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JUVENILE DELINQUENCY IN TUGUEGARAO CITY NT

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ABSTRACT

The Philippines, a developing country, possesses a majority of the poor or underprivileged and some areas in the country have become a breeding ground for youth offenders. Tuguegarao City, a growing city in Northern Luzon, is becoming a machine for developing children in conflict with the law. This paper explores the nature and status of children in conflict with the law in Tuguegarao City. Using data archiving, a total of 119 cases of children in conflict with the law are discussed in-depth by the researchers. The findings revealed that arrested was the most common disposition of the CICLs and solved was the most recorded case status. It is also concluded that violence had the highest number of commission; under this, physical injury was committed the most. Under property offense, it was theft while in narcotics, only crimes against R.A. 9165 appeared. Slander and illegal gambling were common under status offense.

Keywords: *Children in conflict with the law, Disposition, Case Status, Offenses*

INTRODUCTION

In the previous studies of delinquency in the Philippines which are based upon official data gathered, indicates the typical delinquent to be 15-16 years of age (Shoemaker, 1992). Comparative studies were conducted on male-female patterns of delinquency identification (Shoemaker, 1994). The data gathered indicates that the Philippine youth population aged 15-19 years old composed 11% of the total number of more than 68 million Filipinos (Raymundo & Xenos, 1999). A decade after this study was conducted, the Juvenile Justice and Welfare Council, a total of 1,297 of Child in Conflict with Law (CICL) were served by the City and Municipal Social Welfare and Development Offices (MSWDO) in 15 regions in the country in the first quarter of 2016.

A report which was presented by the Council for the Welfare of Children (CWC) shows that more than 52,000 children from 1995 to 2000 were reported to be in conflict with the law. Separate data from the DSWD show that from 2001 to 2010, there were close to 64,000 CICLs served by the government. Another report from CWC in 2010 presents the profile of CICLs: usually male between the ages of 14 and 17; have low educational attainment; belong to large, low-earning families of six members; charged

with property-related crimes; use drugs and alcohol; and has stopped schooling (Sabangan, 2011). Although the exact number of Filipino child offenders is unknown, data from the Philippine National Police (PNP) indicates an increase in reported incidents on child offenses in the country from 2006 to 2012. As of 2012, the data shows that theft is commonly committed by child offenders which counts to 1, 972 followed by physical injuries with 796 child offenders, robbery with 366 child offenders, rape with 309 child offenders and P. D 1619 with 58 child offenders which sums up 5,308 child offenders (Yang, et. al., 2015) which composed about 60% of juvenile crimes as reported in the statistics of PNP from 2012-2015.

Delinquency encompasses a range of norm-breaking behaviors for which adolescents are criminally responsible: drug use, violent offenses against other persons and carrying weapons are just some instances of delinquency (Marte, 2008). The negative psychosocial and economic consequences of delinquency along with its developing expansion have caused experts' concerns (Alboukordi, 2012). Many adolescents today, are at risk-stemming from their behavior. To organize preventive programs, recognizing factors and the crime and crime-liability of the juveniles is very important ((DiClemente et al., 2001). In developing country, like the Philippines, adolescents form remarkable portion of society; it demands to pay attention to the adolescents (Changizi, 2007). Children are the future of a nation, the builders and pillar for a great nation. If crimes are to continue to penetrate their youth and their young minds, the dream for a great nation will not prosper.

Juvenile delinquency is a major problem in many societies as it causes major distress and damage to victims, perpetrators, and society at large (Nas et al., 2005). A delinquent youth refers to any male child who is in the age of 17 years or any female child who, while under the age of 18 years, violates any law of the state or is incorrigible or knowingly associates with thieves, vicious or immoral persons; or knowingly frequents a house of ill-repute; or knowingly frequents any policy shop or dram shop where intoxicating liquors are sold; or uses vile, obscene, vulgar, profane or indecent language in any public place or about any school house; or is guilty of indecent or lascivious conduct (Teitelbaum, 2002).

