



REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT

DANGEROUS DRUGS BOARD

BOARD REGULATION NO. 3 Series of 2022

SUBJECT: ENHANCING THE BALAY SILANGAN REFORMATION PROGRAM (BSRP) REPEALING FOR SUCH PURPOSE THE BOARD REGULATION NO. 2, SERIES OF 2018

WHEREAS, Section 77 of Republic Act No. 9165, or the Comprehensive Dangerous Drugs Act of 2002, as amended (RA 9165), provides that the Dangerous Drugs Board (the "Board") to be the policy-making and strategy-formulating body in the field of drug prevention and control;

WHEREAS, Section 84 (a) of RA 9165, provides for the Philippine Drug Enforcement Agency (PDEA) to: "Implement or cause the efficient and effective implementation of the national drug control strategy formulated by the Board thereby carrying out a national anti-drug campaign program which shall include drug law enforcement, control and prevention campaign with the assistance of concerned government agencies";

WHEREAS, Section 84 (q) of RA 9165 states that, the PDEA may: "...enlist the assistance of any department, bureau, office, agency or instrumentality of the government, including government-owned and/or controlled corporation, in the anti-illegal drugs drive...";

WHEREAS, Section 51 of RA 9165 mandates that Local Government Units ("LGUs") shall "appropriate a substantial portion of their respective annual budgets to assist in or enhance the enforcement of the Act giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents.";

WHEREAS, the DDB issued Regulation No. 3, series of 2016, which provides for the Guidelines on Handling Voluntary Surrender of Drug Personalities who are non-users;

WHEREAS, the Department of the Interior and Local Government (DILG) issued Memorandum Circular (MC) No. 2009-09 (Subject: Unified Actions Against Illegal Drugs and other Substances), which mandates that it is a principal responsibility of local authorities to support overall government efforts to address illegal drugs and other substances;

WHEREAS, there is a need to provide guidelines to complement the provisions of Regulation No. 3, series of 2016, particularly on the coordination among LGUs with the National Government and other stakeholders in providing interventions (livelihood and training programs) for drug personalities who voluntarily surrendered;

NOW, THEREFORE, be it **RESOLVED**, as it is hereby **RESOLVED** to provide guidelines for the reformation of pushers who voluntarily surrendered to authorities and plea bargainers for violation of RA 9165.

SECTION 1. SCOPE AND LIMITATION. – These Guidelines provide for a reformation program for qualified pushers who voluntarily surrendered to authorities and plea bargainers for violation of RA 9165 who are not eligible to be admitted in a Department of Health (DOH) operated and/or accredited Drug Abuse Treatment and

Rehabilitation Facility; Community Based Drug Rehabilitation Program (CBDRP); and General Intervention (GI).

The Reformatory Program is a process of rectifying or modifying negative attitude and behavior to enable the person to be more productive and acceptable to society. This also includes facilitating the reintegration of the individual back to his family and community.

SECTION 2. RATIONALE. – In consideration of qualified pushers who voluntarily surrendered as a result of the government’s revitalized campaign against the Philippine drug problem, the PDEA aims to lead the implementation of an LGU-based philanthropic program to provide in-house reformation specifically designed for surrendered drug pushers where they are given intervention, counseling, and livelihood program with the end-in-view of helping them to become more productive citizens once they are reintroduced/reintegrated in the society.

This program shall also serve as an instrument for the reformation of plea bargainers for violation of RA 9165 in light of the decision of the Supreme Court in the case of *Estipona v. Judge Frank Lobrigo* (GR No. 226679, 15 August 2017). This Balay Silangan Reformation Program (BSRP) will serve as an alternative intervention for pushers who are not qualified to be admitted in a Department of Health (DOH) operated and/or accredited Drug Abuse Treatment and Rehabilitation Facility; CBDRP; and GI due to a diagnosis that the person is not abusing dangerous drugs as determined by a DOH accredited Physician. Likewise, this addresses the decongestion of the overpopulated jail facilities.

SECTION 3. DEFINITION OF TERMS.

