

# INTERNATIONAL JOURNAL OF MULTIDISCIPLINARY: APPLIED BUSINESS AND EDUCATION RESEARCH

2024, Vol. 5, No. 6, 2316 – 2324

<http://dx.doi.org/10.11594/ijmaber.05.06.31>

## Research Article

### Assessment on the Conditions of Persons Under Custodial Facility (PUPC) during Covid-19 Pandemic

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#### Article history:

Submission May 2024

Revised June 2024

Accepted June 2024

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#### ABSTRACT

This study aimed to assess the conditions of persons under custodial facility in Laguna Police Station during Covid-19 pandemic in Laguna Province. This study employed the use of descriptive comparative utilizing survey methodology. Research locale was limited a Police Custodial Facility in Laguna Province. The respondents were the 10 police officers and 10 persons in custody facility and were selected using purposive sampling technique. The research instrument in this study was a survey questionnaire adopted from the guidelines and procedures in the management and supervision of all PNP custodial facility and persons under PNP custody. Data were analyzed using mean, and One Way Analysis of Variance.

The study found that the custody facility in the Philippines has maintained good conditions, with both police officers and persons in custody rating the implementation as moderate. The facility effectively implemented protocols to protect its personnel and those under its control, preventing the transmission of the virus. However, there is a significant disparity in evaluations, indicating structural flaws in the criminal justice system. To address these issues, a comprehensive strategy focusing on openness, responsibility, and the perspectives of those directly affected by correctional circumstances is needed. Cooperation among various actors, including communities, government authorities, civil society groups, and law enforcement agencies, is crucial. Independent oversight measures and accountability from human rights commissions and civil society groups can ensure compliance with human rights norms.

**Keywords:** *Descriptive comparative survey, Laguna, Persons under custody*

#### Introduction

Custody facilities play a crucial function within the criminal justice system by providing a designated area where persons awaiting trial, serving sentences, or awaiting deportation can

be detained and monitored. The state of these institutions is of the utmost importance in safeguarding the human rights, safety, and welfare of individuals who are incarcerated. Nevertheless, inmates encounter a multitude of

#### How to cite:

Isidro, R. M., Nedic, J. O., Panambo, S. D., Tarroza, E., & Villa, E. B. (2024). Assessment on the Conditions of Persons Under Custodial Facility (PUPC) during Covid-19 Pandemic. *International Journal of Multidisciplinary: Applied Business and Education Research*. 5(6), 2316 – 2324. doi: 10.11594/ijmaber.05.06.31

conditions across multiple facets, including but not limited to healthcare, legal rights, safety and security, and rehabilitation initiatives (Wardrop et al., 2021).

According to Wallace (2020), a key obligation of correctional institutions is to ensure the preservation of a secure and protected environment for both inmates and personnel. To prevent violence, escapes, and other security breaches, this entails the deployment of security staff, surveillance technology, and physical security obstacles. However, worries have been raised about the possible harm that prolonged solitary confinement may do to prisoners' mental health. It is imperative to attain a harmonic coexistence between security requirements and humane treatment in order to protect the welfare of individuals detained in correctional facilities.

Karavaev (2020) added that to preserve their health and dignity, detainees must have access to food, water, housing, medical care, and other necessities. Facilities must properly meet these requirements, which include offering suitable food, clean water, and secure housing. Medical treatment should be easily available and staffed with qualified specialists who can administer essential medications and therapy in order to address both physical and mental health difficulties.

Given the high prevalence of health issues among those who are incarcerated, it is imperative that correctional facilities offer healthcare. Detainees often face barriers to receiving healthcare, such as a lack of staff, limited resources, and institutional biases. Preventative care, chronic illness treatment, mental health support, and other comprehensive services must be given top priority in any endeavor to improve healthcare in correctional facilities. Collaboration between community organizations, medical professionals, and custodial staff is essential to meeting the complex healthcare needs of prisoners. (Cahapay, 2020).

According to Boppre et al. (2022), to prevent the spread of infectious diseases and promote overall health and wellbeing, it is essential to maintain clean and hygienic living conditions. Correctional facilities must routinely clean and disinfect common spaces, restrooms,

and sleeping quarters to maintain a high standard of cleanliness. Enough access to sanitary amenities, such showers and toilets, is also necessary to preserve the dignity and well-being of prisoners.

