

Republika ng Pilipinas
Lungsod ng Dagupan
TANGGAPAN NG SANGGUNIANG PANLUNGSOD
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**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD,
DAGUPAN CITY, HELD AT THE SP SESSION HALL ON JULY 18, 2023.**

PRESENT:

Hon. Dean Bryan L. Kua	City Vice Mayor & Presiding Officer
Hon. Alipio Serafin D. Fernandez	Presiding Officer Pro Tempore, Member
Hon. Maria Librada Fe M. Reyna	Majority Floor Leader, Member
Hon. Alvin T. Coquia	First Deputy Majority Floor Leader, Member
Hon. Redford Christian P. Erfe-Mejia	Second Deputy Majority Floor Leader, Member
Hon. Michael B. Fernandez	Minority Floor Leader, Member
Hon. Celia C. Lim	City Councilor, Member
Hon. Marilou Maria Lourdes S. Fernandez, DMD	City Councilor, Member
Hon. Dennis C. Canto	City Councilor, Member
Hon. Victoria Czarinna C. Lim-Acosta	City Councilor, Member
Hon. Marcelino D. Fernandez	Liga ng mga Barangay President, Ex-Officio Member
Hon. Joshua Bon Bon F. Bugayong	Pederasyon ng mga Sangguniang Kabataan President, Ex-Officio Member

ABSENT:

Hon. Jeslito C. Seen	Deputy Minority Floor Leader, Member (O.B.)
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ORDINANCE NO. 2268-2023

AN ORDINANCE ESTABLISHING A CHILD-FRIENDLY VISITATION ROOM INSIDE DAGUPAN CITY JAIL MALE DORMITORY, APPROPRIATING THE NECESSARY FUNDS THEREFORE AND FOR OTHER PURPOSES.

WHEREAS, Article II, Section 11 of the 1987 Philippine Constitution, enunciates that the state values the dignity of every human person and guarantees full respect for human rights. Furthermore, Article III, Section 1 of the Constitution guarantees that no person shall be deprived of life, liberty, and property without due process of law nor shall any person be denied the equal protection of the law;

WHEREAS, Section 12, Article II of the 1987 Philippine Constitution, provides that it is the policy of the state to "recognize the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution;

WHEREAS, Section 1, Article XV of the 1987 Philippine Constitution provides that the State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development;

WHEREAS, the Mandela Rules provides an obligation to treat all prisoners with respect for their inherent dignity and value as human beings, and to prohibit torture and other forms of ill-treatment;



OFFICE OF COUNCILOR
RED P. ERFE MEJIA

MICHAEL FERNANDEZ

WHEREAS, Section 2, of R.A. No. 7610, provides that it is the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty exploitation and discrimination and other conditions, prejudicial to their development;

WHEREAS, Section 2, of R.A. No. 9262; provides that the State values the dignity of women and children and guarantees full respect for human rights. The State also recognizes the need to protect the family and its members particularly women and children, from violence and threats to their personal safety and security;

WHEREAS, pursuant to the democratic precept which places a high premium on the importance of fundamental human rights and entitlements, every person must be given equal access to opportunities in all fields of human endeavors. and to equitable sharing of social and economic benefits for them to freely exercise the rights of which they are rightfully entitled, free from any prejudice and discrimination;

WHEREAS, promoting and upholding their rights will not only enhance their freedom, welfare, and dignity but will also promote social justice as a whole and will contribute to the enhancement of human rights culture in the country;

WHEREAS, the BJMP adopted policies on the "Child-Friendly Visitation Area in Jail", which are intended to ameliorate the conditions of the PDL as well as that of their children while visiting the jail premise towards the enhancement and protection of the PDL's human dignity and rights;

WHEREAS, it is the primary duty of the Dagupan City Government to deliver social-basic services to its constituencies regardless of their status, circumstances, and conditions in life.

WHEREAS, Dagupan City Jail Male Dormitory thru its City Jail Warden, JSUPT ROQUE CONSTANTINO A SISON III, proposed and lobbied the enactment of this City Ordinance for the greater good of the children/relatives in tender age of our brothers behind bars manifesting his intention to rally behind efforts the best interest of children. His contribution to the enactment of this Ordinance is given unmeasurable value that no word can describe.

NOW, THEREFORE, on joint motion of Councilors Michael B. Fernandez, Marcelino D. Fernandez, Joshua Bon Bon F. Bugayong, Dennis C. Canto, Maria Librada Fe M. Reyna, Alipio Serafin D. Fernandez, duly and jointly seconded by Councilors Redford Christian P. Erfe-Mejia, Celia C. Lim, Marilou Maria Lourdes S. Fernandez, and Victoria Czarrina C. Lim-Acosta, be it ordained by the Sangguniang Panlungsod in its regular session assembled that:

SECTION 1. TITLE. "AN ORDINANCE ESTABLISHING A CHILD-FRIENDLY VISITATION ROOM INSIDE DAGUPAN CITY JAIL MALE DORMITORY."

