set aside for the establishment of the institution. The average inmate population of the Colony is 2,900. The inmates are employed primarily in agricultural industries, in particular the cultivation and manufacture of articles from fibre producing plants. From the beginning this institution was administered in exactly the same manner as Iwahig Penal Colony although vocational facilities and industrial workshops were not as large and diversified. The main objective of both institutions was the development of agricultural programmes not only for the purpose of instructing offenders in the value and importance of work but also to provide much needed revenues for the colonies and the Bureau of Prisons. The

abundance of natural resources in the reservation area gave rise to the development of various agricultural projects offering effective means of rehabilitation to the inmates. As in Iwahig community life in Davao closely resembles that in a free community and provides all activities of a regularly organized town.

The transfer in 1937 of the Bilibid Prison from the heart of Manila to a 6,880 hectare tract of land approximately 20 miles south of the city was undertaken mainly to provide a more secluded situation for the institution and additional space to meet the needs of an increasing prison population but it also provided opportunity for hundreds of inmates to work in the fields through the establishment of the Honor Unit of the New Bilibid Prison as an open institution. The vast expanse of rolling terrain behind the prison compound was turned into productive agricultural areas, and projects such as poultry and pig breeding and horticulture were introduced and became constructive vocational training centres for hundreds of short-term prisoners of the minimum security risk type.

III. SELECTION OF INMATES

Before the advent of modern classification methods, the selection of inmates for assignment to any penal colony or farm of the open type presented various problems, the most serious of which were those which affected the custody and security of the inmates. In the absence of scientific and professional data to guide the correctional officials charged with the duties of classification, an understanding of the workings of the human brain and of the behaviour and characteristics of the human being was necessary in order to effect selection without an alarming degree of error. The criteria used were the conduct and behaviour of the inmate while in confinement in a closed institution, the type of crime committed and the length of sentence imposed, and the inmate's response to rehabilitative treatment.

With the introduction of the modern classification methods, the selection of inmates for assignment to open institutions became the task of a panel of professional and technical staff. The individual inmate is carefully studied and examined and

his suitability for colony assignment taken well into consideration. An analytical study is made to determine whether his early rehabilitation can be best achieved by sending him to an open institution or to a different type of correctional institution.

Over a year ago, profiting from the experience gained by the State of California, a Reception-Guidance Centre was established by the Bureau of Prisons as an important facility in the correctional system of the country. Staffed by trained professional and technical men dedicated to correction and prison work, the Reception-Guidance Centre offers scientific diagnostic studies of every individual inmate and compiles an accurate summary indicating their individual traits, characteristics, behaviour and tendencies, and makes recommendations relative to his care and treatment. After eight weeks in the Reception-Guidance Center, inmates considered by the staff as fit for assignment to open institutions are recommended for transfer to any of the penal colonies and farms under the jurisdiction of the Bureau of Prisons; a previous statutory requirement was that an inmate must first serve one-fifth of his sentence in the main prison before he became eligible for transfer to any of the colonies.

IV. INSTITUTIONAL LIFE

1. Work projects

The Philippines being a predominantly agricultural country, all major projects in the colonies and farms are dedicated to farming and other agricultural pursuits. Enough rice is grown in all the colonies and farms to take care of the demands and consumption of all institutions under the Bureau of Prisons. Other staple crops like corn and mongo beans are also grown for the consumption of the penal population. The training phase of the inmates of penal colonies and farms are not, however, limited only to farming and agricultural projects. Adequate workshops with modern wood working equipment as well as machine shop facilities are available and placed at the disposal of inmates who are given vocational training by vocational instructors in the employ of the Bureau of Prisons. Specific areas are earmarked and allotted to the major divisions which are mostly headed by employees who act both as

vocational counsellors and work foremen, but in some of the other field divisions competent and highly skilled colonists are installed as operational heads.

The training projects are carried out by the following divisions: the farming division, which takes care of all farming and agricultural operations of the colony; the engineering and machinery division which takes care of the engineering and machinery needs of the institution including the maintenance of machine shops; the roads and bridges division which attends to the building of bridges and the construction of roads throughout the reservation; the building construction division which handles all the building constructions within the reserved area, whether for government use or for the families of colonists; the forestry division which turns out commercial forest products for use either by the Bureau of Prisons or other government offices and organizations; and the coconut industry division which provides vocational training for the colonists in the manufacture of fibre products.