Balay Silangan Reformation Center – refers to a reformatory facility which caters pushers and plea bargainers.

Pushers – any person who sells, trades, administers, dispenses, delivers or gives away to another, on any term whatsoever, or distributes, dispatches in transit or transports dangerous drugs or who acts as a broker in any of such transactions, in violation of the Act.

Surrenderer – refers to an individual involved in illegal drugs who voluntarily submits themselves to intervention programs implemented by the Government.

Plea Bargain – refers to an agreement between a prosecutor and a defendant whereby the defendant is permitted to plead guilty to a reduced charge.

Plea Bargainers – refers to drug offenders who availed of the plea bargain agreement.

Reintegration – refers to a process of reintegrating someone back to his family/ community.

Reformation – refers to the process of rectifying/modifying negative attitude and behavior to enable the person to be more productive and acceptable to the society.

SECTION 4. ESTABLISHMENT OF BALAY SILANGAN REFORMATION CENTER (BSRC). – The following are the requisites for the establishment of BSRC:

- A. Commitment of ADAC Chairman to establish BSRC to cater qualified pushers and plea bargainers. ADACs may also opt to partner with other LGUs with operational BSRC (through Memorandum of Agreement).

B. Establishment of BSRC necessary for the program which may have the following but not limited to:

- Lecture Room/s;
- Counseling Room;
- Sleeping Quarters;
- Comfort Rooms;
- Mess Area/Pantry;
- Clinic; and
- Sports/Recreation Area

BSRC may be a newly constructed or an existing structure.

C. Provision of appropriate number of personnel who will man the facility which include but not limited to:

- Facility Head;
- Program Coordinators;
- Medical Aide;
- Security; and
- Utility Workers

D. Provision of training for personnel who will man the BSRC

E. Financial and logistical support needed for the operationalization of the BSRC.

F. MOA/MOU with various stakeholders

G. Reformation Module which is holistic and anchored on respect for human dignity.

SECTION 5. BALAY SILANGAN REFORMATION PROGRAM (BSRP) COMPONENT. – The pushers and plea bargainers enrolled in the BSRP shall undergo three (3) months reformation program which include one (1) month mandatory in-house for Education, Health, Psychosocial and Physical Activities and two (2) months Livelihood or Employment Education phase.

Only those reformists who completed the one (1) month mandatory in-house certified by the case manager shall proceed to:

A. Education and Health

- Knowledge on Illegal Drugs;
- Ill effects of illegal Drugs; and
- Lecture on RA 9165, as amended by RA 10640

B. Psychosocial and Physical Activities

- Counseling Sessions;
- Consultative Sessions;
- Moral Recovery Activities;
- Discipline and Values Formation;
- Personal and Life Skills; and
- Exercises and Sports Activities

C. Livelihood or Employment Education which may be determined by LGUs whatever practicable to include but not limited to the following:

- Green Revolution Program (Gardening*)
- Soap Making

- Massage Training or Reflexology
- Basic Carpentry
- Basic Welding and Electrical
- Basic Haircutting
- Food Processing
- Mushroom Culture

B. After-care Services

- Continuous Counselling;
- Job Placement; and
- Alternative Economic Development Program

SECTION 6. QUALIFICATIONS OF PUSHERS AND PLEA BARGAINERS TO BALAY SILANGAN REFORMATION PROGRAM (BSRP).

- Listed in PDEA-PNP Certified BADAC Watch List (PDEA-PNP CBWL) (except for offenders who served sentence or acquitted by court)
- Pushers who surrendered but not listed in the PDEA-PNP Certified BADAC Watch List shall undergo validation process. The said pusher shall be qualified in BSRP once listed upon conduct of management of watch list
- Surrenderers who are not High Value Target
- Plea Bargainers with court order for admission to BSRP
- Referral from other Government Agencies

SECTION 7. ADMISSION.

A. Submission of Admission Documents

- Endorsement letter from BADAC Chairman
- Affidavit of Undertaking
- Court Order for admission to BSRC, if applicable

B. Assessment

- Medical and Physical Examination
- Psychological Test, if available
- Profiling
- Drug test
- Other laboratory tests as may be deemed necessary (e.g. COVID-19 RT-PCR test, Chest X-ray, etc.)