SECTION 2. PURPOSE. This Ordinance promotes the human dignity and rights of Persons Deprived of Liberty (PDL) detained in Dagupan City Jail Male Dormitory through a sustainable delivery of basic services.

SECTION 3. DEFINITION OF TERMS.

A. Child-Friendly Visitation Area - a place inside the jail where the visiting children and families will have a productive engagement with the PDL that will help strengthen family ties;

B. Children Visitors - immediate member/s as stated in RA No. 7438 of a Person Deprived of Liberty (PDL) with age 1-12years old who enters the jail premise to visit an incarcerated parent or relative and can avail the privileges offered in the child-friendly visitation area;

C.GAD Focal Point Committee- a committee tasked with ensuring the promotion of gender empowerment and equality;



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2ND FLR. SANGGUNIANG PANLUNGSOD BLDG.

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COUN. MICHAEL FERNANDEZ

D. Strip Search - refers to a search that involves the visual inspection of a disrobed or partially disrobed subject.

SECTION 4. CHILD FRIENDLY VISITATION AREA - The "Child Friendly Visitation Area" shall be established within the premise of Dagupan City Jail Male Dorm for the convenience and comfort of the PDL children's visitors subject to the approved strategic designs and measurements provided by the Jail Management.

SECTION 5. MONITORING AGENCY - The Gender and Development (GAD) Focal Point Committee, together with its Technical Working Group (TWG), in coordination with the BJMP management, shall lead in the implementation of this ordinance and the monitoring of the delivery of basic social services to the PDL, consistent with the BJMP policies and SOPs promoting and maintaining public safety.

SECTION 6. BASIC SERVICES - The GAD FPC and TWG shall coordinate and collaborate with the appropriate agencies and other institutions or groups that support children for the effective and prompt dispensation of services which include but are not limited to the following:

A. The DepEd - shall ensure that the children of the PDL receive primary education and other educational benefits and assistance that are available and being offered to its constituencies. It shall develop and implement programs that will hone and enhance the physical and mental development of a child which include but are not limited to academic and athletic scholarship programs, informational and educational workshops/training, and other physical and mental development programs that will best protect the interest of a child.

B. The TESDA - shall assist in the implementation of this ordinance by providing non-formal education and the necessary training and workshops to develop and enhance the livelihood skills of the PDL and their families.

C. The DSWD - shall enroll children of Persons Deprived of Liberty, a marginalized sector of the society, in all incentives and programs intended for the advancement of the interest of the subject children.

The implementation of all activities, projects, plans, and programs mentioned in this section shall be in coordination and consultation with the jail authority and consistent with the BJMP policies, SOPs, and related laws.

SECTION 7. DESIGNS AND MEASUREMENTS - The BJMP Authority shall prepare and provide the Committee with the approved designs and measurements of the "Child Friendly Visitation Area" as well as their strategic location and position inside the jail premise.

SECTION 8. MONITORING CLAUSE -the GAD Focal Point Committee, in coordination with the Jail Authority, shall prepare and submit reports to the Dagupan City government of the activities, programs, and expenses pertaining to the establishment of a "Child Friendly Visitation Area" and the delivery of other basic social services to the PDL and their families.

SECTION 9. APPROPRIATIONS CLAUSE. The City/Municipal government shall appropriate a sufficient amount from the 5% GAD budget allocation for the implementation of this ordinance, subject to the existing budgeting, accounting, and auditing rules and regulations.

SECTION 10. SEPARABILITY CLAUSE - For any reason, any section or provision of this ordinance is declared unconstitutional or invalid the other section or provision hereof which is not affected thereby shall continue to be in full force and effect. Likewise, provisions that may be fully implemented without the aid of implementing rules and regulations are executed after the approval of this ordinance.



OFFICE OF COUNCILOR
RED P. ARFE-MEJIA
2ND FLR. SANDUNIAN PANLUNGSOD BLDG.
DAGUPAN CITY JAIL COMPLEX, DAGUPAN CITY

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COUN. MICHAEL FERNANDEZ

SECTION 11. EFFECTIVITY. This ordinance shall take effect upon its approval.

ENACTED UNANIMOUSLY.

AUTHORS:


COUN. MICHAEL B. FERNANDEZ


COUN. DENNIS G. CANTO


COUN. JESLITO C. SEEN


COUN. MARIA LIBRADA FE M. REYNA


COUN. ALVIN T. COQUIA


COUN. REDFORD CHRISTIAN P. ERFE-MEJIA


COUN. ALIPIO SERAFIN D.
FERNANDEZ


COUN. MARILOU MARIA LOURDES S.
FERNANDEZ, DMD.


COUN. CELIA C. LIM


COUN. VICTORIA CZARINNA C. LIM-ACOSTA


COUN. MARCELINO D. FERNANDEZ


COUN. JOSHUA BONSON F. BUGAYONG


DEAN BRYAN L. KUA

City Vice Mayor & Presiding Officer

ATTESTED:


RYAN C. RAVANZO
City Secretary

APPROVED:


BELEN T. FERNANDEZ

City Mayor

Date: _____