

FAQ

on



**PAROLE/
EXECUTIVE
CLEMENCY**

WHAT IS PAROLE?

It is the conditional release of a prisoner from correctional institution after serving the minimum period of prison sentence.



WHO CANNOT BE GRANTED PAROLE?

Generally, those sentenced to a term of imprisonment of one (1) year or less, or to a straight penalty, or to a prison sentence without a minimum term of imprisonment.



WHO MAY GRANT PAROLE TO A PRISONER?

The Board of Pardons and Parole, an agency under the Office of the Secretary of Justice.



WHEN MAY A PRISONER BE GRANTED PAROLE?

Whenever the Board of Pardons and Parole finds that there is a reasonable probability that, if released, the prisoner will be law-abiding and that the release will not be incompatible with the interest and welfare of society.



WHAT HAPPENS IF A PAROLEE VIOLATES THE CONDITIONS OF HIS PAROLE?

The parolee shall be rearrested and recommitted or returned to prison to serve the unexpired portion of the maximum period of his sentence.



WHAT IS EXECUTIVE CLEMENCY?

It refers to the Commutation of Sentence, Conditional Pardon and Absolute Pardon maybe granted by the president upon recommendation of the Board.



WHAT IS COMMUTATION OF SENTENCE?

It is the reduction of the period of a prison sentence.





WHAT IS CONDITIONAL PARDON?

It is the conditional exemption of a guilty offender for the punishment imposed by a court.

WHAT IS ABSOLUTE PARDON?

It is the total extinction of the criminal liability of the individual to whom it is granted without any condition whatsoever resulting to the full restoration of his civil rights.



WHO MAY FILE A PETITION FOR CONDITIONAL PARDON?

A prisoner who has served at least one-half (1/2) of the maximum of the original indeterminate and/or definite prison term.



WHO MAY GRANT COMMUTATION OF SENTENCE AND PARDON?

The President of the Philippines.



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

The Board may review the petition of a prisoner for commutation of sentence if the following minimum requirements are met:

- **At least one-third (1/3) of the definite or aggregate prison terms;**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least one half (1/2) of the minimum of indeterminate or aggregate minimum of of the indeterminate prison terms;**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least ten (10) years for inmates sentenced to one (1) Reclusion Perpetua or one (1) life imprisonment, for crimes/offenses not punishable under Republic Act No. 7659 and other special laws.**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least thirteen (13) years, for inmates whose indeterminate and/or definite prison term were adjusted to a definite prison term of forty (40) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least fifteen (15) years for inmates convicted of heinous crimes as defined in Republic Act No. 7659 committed on or after January 1, 1994 and sentenced to one (1) Reclusion Perpetua or one (1) life imprisonment;**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least eighteen (18) years for inmates sentenced to Reclusion Perpetua or life imprisonment for violation of RA 6495, as amended, otherwise known as “The Dangerous Drugs Act of 1972”, or RA 9165, known as “The Comprehensive Dangerous Drugs Act of 2002”, and for kidnapping for ransom, or violation of the laws on terrorism, plunder, and transnational crimes;**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least twenty (20) years, for inmates sentenced to two (2) or more Reclusion Perpetua or life imprisonment even if their sentences were adjusted to a definite prison term of forty (40) years in accordance with the provisions of Article 70 of the Revised Penal Code, as amended;**



WHO MAY FILE A PETITION FOR COMMUTATION OF SENTENCE?

- **At least twenty-five (25) years for inmates originally sentenced to death penalty but which was automatically reduced or commuted to Reclusion Perpetua or life imprisonment.**



WHO MAY FILE A PETITION FOR ABSOLUTE PARDON?

- **One may file a petition for absolute pardon if the maximum sentence is served or granted final release and discharge or court termination of probation.**





**IS A PRISONER WHO IS
RELEASED ON PAROLE OR
CONDITIONAL PARDON
WITH PAROLE CONDITIONS
PLACED UNDER
SUPERVISION?**

**Yes, the prisoner is placed under the
supervision of a Probation and Parole
Officer.**