

Title: Miriam Defensor Santiago v. Hon. Justice Francis Garchitorena, Sandiganbayan (First Division) and People of the Philippines

Facts:

The case revolves around petitioner Miriam Defensor Santiago, who was charged with violating Section 3(e) of the Anti-Graft and Corrupt Practices Act (RA No. 3019), allegedly for favoring unqualified aliens with benefits under the Alien Legalization Program. Santiago was then a presidential candidate and argued that the case was harassment, contrary to the constitutional guarantee for bona fide candidates to be free from harassment and discrimination.

After Santiago's petition to the Supreme Court to enjoin Sandiganbayan from proceeding with the case was dismissed, she filed a motion for inhibition of Presiding Justice Garchitorena, coincidentally set on the same date as the arraignment. The motion to defer arraignment was denied, prompting Santiago to move for a bill of particulars, which the prosecution initially answered by agreeing to file only one amended information. Contradicting this, 32 Amended Informations were subsequently filed.

Santiago challenged the disqualification of Presiding Justice Garchitorena based on his public statements. The court found no grounds for disqualification, noting that justice in the Sandiganbayan is dispensed by divisions, lessening the risk of bias or prejudice by an individual justice.

Issues:

1. Whether the public statements of Presiding Justice Garchitorena could be construed as prejudging the case and warrant his disqualification.
2. Whether there was a violation of Santiago's right to due process due to the delay in the preliminary investigation and the filing of information.
3. Whether the 32 Amended Informations constituted a violation of the concept of *delito continuado* or "continued crime."

Court's Decision:

1. The Supreme Court affirmed Presiding Justice Garchitorena's qualification, accepting his explanations and noting the collective decision-making process in the Sandiganbayan.
2. The Court held that Santiago's due process rights were not violated. The delay was not unwarranted, given the complexity of the issues involved and the continuum of the investigatory process.

3. The Court directed the consolidation of the 32 Amended Informations into one information. The Court recognized that the alleged offenses constituted a *delito continuado*, characterized by a single criminal intent and purpose, and hence should not have been split into multiple informations.

Doctrine:

The Supreme Court reiterated the doctrine of *delito continuado* wherein a series of acts performed over time, violating a single penal provision, and driven by a singular criminal intent or purpose constitute a single offense.

Class Notes:

- A motion to quash admits hypothetically the allegations of fact in the Information.
- The elements of the offense defined under Section 3 (e) of R.A. No. 3019 are (a) the accused is a public officer, (b) the accused engages in an act contrary to law, (c) the act caused undue injury to any party, including the Government, or gave any private party unwarranted benefits, advantage, or preference, and (d) the act was done with manifest partiality, evident bad faith or gross inexcusable negligence.
- *Delito continuado* or continued crime consists of a series of acts arising from one criminal intent or resolution leading to the perpetration of the same criminal purpose or aim.

Historical Background:

This case is set in the context of the political atmosphere in the Philippines during the early 1990s, a period marked by significant political transitions and legal challenges. The petitioner, Miriam Defensor Santiago, was a prominent political figure and presidential candidate renowned for her legal expertise. The case itself reflects the tension between the judiciary's task to administer justice without fear or favor and the political undercurrents existing during that era.