Detainees are entitled to certain legal protections while in custody, including access to the courts, counsel, and defense against abuse and prejudice. Detainees must be informed of their rights and supplied with the means necessary to properly exercise them; this is a responsibility of correctional facilities. This may encompass provisions for educational resources pertaining to legal rights and processes, access to legal aid services, and legal counsel. Furthermore, establishing procedures and channels to handle complaints and grievances in an efficient manner that allows for an objective assessment and resolution is essential for institutions. (Appelbaum, 2020).

According to Molas et. al. (2023) The COVID-19 Pandemic had made the Philippines to face various expanding crime rates which became a valuable issue in the country. These wrongdoings had operationally pushed the Philippine National Police to see and assess different crime activities that had been concurring consistently. This made the PNP to established community public security which then is called to be crime prevention strategies. This confronts the transition of different conflicting state including actions that inflicts harm to the populace. However, the known implemented strategies were not observed whether these promotes consistent advantage security or implementation were not addressed properly. Therefore, this study aims to determine the evaluation of the implementation of crime prevention strategies of the Philippine National Police in Ormoc City, Leyte in the Context of the COVID-19 Pandemic. A descriptive quantitative was used in purposive sampling was employed to obtain the 125 respondents of the study mainly PNP personnel and barangay captain. A self-constructed questionnaire with 4-point Likert scale has undergone a pilot study among 25 known respondents wherein the actual run was done through online survey. The result had shown that indicators including the crime prevention activities as to prevention strategies shows no significant differences. However,

sustainability of the strategies establishes relationship with the demographic profile. Therefore, the study had concluded that the null hypothesis must be accepted which pertains that the strategies of the PNP towards crime prevention is not highly significant with the demographic profile.

For the past years, series of incidents and concerns were mounting in the eyes of the public in relation to the current situation in all custodial facilities of the PNP and persons under police custody. The PNP was once again in the headlines for cases involving its personnel violating the rights of a person under their custody. As a corresponding effect, other related concerns sprouted and intensified by the public including issues on torture, police brutality, congested custodial facilities, poor ventilation and shortage on basic necessities of persons under custody (PNP, 2018).

In response, the PNP issued the guidelines and procedures in the management and supervision of all PNP custodial facility and persons under PNP custody to ensure that the above-mentioned incidents will not happen again. The guidelines include identification of accountable persons to focus on the necessities of persons under police custody, the maintenance of the custodial facilities, and to ensure that the condition of all PNP custodial facilities is humane and in accordance with the requirements of the Human Rights Affairs Office (HRAO), and that the accepted and agreed International Human Rights, which the PNP is a part of, are being followed (PNP, 2018).

HRAO identified all violations and other lacking requirements on the ideal condition of custodial facilities that are present in most of our police offices/units nationwide. These reports were properly filed but the necessary actions to take are not met due to the limitations on the part of HRAO. One example relating to this is their findings that most of custodial facilities/centers are improperly ventilated, congested; and persons under custody are lacking in their basic needs particularly on food. Since the capacity of HRAO is limited on reporting and endorsing the concerns to the respective offices, the releasing of all budgetary requirements needed to address the aforementioned concerns were not granted (PNP, 2018).

The conditions experienced by individuals in custody facilities have significant implications for their safety, well-being, and human rights. Custody facilities must strive to maintain a balance between security needs and humane treatment, with a focus on meeting the basic needs of detainees, providing access to healthcare, upholding legal rights, and promoting rehabilitation and reintegration efforts. Through robust monitoring and oversight, as well as ongoing efforts to improve policies and practices, custody facilities can ensure that individuals in their care are treated with dignity, respect, and fairness (Cahapay, 2020).

Thus, this study aimed to assess the conditions of persons under custodial facility in Laguna Police Station during Covid-19 pandemic.

Specifically, the study sought to answer the following questions:

1. How do police officers and persons under custodial facility assess the conditions in PNP custodial facility during Covid-19 pandemic in terms of:
  - 1.1. Health and security;
  - 1.2. Legal rights; and
  - 1.3. Monitoring and oversight?
2. Is there significant difference on the assessments of police officers and persons under custodial facility on the conditions in PNP custodial facility during Covid-19 pandemic?
3. What are the problems and challenges on the conditions in PNP custodial facility during Covid-19 pandemic in terms of:
  - 3.1. Manpower;
  - 3.2. Resources; and
  - 3.3. Procedure and Standards?

## Theoretical Framework

This study was anchored on Human Rights Framework and PNP Memorandum Circular No. 27 series of 2018 as legal basis of the study.

