

Title: Arnulfo a.k.a Arnold Jacaban vs. People of the Philippines

Facts:

Arnulfo Jacaban, the petitioner, was charged with illegal possession of firearms and ammunition as prescribed by Presidential Decree (PD) No. 1866, as amended by Republic Act (RA) 8294. He was found in possession of several firearms and ammunition without the necessary permits or licenses in the early hours of July 16, 1999, in Cebu City.

Following a raid executed based on a duly issued search warrant, a team from the Presidential Anti-Organized Crime Task Force (PAOCTF), led by P/S Inspector Ipil H. Dueñas, seized various items from a residence. Jacaban, present during the raid, was found inside with his wife and others, displaying anger and restlessness when informed of the search. Despite his protests, the team discovered firearms and ammunition, subsequently arresting Jacaban.

At trial, the defense presented Jacaban's sister, Felipenerie, who claimed that the searched house belonged to their uncle, Gabriel Arda, and that a pledged pistol was recovered from there. She testified that Jacaban did not protest during the search.

The lower court (RTC) convicted Jacaban on July 12, 2005, imposing a prison sentence and a fine. His conviction was upheld by the Court of Appeals (CA), which found the prosecution's evidence and the search warrant execution credible despite minor discrepancies in testimonies.

Jacaban elevated his case to the Supreme Court via Petition for Review on Certiorari, challenging the findings particularly regarding house ownership and testimonial discrepancies.

Issues:

1. Whether Jacaban was properly identified as the possessor of the seized firearms and ammunitions.
2. Whether the house where the items were seized belongs to Jacaban and whether such ownership is necessary for conviction.
3. Whether there was credibility in the prosecution's witness testimony regarding the time of the raid.
4. The correct application of the penalties under PD 1866, as amended by RA 8294.

Court's Decision:

The Supreme Court affirmed Jacaban's conviction with modification of the imposed sentence. It held that ownership is not a required element for the crime of illegal possession of firearms; mere possession and control, coupled with the intent to possess (*animus possidendi*), suffice for conviction. Such intent was evident when Jacaban grappled with the officer for the gun. Additionally, it was established that Jacaban did not have a license or permit to possess any firearm or ammunition.

As to the discrepancy in the time of the raid mentioned in testimonies, the Supreme Court regarded this as a minor discrepancy that does not affect the integrity of the witness's evidence or her credibility.

#### Doctrine:

The Supreme Court reiterated the doctrine of illegal possession of firearms under PD 1866, as amended by RA 8294, which necessitates two elements for a conviction: (1) possession of the firearm or ammunition, and (2) lack of the requisite license or permit. Ownership of the premises where the firearm is found is not a necessary element for conviction.

#### Class Notes:

1. Elements of illegal possession of firearms: (a) existence of the firearm, and (b) the accused's lack of license for it.
2. *Animus possidendi* - intent to possess; inferred from the accused's actions or circumstantial evidence.
3. Ownership of premises - not requisite for conviction for illegal possession of firearms.
4. Credibility of witness testimony - minor discrepancies that do not alter the material facts or evidence do not impugn a witness's credibility.

#### Historical Background:

The case demonstrates the enforcement of gun control statutes in the Philippine legal context. PD 1866 and its amendment by RA 8294 reflect the country's strict regulations concerning firearm possession and the criminal justice system's pursuit to curb unauthorized access to firearms. The proceedings exemplify the judiciary's approach to upholding laws that categorize certain offenses, like unlicensed firearm possession, as *malum prohibitum*—wrong due to being legally prohibited, regardless of the actor's intent or moral significance of the action.