For several years, there is a space for delinquency in the society whereas it became part of custom in the justice system. While many of these children were able to rise from the rut, proving that poverty isn't a justifiable excuse for committing crime, thousands of other juveniles have failed to get out of the trap and are forced to break the law primarily to survive (Sabangan, 2011). Delinquency in the Philippines is a reality, but the scope and gravity of such behavior appears to be less than in other countries, such as the United States (Shoemaker, 1992).

Research Questions

This study aims to explore the juvenile delinquency in Tuguegarao City, Cagayan. Specifically, it aims to answer the following:

1. What are the status of the case and the disposition of the CICLES from 2015-2017?
2. What are the offenses of the CICLES from 2015-2017 under the following:
 - a. Property Offense
 - b. Violence
 - c. Narcotics
 - d. Status Offense

Conceptual Framework

This study is anchored on the different delinquencies being committed by the youth (Gutierrez & Shoemaker, 2007). Juvenile delinquency refers to a wide range of acts from minor misbehaviour or status offenses such as skipping school and cheating on exams to violent personal offenses and other serious crimes.

A. Property offenses. These are further classified as overt, covert property, swindling, and vandalism. An overt property offense is committed through the use of overt, forceful methods, committed with a heightened sense of daring (lakas ng loob) and in public view or with the risk of being in public view. A covert property offense involves stealing in the absence, or without the knowledge, of the victim and in which the act is hidden from public view. Swindling is acquiring property by means of trickery, often through verbal machinations and false pretences. Vandalism involves the destruction of property but not acquisition and is an expression of aggressive behaviour.

B. Violence. Acts are considered to be violent when they involved physical or verbal aggression and preparation for or anticipation of physical confrontation. These acts are often committed with lakas ng loob. Violent offenses include robbery, hitting someone, involvement in a group fight, throwing objects at houses or people, carrying a hidden weapon, and shouting profanities at parents and teachers. The last offense, though not a physical act that typifies commonly known violent behaviour is qualified as violence because it is confrontational, is aggressive, seeks to damage emotionally, expresses open defiance, and provokes a physical encounter.

C. Drug, cigarette, and alcohol use. Consumption of cigarettes, alcohol, and drugs may normally be grouped under substance abuse. The more serious nature of drug abuse, compared to cigarette and alcohol use, is considered. The use of the latter two substances, in fact, is often regarded as a status offense. However, in this study, alcohol and cigarette use is a separate category from drug abuse and from status offenses.

D. Status. Status offenses include activities such as cheating, sneaking out from home, truancy, lying about one's age, running away from home, smoking, and making threatening phone calls

METHODS

This study employed quantitative descriptive research design as it is the best fit for this study. This study was conducted in Tuguegarao City, Cagayan. The data of this study was collected from the 2015-2017 juvenile delinquency records of Cagayan PPO-Tuguegarao City Police Station and PNP Cagayan Police Provincial Office. To materialize the objectives of this study, the researchers made use of the data archiving method since the data needed were the records of juvenile delinquency for the past three years. Archived data are indexed and organized so it can be easily located and retrieved. The records collected after the data gathering procedure were carefully and systematically examined through descriptive document analysis. The data were then organized to attain the objective of this study.