During the COVID-19 pandemic, the conditions of persons under custody in custodial facilities have been significantly impacted, leading to unique challenges and considerations. Viewing the conditions of persons under custody through a human rights lens underscores the need to uphold the inherent dignity and rights of detainees, even amidst a public health crisis. This framework emphasizes principles

of non-discrimination, access to healthcare, humane treatment, and accountability in custodial practices. Efforts to address the impact of COVID-19 on detainees should be guided by a commitment to upholding human rights standards and ensuring transparency, accountability, and meaningful participation of affected individuals.

Human rights provide a normative framework grounded in principles of universality, indivisibility, and inalienability, which apply equally to all individuals regardless of their legal status or circumstances. When applied to custodial settings, human rights principles serve as a critical safeguard against abuses of power and violations of detainees' fundamental rights.

In an attempt to keep the catastrophes listed above from happening again, the PNP established policies and guidelines that control the oversight and administration of all PNP detention centers and the people under its custody. The establishment of accountable individuals to oversee the maintenance of custodial facilities, the provision of essentials for individuals in police custody, and the maintenance of PNP custodial facilities in a humane and Human Rights Affairs Office (HRAO)-compliant manner, as well as compliance with internationally recognized and agreed human rights standards, are among the responsibilities outlined in the guidelines. The PNP is a party to these standards.

When examining the state of individuals in detention from the perspective of human rights, it becomes evident that despite the difficulties presented by public health emergencies like the COVID-19 epidemic, it is vital to maintain the intrinsic worth and entitlements of detainees. In addition to the right to health,

prohibition of torture and CIDT, nondiscrimination, right to knowledge and participation, accountability and remedies, custodial authorities are obligated to ensure that actions adopted to combat the epidemic are compliant with these values. Custodial institutions can ensure the retention of detainees' dignity and welfare while efficiently mitigating the consequences of the epidemic by strictly complying to these guiding principles.

### Methods

This study employed the use of descriptive comparative utilizing survey methodology. Research locale was limited Liliw Police Station in Laguna.

The respondents were the 10 police officers and 10 persons under custody and were selected using purposive sampling technique.

The research instrument in this study was a survey questionnaire adopted from the guidelines and procedures in the management and supervision of all PNP custodial facility and persons under PNP custody. All the strands of the assessments on the conditions of persons under custodial facility in Laguna Police Station during Covid-19 pandemic were rated by the respondents based on a 5-point scale. To attain the validity of the survey questionnaire, the instrument was submitted to the experts, for review, scheme and validation including Senior Officers in the Philippine National Police.

Data were analyzed using mean, and One Way Analysis of Variance.

### Results

This section includes presentation of results based from the data collected from the 20 respondents of the study.

Table 1. Assessments on the conditions in PNP custodial facility during Covid-19 pandemic

Conditions in PNP Custodial Facility during Covid-19 Pandemic	Police Officers		Persons in Custodial Facility	
	Mean	Int	Mean	Int
<b>Health and Security</b>	<b>3.27</b>	<b>HI</b>	<b>3.22</b>	<b>MI</b>
1. Implementing robust infection prevention and control measures, including regular disinfection	3.33	HI	3.08	MI

Conditions in PNP Custodial Facility during Covid-19 Pandemic	Police Officers		Persons in Custodial Facility	
	Mean	Int	Mean	Int
of facilities, provision of adequate PPE, and promotion of hand hygiene practices.				
2. Enhancing screening and testing protocols to identify and isolate individuals who may be infected with COVID-19.	3.22	MI	3.10	MI
3. Increasing capacity and resources to address overcrowding and improve living conditions within custodial facilities.	3.25	HI	3.12	MI
<b>Legal Rights</b>	<b>3.22</b>	<b>MI</b>	<b>3.15</b>	<b>MI</b>
4. The right to due process requires that detainees be afforded a fair and timely judicial process.	3.22	MI	3.15	MI
5. Detainees have the right to access legal aid and assistance, particularly if they cannot afford legal representation	3.20	MI	3.12	MI
6. Detainees have the right to be held in conditions of confinement that meet basic standards of decency and respect for human dignity.	3.25	HI	3.18	MI
<b>Monitoring and Oversight</b>	<b>3.13</b>	<b>MI</b>	<b>3.15</b>	<b>MI</b>
7. Independent organizations, such as human rights commissions, civil society groups, and international observers, play a vital role in monitoring conditions in PNP custodial facilities.	3.18	MI	3.15	MI
8. Transparency and accountability are essential principles for effective monitoring and oversight of custodial facilities.	3.18	MI	3.18	MI
9. Engaging with communities and stakeholders is essential for fostering trust, promoting accountability, and addressing concerns related to the conditions in PNP custodial facilities.	3.13	MI	3.12	MI
<b>Overall</b>	<b>3.21</b>	<b>MI</b>	<b>3.17</b>	<b>MI</b>
3.25-4.00	High Implementation			
2.50-3.24	Moderate Implementation			
1.75-2.49	Low Implementation			
1.0 – 1.74	Very Low Implementation			