In all industrial and occupational projects which take place within the workshops inmates go to and from their respective work without any guards. In agricultural and farm projects all inmates assigned for work go to and from work in company with unarmed foremen who are employed as work supervisors. In the case of unmarried inmates an employee is assigned to supervise and maintain discipline in their quarters which are buildings of the dormitory type designed to adequately provide healthful and sanitary living conditions for the occupants. Married inmates who have their families with them live in individual houses which are exempt from any custodial supervision.

Inmates under disciplinary action are placed in isolation cells and confined in such places for the duration of the punishment meted out by a Board of Discipline. This applies only in the case of minor violations of colony rules and regulations and similar infractions of discipline. In more serious cases where the colony administration finds concrete indications of persistent conduct and behaviour which may adversely affect the proper functioning of precautionary discipline in the institution, the inmates concerned are transferred to

the maximum custody unit of the New Bilibid Prison for proper care and treatment.

2. Medical and dental services

In order to take care of the medical and dental needs of all inmates and their families, as well as of employees and their families, adequate hospital installations with complete medical and surgical facilities have been provided in all the colonies. The extent of these services can be gauged from the fact that even major surgical operations can be undertaken with a minimum degree of risk. Because of the prevalence of malaria in most of the colonies, malaria control units are maintained and operated by the provincial division of the malaria control unit of the Department of Health. Due to lack of civilian facilities in those areas, the medical and dental services of the institutions are placed also at the disposal of the inhabitants of neighbouring towns and villages.

3. Care, treatment and training

An integrated and co-ordinated care, treatment and training programme is prescribed in every colony with a view to making the inmates law-abiding and self-respecting citizens upon release. With the co-operation of the Bureau of Public Schools, an extensive adult education and citizenship training programme is being conducted in all of the institutions of the Bureau of Prisons. This programme is designed to reduce the illiteracy problem which has always confronted the prison population. Standardization of training methods and procedures is attained by the employment of professionally trained instructors fully accredited by the Department of Education to supervise all classes given to inmates under the programme. Shortage of instructors is solved by the utilization of the services of inmates qualified to give instruction after they have undergone an in-service training. Under the present system there is a regularly scheduled six-hour a week class for illiterates. The religious needs of inmates professing the Catholic faith are attended to in every institution by regularly employed Catholic priests who provide religious services, religious instruction and individual counselling. In the case of inmates belonging to the minor religious sects voluntary workers provide similar services. In the recreational field,

inmates are given the opportunity to participate in the institutional orchestra and band, parlour games, literary and musical programmes, local talent shows and weekly movies. In the case of the Iwahig Penal Colony the Petty Officers' Club, an association of ranking colonists, has contributed much not only towards the entertainment of the colony population but also to donating a parade grandstand, flagpole and a monument.

4. Community life

The daily life in any of the colonies closely resembles that in a free community of men and women, and offers all the usual activities open to free members of society. This has become possible, especially in the case of Iwahig, because of the incorporation in its treatment programme of an unusual feature, namely the privilege granted to colonists to bring their families with them at government expense or, in the case of single or unmarried colonists, to have their fiancées brought to the colony for purposes of marriage. This privilege is not a matter of institutional discretion but a right on the part of those who meet the condition set by the prison administration inasmuch as a specific law guarantees the granting of this privilege to qualified colonists. (Section 1714 of the Revised Administrative Code of the Philippines, Appendix A.) With their own families living with them the colonists follow a pattern of life not different from the lives led by free men. The government furnishes the colonists with a house and gives him whatever assistance he may need in the form of subsistence and clothing until he becomes capable of maintaining his family from the produce of the land which is given him for improvement and cultivation. He is free to hunt and fish within the boundaries of the reservation, and carry on normal social relations with other colonists and their families. He can freely celebrate important family events such as birthdays, anniversaries, wedding feasts, baptismal parties, etc., and invite his friends and neighbours to share in the festivities. His children are free to attend a community public school which is operated by the Bureau of Public Schools for their benefit. The medical needs and requirements of his family are taken care of by the colony hospital and allied medical

facilities that render free services. His recreational requirements are completely met by the recreational facilities installed by the government for his own use as well as that of his family. All conveniences of a modern town have been provided to make this penal colony truly a community that meets all the standards of free communal organizations.