RESULTS

The disposition of CICLS and the status of their case from 2015-2017

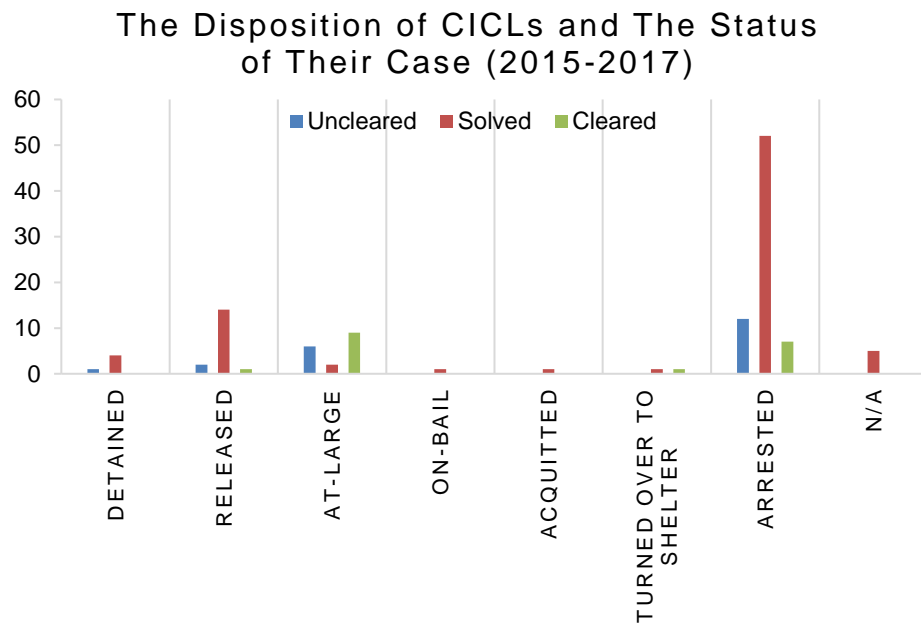


Figure 1

Figure 1 displays the disposition of CICLS and the status of their case from 2015-2017. The results gave three different status of case: (1) Uncleared, (2) Solved and (3) Cleared. The results revealed that majority of the cases were solved and most of the CICLS with solved cases are arrested. Moreover, there were solved cases of detained, released, at-large, on-bail, acquitted, and turned over to shelter CICLS. However, there were recorded solved cases but the disposition of CICLS were not disclosed or included. On the other hand, cleared cases appeared the least. The CICLS behind these cleared cases were mostly at-large or arrested and infrequently released or turned over to shelter. Furthermore, CICLS that have unclear cases were mostly arrested just like solved cases. Moreover, some of the CICLS that have unclear cases were at-large and few of them were detained and/or released.