C. Program Orientation

SECTION 8. COMPLETION OF THE BALAY SILANGAN REFORMATION PROGRAM (BSRP). – The Facility Head shall issue a Certificate of Completion of the BSRP to Reformists who are considered graduates after having completed the Education, Health, Psychosocial, Physical Activities, Livelihood and/or Employment Education.

SECTION 9. ROLES OF VARIOUS AGENCIES.

A. PDEA

- Orientation on BSRP
- Orientation on RA 9165
- Information Campaign on BSRP
- Provide Subject-Matter-Expert/Resource Person
- Approval of POIs for training of BSRC personnel
- Approval of POIs for BSRC clients
- Ensure the participation of stakeholders in the program implementation

B. ADACs

- Development/adoption of POI for training of BSRC personnel
- Development/adoption of POI for BSRC clients
- Capacitate BSRC personnel in coordination with PDEA and other concerned institutions
- Allocate funding and/or resources for BSRP operationalization
- Establish BSRC and manage the program
- Facilitate forging partnership with all concerned stakeholders
- Address health concerns of program beneficiaries

C. PNP / AFP

- Provide assistance in the BSRP as requested
- Provide Subject-Matter-Expert

D. DSWD and other local social welfare offices

- Assessment on the efficacy and efficiency of the BSRP
- Social services for program beneficiaries and their immediate families
- Capacitate the BSRC personnel

E. TESDA / DSWD / DTI / DOLE / DA

- Provide additional resources or support for program implementation, employment and livelihood opportunities

E. DEPED/CHED

- Education of program beneficiaries

SECTION 10. SUPPORT TO FAMILIES OF BALAY SILANGAN REFORMIST. –

If feasible, ADACs will provide assistance to the family of reformist undergoing the program.

SECTION 11. MONITORING AND REPORTING. – ADAC focal person shall submit periodic report to PDEA Regional Office. PDEA Regional Offices will forward said reports to the PDEA National Headquarters.

In the event that the plea bargainers fail to finish the program, the same will be reported to the concerned court by the PDEA Regional Offices.

SECTION 12. FUNDING. – Primary source of funds will be the LGUs in accordance with Section 324 RA 7160 and Section 51 of RA 9165, and various issuances of the DILG.

Private companies/corporations may provide funding and other form of support to this Program as part of their Corporate Social Responsibility in accordance with existing laws and regulations.

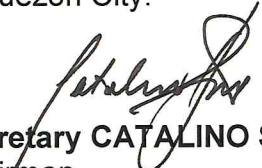
SECTION 13. PENALTY FOR NON-COMPLIANCE/VIOLATION. – Failure of the concerned officials to perform their function in accordance with the provisions of this Board Regulation shall be a ground for filing appropriate charges pursuant to Section 60 of the Local Government Code and Section 32 of RA 9165.

Further, failure of the LGUs to appropriate a substantial portion of their Annual Budgets to assist in or enhance the enforcement of RA 9165, as mandatorily required by Section 51 of RA 9165 in all budget preparations, in addition to those already mandatorily required under Section 324 of the Local Government Code, shall be ground for disapproval of the subject LGUs Annual Budget.

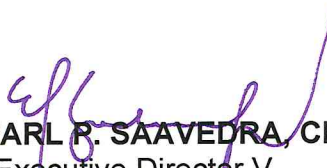
SECTION 14. REPEALING CLAUSE. – All issuances, resolutions, orders, rules and regulations which are inconsistent with the provisions of this Board Regulation are deemed repealed.

SECTION 15. EFFECTIVITY. – This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and after its registration with the Office of the National Administrative Register (ONAR), UP Law Center, Quezon City.

APPROVED and **ADOPTED**, this 22nd day of June in the year of Our Lord, 2022, in Quezon City.


Secretary CATALINO S. CUY, CEO VI
Chairman

Attested:


Undersecretary EARL P. SAAVEDRA, CESO I
Board Secretary / Executive Director V