Data from the examination of police officers reveals that, in terms of verbal interpretation of high implementation, health and safety received the highest mean score of 3.27, while monitoring and oversight scored the lowest at 3.13, indicating moderate implementation. On the assessment of the persons in custody, data shows that the health and safety yielded with

the highest mean of 3.22 with verbal interpretation of moderate implementation while legal rights and monitoring and oversight yielded with the lowest mean of 3.15 with verbal interpretation of moderate implementation.

While the evaluation of the individuals in custody produced an overall mean of 3.17 and an interpretation of moderate implementation,

the assessments of police officers regarding the conditions in the PNP custodial facility during the Covid-19 pandemic generally yielded an overall mean of 3.21.

Police officers and those in detention rated the implementation as moderate, which suggests that overall conditions in the custodial facility were satisfactory. This suggests that the precautions the custodial facility was taking to

lessen the hazards related to COVID-19 were both appropriate and sufficient. The detention center was able to put the precautions in place that were required to guarantee the security of both its employees and the detainees. The officers and those detained found the precautions satisfactory, and they were successful in stopping the virus from spreading.

*Table 2. Significant difference on the assessments of police officers and persons under custodial facility on the conditions in PNP custodial facility during Covid-19 pandemic*

<b>Variables</b>	<b>P-Value</b>	<b>Int</b>
Health and Safety	.000	With Significance
Legal Rights	.000	With Significance
Monitoring and Oversight	.000	With Significance
<b>Overall</b>	<b>.000</b>	<b>With Significance</b>

According to data, assessments of the health and safety, legal rights, monitoring, and oversight circumstances in PNP correctional facilities during the Covid-19 outbreak by police officers and people detained yielded substantial results, with a value of .000. The findings showed a substantial disparity between the evaluations made by police officers and detainees regarding the conditions in the PNP custodial facility during the COVID-19 outbreak. The significant difference in assessments between police officers and persons in custody regarding conditions in PNP custodial facilities during the COVID-19 pandemic raises important considerations about transparency, accountability, and the experiences of persons in custody.

The disparate evaluations emphasize how independent supervision systems are required in order to impartially examine conditions in detention institutions. External oversight organizations, such independent auditors or human rights commissions, can offer objective evaluations and guarantee responsibility for upholding safety and care requirements. Mutual understanding and trust can be fostered by bridging the gap between police officers and

those in detention through enhanced communication and engagement techniques. Frequent communication, feedback channels, and teamwork opportunities can assist pinpoint problem areas and guarantee that issues are taken care with right away.

The substantial discrepancy in evaluations might also be a reflection of structural problems with the criminal justice system, such a lack of staff, insufficient funding, or improper procedures and training. Addressing these systemic issues requires comprehensive reforms and a commitment to upholding human rights standards. The significant difference in assessments between police officers and persons in custody regarding conditions in PNP custodial facilities during the COVID-19 pandemic underscores the need for robust oversight, meaningful engagement with stakeholders, and a commitment to upholding the rights and dignity of all individuals within the criminal justice system. Addressing disparities in assessments requires a multi-faceted approach that prioritizes transparency, accountability, and the voices of those directly impacted by custodial conditions.

Table 3. Problems and challenges on the conditions in PNP custodial facility during Covid-19 pandemic as assessed by police officers and persons in custodial facility

Problems and Challenges	Police Officers		Persons in Custodial Facility	
	Mean	Int	Mean	Int
<b>Manpower</b>	<b>3.94</b>	<b>HS</b>	<b>3.92</b>	<b>HS</b>
1. Overcrowding and Physical Distancing	3.95	HS	3.90	HS
2. Staffing Shortages and Burnout	3.90	HS	3.92	HS
3. Mental Health and Wellbeing	3.98	HS	3.95	HS
<b>Resources</b>	<b>3.82</b>	<b>HS</b>	<b>3.92</b>	<b>HS</b>
4. Limited Access to Healthcare	3.85	HS	3.90	HS
5. Legal and Privacy Concerns	3.80	HS	3.95	HS
6. Communication and Transparency	3.82	HS	3.92	HS
<b>Procedures and Standard</b>	<b>3.89</b>	<b>HS</b>	<b>3.92</b>	<b>HS</b>
7. Implementation of Health Protocols	3.92	HS	3.90	HS
8. Disruptions to Legal Proceedings	3.90	HS	3.92	HS
9. Human Rights Concerns	3.85	HS	3.94	HS
<b>Overall</b>	<b>3.88</b>	<b>HS</b>	<b>3.92</b>	<b>HS</b>
3.25-4.00	Highly Serious			
2.50-3.24	Very Serious			
1.75-2.49	Serious			
1.0 – 1.74	Less Serious			