Crimes committed by CICLS

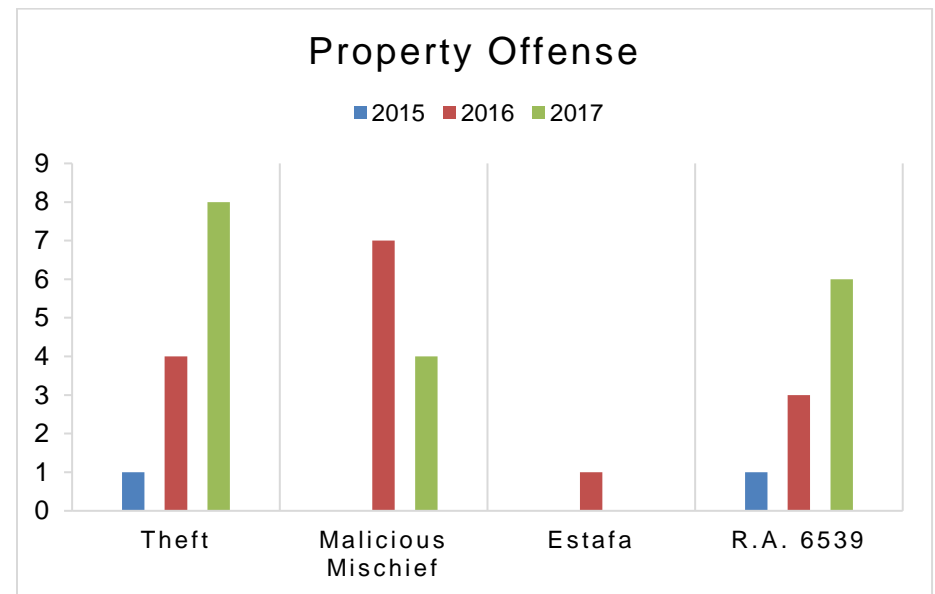


Figure 2.1

Figure 2.1 shows the subtypes under property offense, specifically named as: Theft, Malicious Mischief, Estafa, and R.A. 6539 (Anti-Carnapping Act). There was one account of theft recorded in 2015, increased to four in 2016, and further increased to eight in 2017. No record of malicious mischief appeared in 2015, then gradually increased to seven in 2016 but decreased to four in 2017. Furthermore, there was no record of estafa indicated in 2015 and 2017 but there was one in 2016. Additionally, a violation of R.A. 6539 was recorded in 2015, rose to three in 2016, and doubled in 2017.

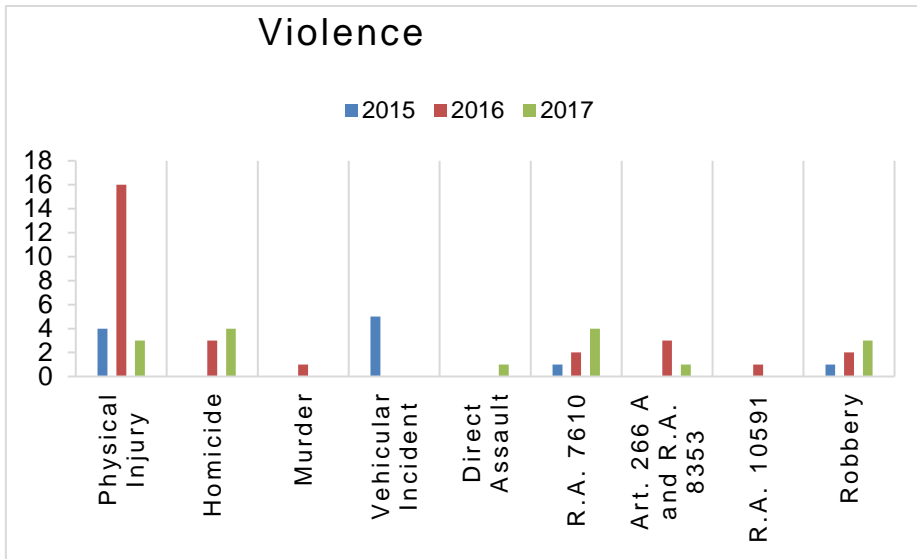


Figure 2.2

Under violence (**Figure 2.2**), there are nine subtypes indicated namely: (1) Physical Injury; (2) Homicide; (3) Murder; (4) Vehicular Incident; (5) Direct Assault; (6) R.A. 7610 (Child Abuse Act); (7) Article 266-A of the Revised Penal Code and R.A. 8353 (Rape); (8) R.A. 10591 (Comprehensive Law on Firearms and Ammunition); and (9) Robbery. There were four accounts of physical injury recorded in 2015 then gradually increased to 16 in 2016, and diminished to three in 2017. There was no recorded crime of homicide in 2015. However, in 2016, three CICLs committed homicide, then increased to four in 2017. Also, there was no recorded crime of murder in 2015 and 2017, but there was one recorded in 2016. Five CICLs were involved in vehicular incident in 2015 and there was none in 2016 and 2017. Moreover, it appeared in 2015 and 2016 that there was no record of direct assault committed but there was one recorded in 2017. One CICL violated R.A. 7610 in 2015, doubled in 2016, and rose to four in 2017. In violation of R.A. 8353 and a crime under Article 266 A of the RPC, three CICLs both committed a crime and violation against the law in 2016, it decreased to one in 2017, and nothing appeared in 2015. In 2016, only one CICL violated R.A. 10591 and no CICL violated the law in 2015 and 2017. In 2015, there was one CICL who committed robbery, doubled in 2016, and climb to three in 2017.