5. Special privileges, pay and other incentives

A special privilege granted to inmates is the "good conduct time allowance" provided for in Section 4 of Act No. 2489, passed by the Third Philippine Legislature. In addition to the regular "good conduct time allowance" authorized by a previous law under which, depending on the conduct and behaviour of an inmate, he may be credited with an allowance up to ten days for every calendar month of the sentence served, any inmate of the penal colony classified under this category is, subject to the approval of the Chief Executive, entitled to an additional five days for every calendar month.

In order to insure the socio-economic position of inmates upon release, the President has recently decreed that land grants may be given to deserving colonists and a tract of public lands within the reservation area of the Iwahig Penal Colony has been set aside for this purpose. This area is now known as the Tagumpay Settlement. On the occasion of the Golden Jubilee celebration of the institution on 16 November 1954, the first group of twenty colonists were awarded a six hectare lot each, for them to possess and to develop until final certificate of ownership is issued to them two years later.

Inmates classified as skilled and semi-skilled workers and craftsmen are given monetary compensations for their labours as provided for in Section 1 of the above mentioned Act No. 2489. Aside from this regular scale of compensation, inmates, in accordance with the provisions of Section 1716 of the Revised Administrative Code, also are given a share of the profits derived from the sale of farm produce and other articles for manufacture of which he has been responsible. Any other farm produce or articles which the inmates may be able to raise or the manufacture on their own time are wholly theirs, and the proceeds from the sale of such objects form part of their personal income.

Inmates who have served long sentences and look forward to farming, delight in the fact that, after the completion of their terms, they may continue to reside in the colony and carry on the cultivation of the same lands that they have learned to call their own. This right or rather privilege of released offenders to remain in the reservation is expressly provided for in Section 1718 of the Revised Administrative Code.

6. Relations with the public

The general relationship of the colonies with the public have always been very satisfactory and a spirit of close cooperation between colony officials and the authorities of neighbouring communities prevail. Since colony boundaries do not have any form of physical barriers, there is free movement of inmate and civil population, subject, of course, to colony regulations. During town fiestas and other public celebrations, the brass band of the colony becomes the hub of festive activities and no town festival is considered complete without these music-makers. The civilian population living outside of the colony reservations have long learned to look up to the institution as their own and they participate in any activity of public attendance sponsored by the colony administrations. Recreational and athletic facilities of the colonies are open to the civilian population, a system that has never failed to strengthen the ties that bind them together. Remote as the colonies are, inmates of these institutions are encouraged to maintain close ties with their families by encouraging them to write letters as often as they would want to. Persons who wish to visit their relatives in any of the colonies are given free transportation in the Bureau of Prisons' ship, and are allowed to stay in the colony reservation for a duration of one month.

V. CONCLUSION

The Filipino people, long before the advent of open institutions in the Western Hemisphere, accepted the system as a necessary adjunct to its correctional system. Since the success of the Iwahig Penal Colony, the government has completely abandoned all ideas of constructing expensive prisons and has

turned to the natural endowments of the country in coping with the problems caused by the increase of delinquency resulting from the growth of its population. Vast tracts of unexploited agricultural lands came to life wherever a colony was established, producing not only for the penal population much needed staple crops and farm produce, but also setting the pace for the free communities in the development of the nation's agricultural potentials. With emphasis laid on farming and other agricultural pursuits, inmates of these colonies become ardent followers of the simple yet productive and secure way of life which only the land can give. Upon their release, their family life does not become disturbed, for if they choose they can carry on with their usual occupations, tilling the same piece of land they have long learned to call their own. A feeling of security has become inherent in offenders released from these institutions and unemployment has never been a problem for them. The conditions obtaining in these open institutions so approximate normal life in free society that these institutions have never become the media for the transmission of antisocial behaviour patterns. Statistics has shown that the greater percentage of those who revert to crime and eventually return to prison in the Philippines are those who were confined at the New Bilibid Prison, which is a combined maximum, medium and minimum security institution.

This archiving project is a collaborative effort between United Nations Office on Drugs and Crime and American Society of Criminology, Division of International Criminology. Any comments or questions should be directed to Cindy J. Smith at CJSmithphd@comcast.net or Emil Wandzilak at emil.wandzilak@unodc.org.