BJMP POLICY ON PROHIBITION OF ANY TYPE OF PHOTO, VIDEO AND AUDIO RECODING DEVICE OR EQUIPMENT INSIDE JAILS

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I. RATIONALE

Jails are government facilities that strictly adhere to security procedures in all its management activities and operations. Any activity inside jails must conform to the existing rules and regulations of the Bureau or to the reasonable instructions of the Wardens and Wardresses that they may set forth as necessary. All security measures are strictly implemented to protect the inmates and personnel from any potential threats and ensure that the facility is well taken care of.

However, despite the initiatives to secure the facility from possible instrusion of individuals with ill motives, security information were easily accessed through recorded data using recording devices and top-of-the-line gadgets. In view of these circumstances, this Standard Operating Procedure is hereby issued.

II. OBJECTIVES

- To prevent potential threats in the security of the facility;

- To protect the rights of inmates from any harassment and unwanted criticisms.

III. SCOPE OF COVERAGE

This Standard Operating Procedure shall apply to films, telenovelas, mini-series, soap opera, music videos, documentaries, corporate videos or advertisements for products and services and student or amateur films for commercial and non-commercial use, including news coverage and other current affairs items.

IV. GENERAL GUIDELINES

1. No camera of any type or any recording device or gadgets shall enter the premises of the jail facility except the duly-issued jail's camera or unless covered by letter of application duly approved by the court and accompanied by undertaking to faithfully comply with guidelines issued by the Supreme Court.

2. Personnel and visitors including members of the media with similar items shall deposit the same to the sentinel on duty prior to their entry to the facility;

3. All items such as but not limited to cameras; video cameras, audio recorders, laptops, surveying cameras, cellular phones, or ay similar gadget that could record any material data brought in with the jail premises by any personnel or visitor and if so confiscated, the latter is deemed to have waived his or her right to such item and its content to be inspected and reviewed in favor of the BJMP.

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4. Prohibition of any type of camera, device or gadgets with recording capability must be reiterated during Personnel Information and education (PI and E) sessions in every jail and it should appear on their weekly accomplishment reports

5. A printed statement prohibiting the entry of abovementioned items with at least an inch of size each letter shall visible among visitors at the entrance of the facility. Such statement shall be translated also to local dialects.

6. Visitors who were sanctioned for violating provisions of this policy shall execute an undertaking that they will faithfully comply with the rules and regulations of the facility as a requirement in the lifting of their penalty.

V. SPECIFIC GUIDELINES

On Confiscated Recording Device

All confiscated photo, video and audio recording device must be handled according to the following procedures:

a. Confiscated item must be properly marked prior to turn over to the Supply Officer or to the desk Officer for proper disposition or safekeeping inside a secured cabinet provided by the jail unit.

b. Immediately thereof, the unit jail intelligence office must proceed with the careful review of any recorded data on said items in the presence of the owner and the Warden or the duty Officer of the day. If nothing essential to the jail management and security was found, sad item must be returned to the owner. However, if found to be containing any data regarding jail management operations especially on security aspect of the facility, the data found must be removed and transferred immediately to office files for further review.

c. The Warden, though the Jail Intelligence Unit, must submit report of the incident to the Office of the regional director with an advance copy furnished to the directorate for Intelligence, National Headquarters.

d. After the files have been deleted from its source and transferred to new data storage, confiscated items must be returned to its rightful owner.

On Activities That Requires Documentation

a. Any activity inside jail that requires documentation other than but not limited to IWD programs, commitment of inmates, official visits and site inspections must secure first a clearance from their respective regional directors. The Warden shall make the necessary written request specifically stating therein the justifications that necessitates entry of photo, video or audio recording device.

b. If approved, the Warden must ensure that no images, scenes or any related data detrimental to the image of the bureau will be taken .

c. The Warden or duty Officer of the day has authority to review and edit data and actual footages taken during the activity.

On Persons Performing Official Functions

a. All personnel who are on official functions must observe due courtesy by presenting himself first to the Warden of the facility or to the duty Officer of the day before the conduct of any activity including the kind of recording device that he or she will be using except the members of the Command Group, director of the directorates, Chief of Offices of the national Headquarters, regional directors, Jail Provincial Administrator and Intelligence Officers of the bureau.

b. national and local government officials including foreign officers who will enter the facility shall observe Section IV Para 2 of this policy. Hence, one (1) person accompanying said official or one (1) duty personnel can

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be designated as official photographer using the jail camera on the duration of the visit.

VI. PENALTY CLAUSE

1. Personnel who found violating any provisions of this policy shall be charged administratively and/or criminally as deemed necessary;

2. Any visitor who violated specific provisions of maybe bringing prohibited items mentioned on this policy shall be banned for at least six (6) months for further entry to any BJMP facility.

VII. SEPARABILITY CLAUSE

If any provision of this rule is rescinded or modified accordingly by a subsequent rule, any section not affected by such rescission, modification or declaration shall remain in force and effect.

VII. EFFECTIVITY CLAUSE

This Standard Operating Procedure shall take effect (15) days after its dissemination nationwide. Three copies of this Policy have been sent to the National Administrative register of the University of the Philippines Law Center

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