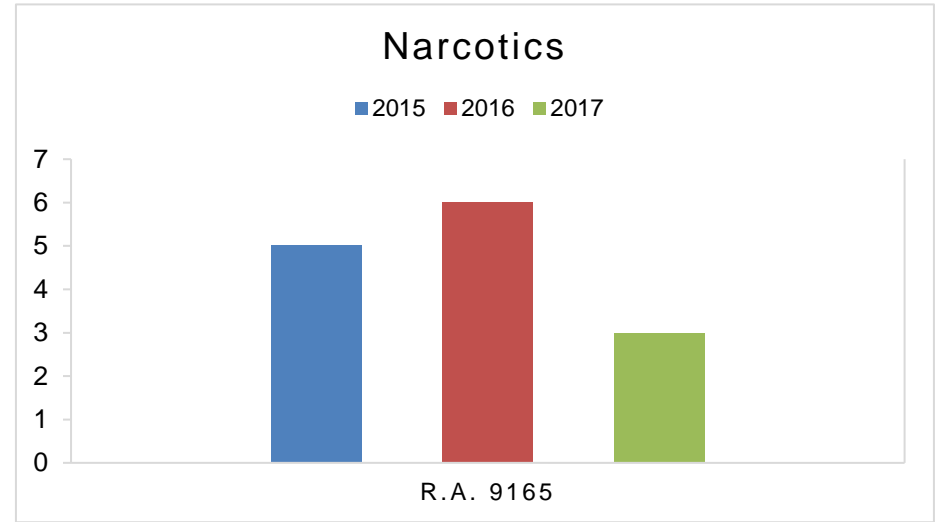


Figure 2.3

The third type of crime is narcotics. Under this type, only offenses against R.A. 9165 appeared in the results. Five CICLs violated the aforementioned law in 2015. It increased to six in 2016 and decreased to three in 2017.

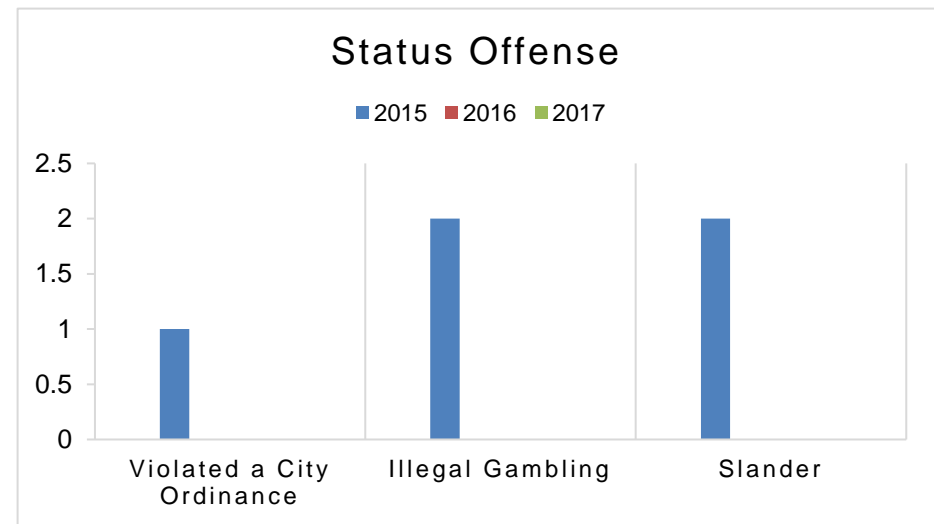


Figure 2.4

Violation of City Ordinance, Illegal Gambling, and Slander are classified under Status Offenses (Figure 2.4). It appeared in the data that status offenses were only committed in 2015. There was one CICL who violated a city ordinance, two were involved in illegal gambling, and two committed slander.

DISCUSSION

Behind a case is a crime or dispute committed by a person. The crimes committed are either a petty one or a heinous one. The result of the study revealed four types of crimes committed by the juvenile delinquent. These four major types are further broken into subtypes for a clearer understanding of the major type.