According to the data, resources yielded with the lowest mean of 3.82 with verbal interpretation of highly serious, while manpower yielded with the greatest mean of 3.94 on the assessment of police officers. Meanwhile, the assessment of the persons in custody, data shows that the manpower, resources and procedures and standard yielded with the highest mean of 3.92 with verbal interpretation of highly serious.

Officers' assessments of the issues and difficulties surrounding the PNP custodial facility during the COVID-19 pandemic yielded an overall mean score of 3.88, indicating a highly serious situation. In contrast, the evaluations of the individuals detained produced an overall mean score of 3.92, indicating a highly serious situation. The assessments of both police officers and persons in custody indicate that there are significant problems and challenges in Philippine National Police (PNP) custodial facilities during the COVID-19 pandemic. Despite slight differences in their mean scores, both groups rated the severity of the issues as highly serious.

Despite the fact that people in detention and police personnel may have different viewpoints and experiences in jails, their evaluations agree on the importance of certain issues and difficulties. This acknowledgment of shared concerns emphasizes how important it is to address systemic problems that have an impact on prisoners' rights, safety, and well-being.

The evaluations emphasize the necessity of all-encompassing strategies to deal with the intricate problems PNP detention institutions are experiencing during the pandemic. This could entail putting policies in place to alleviate overcrowding, promote staff well-being, increase access to healthcare, improve sanitation and cleanliness, and guarantee accountability and openness in custodial procedures.

The assessments of both police officers and persons in custody indicate a shared recognition of the severity of the problems and challenges facing PNP custodial facilities during the COVID-19 pandemic. These assessments underscore the urgent need for concerted efforts to address systemic issues, prioritize the well-

being of detainees, and uphold human rights standards within custodial settings.

## Discussions

According to the survey, both police officers and inmates, who rated the implementation as moderate, believe that the custody facility is generally kept in decent conditions. This implies that the precautions the custodial facility was taking to lessen the risks posed by Covid-19 were suitable and sufficient. The detention center successfully carried out the necessary procedures to protect both its staff and the people it was responsible for. To the satisfaction of law enforcement officials and those under their supervision, the methods employed effectively prevented the virus from spreading.

The significant discrepancy in evaluations points to systemic problems with the criminal justice system, such as inadequate staffing, inadequate funding, or inadequacies in procedures and training. To address these systemic issues, broad reforms must be put into place together with an unwavering commitment to upholding human rights standards. The significant differences in assessments regarding the conditions in PNP detention centers during the COVID-19 pandemic between detainees and law enforcement personnel underscore the need for strict oversight, positive engagement with pertinent stakeholders, and a commitment to protecting the rights and dignity of each and every person entangled in the criminal justice system. In order to address disparities in assessments, a holistic approach is required that prioritizes accountability, transparency, and the viewpoints of those who are directly impacted by correctional conditions. To effectively tackle the issues raised by both law enforcement personnel and those in detention, it is imperative to foster cooperation among many actors—including communities, government authorities, civil society groups, and law enforcement agencies. Stakeholders may devise and execute comprehensive initiatives to enhance conditions in correctional institutions and safeguard the rights and dignity of prisoners via collaborative effort.

Considering the seriousness of the difficulties raised by both parties, independent supervision procedures are essential for keeping an

eye on conditions in PNP detention institutions and holding officials accountable for fixing errors. Aside from other external supervision organizations, human rights commissions and civil society organizations can guarantee transparency, accountability, and adherence to human rights standards.

The assessments offered by law enforcement officials and individuals under custody reveal a shared understanding of the seriousness of the problems and challenges facing PNP detention centers during the COVID-19 pandemic. The assessments listed above underscore how crucial it is to coordinate efforts to address systemic issues, prioritize the well-being of inmates, and uphold human rights procedures in correctional facilities.

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