Among the four major types of crime revealed by the study, juvenile delinquents in Tuguegarao City were more involved in crimes that involve violence and property offenses. Physical injury was the most common offense committed by CICLs under this type of crime, followed by homicide and R.A. 7610, robbery, vehicular incident, Article 266-A of RPC and R.A. 8353, and murder. While in property offense, the most common was theft followed by malicious mischief, R.A. 6539, and Estafa. The Ateneo Human Rights Center (2004) and Templa et al., (2004) also found the same result in their study. It is further included in the report of the Philippine National Police – Women and Children Protection Center that physical injury is the most committed crime by minors in the Philippines, followed by theft, malicious mischief, activities related to drugs, and lastly, rape (manilatimes.net). Significantly, large number of juveniles were reported to assaulting someone with the intention of inflicting serious harm (Snyder and Sickmund, 2006). Soriano (2001) stated in her scholarly work that theft and robbery crimes were the most common crimes committed by the juvenile delinquents.

The use of drugs, cigarettes and alcohol were slightly common in Tuguegarao City in the span of three years and though status offenses appeared in the results, it was rarely committed. The National Center on Addiction and Substance Abuse (CASA) reported that four of every five youth arrestees in state juvenile justice system are under the influence of alcohol or drugs while committing their crimes. Also, in another study entitled as “Criminal Neglect: Substance Abuse, Juvenile Justice and the Children Left Behind” they had found out that 1.9 million of 2.4 million juvenile arrests had substance abused and addiction involvement. Their findings include youths under the

influence of marijuana and cocaine, alongside, they also found out accounts of property offenses, assaults, vandalism and disorderly conduct.

In the study, the researchers found out that majority of the cases were solved. A case shall be considered solved when the following elements concur: (1) the offender has been identified; (2) there is a sufficient evidence to charge him; (3) the offender has taken into custody; and (4) the offender has been charged before the prosecutor’s office or court of appropriate jurisdiction (Standard Operating Procedures, PNP). Also, cleared cases took their part in the result but its number was minuscule. According to the Standard Operating Procedures of PNP in investigating crimes, a case shall be considered cleared when: (1) at least one of the offenders has been identified; (2) there is sufficient evidence to charge him and; (3) he has been charged before the prosecutor’s or any other court of appropriate jurisdiction. Additionally, there were uncleared cases revealed in the results.

The disposition of the CICLs behind these cases are categorized into seven types: (1) detained; (2) released; (3) arrested; (4) at-large; (5) on-bail; (6) acquitted and; (7) turned over to shelter. Among these types, arrested is the most frequent type of status that appeared in the results. It was then followed by at-large then released. These aforementioned statuses were the top three types of status that appeared in the results.

A CICL is considered to be at-large when he/she has escaped or not yet captured. There were also detained CICLs. Additionally, there were CICLs that were turned over to shelter in order to restore their youth with the help of social workers. Finally, there was a CICL that had the luxury to bail his/her way out of the bars and CICL that was acquitted of the crime. However, there were status of CICLs that were unrecorded and/or unreported.

The disposition of CICLs are employed accordingly by the lawful authorities which determines if they are detained, released, at-large, on-bail, acquitted, turned over to shelter, or arrested and whether their cases are solved, uncleared, or cleared. According to Davis (1980), the discussion on waiver of jurisdiction focuses on requirements of due process which are necessary to protect juveniles. Procedural rights of the adjudicatory process are outlined.

In the study of Shoemaker (1996) entitled “Juvenile Corrections in the Philippines: The Barangay System”, he discussed about the juvenile system in the country. According to his study, a youthful offender is one between the ages 9-18 who committed a felony and who had been processed through the formal machinery of juvenile justice. In his study, before a case go to the hands of the police, it must be heard first at the barangay. If all remedies have been exhausted by the police, it will be then transferred in the hands of a prosecutor or fiscal. After which, a mental and physical examination arranged by the fiscal for the youthful offender will be performed to determine a probability of guilt. The fiscal can refer the juvenile case to the DSWD for placement until a court hearing or trial can be established. When a guilt of the CICL has been established by a judge and if the crime is not a capital offense, the CICL can make a petition to suspend his/her sentence and put under the custody of DSWD until an indefinite time or until he reaches the age of 21. If the petition was accepted, the CICL shall observe behavioral guidelines established by the DSWD such as going to school etc. However, if the youthful offender is a repeat offender, or the petition was denied, his/her placement shall be put on the adult system supervised by a probation officer. There are legal guidelines to be observed when a CICL is confined in a detention home, jail, or prison. Some of the instances in such case is separating the juveniles' cells from adults', keeping them in cells for not more than 24 hours, and providing them basic health and maintenance care while in confinement. This shows that even if a juvenile delinquent committed a crime, he must be treated according to his age and rights.

CONCLUSION

Children in conflict with the law possess a problem not only socially but also politically and economically. Tuguegarao City, a growing city in Northern Luzon, is becoming a machine for developing children in conflict with the law. Those who commit serious crimes or repeat offenses shall undergo into an intensive juvenile intervention program; otherwise, they will be behind bars. However, the detention of the children should be the last resort, not the only option. The way of the law in addressing their crimes is imposed depending on the gravity of the crime committed. In addition to this, the government has demonstrated a strong obligation to improve the lives of the youth.

RECOMMENDATION AND IMPLICATIONS FOR FUTURE FURTHER RESEARCH

With the high number of physical injury under violence being committed by CICLs, the local government unit and social workers should implement programs that may prevent the children in doing delinquent acts and to such extent that may involve violence.

The Local Government Unit should amend ordinances that will not only outline the prohibitions to the youth but to help them enhance their talents and capabilities in promoting nation building.

Further research should interview the juvenile delinquents in order to know the reason/s on committing delinquent acts.

Further research should be conducted not only in Tuguegarao but the whole Cagayan Province in order to know the status quo of the juvenile delinquency in Cagayan.

Further research should come up to a solution on how to neutralize juvenile delinquency cases in Tuguegarao City.

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LEARNING OUTSIDE THE CLASSROOM: AN EXPLORATION ON THE EFFECTS OF TUTORING TO ELEMENTARY PUPILS

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Adjudged as the **BEST RESEARCH PAPER** and **BEST RESEARCH PRESENTER*** during the Pre-Service Teachers' Colloquium organized by Quirino State University – College of Education on October 30, 2017.

ABSTRACT

Private tutoring expanded dramatically over the last several decades especially in developing countries such as the Philippines. However, most of the studies conducted on private tutoring focused on its effects on pupils' academic performance. Limited studies had been conducted investigating the effects of private tutoring to other non-academic factors. This study was conducted to explore the effects of tutoring to elementary pupils. An interpretive approach in research was utilized in the study employing descriptive-qualitative method of research. Thirty (30) parents and guardians and seven (7) elementary teachers were the participants of the study through in-depth interview to generate themes and common patterns. Themes that emerged as the result of the interview are as follows: (1) study habits, (2) self-esteem, (3) independency, (4) attitude of pupils towards their parents, (5) sociability, (6) behavior in the classroom, (7) academic performance, and (8) parents/guardians views on private tutoring. Finally, the study concluded that private tutoring has both positive and negative effects on the pupils.

Keywords: *Private Tutoring, Elementary Pupils, Positive Effects, Negative Effects*

INTRODUCTION

Tutoring program has been expanding in many countries and it is considered as the third emerging education sector in addition to the public and private school sectors (Dang & Rogers, 2008). The increasing importance of educational achievement for future careers, together with increased pressure on schools to raise standards may well lead parents to see private tutoring as a worthwhile investment, especially as their children approach important transition points in the education system (Ireson & Rushforth, 2014). The main reason for tutoring is to improve academic achievement at school or in high stakes exams at the end of school year (Bray, 2013). In this competitive environment, parents are eager to go any extent to provide facilities for right education to their children (Das & Das, 2013). The attempt of parents to provide their children with the best