

Title: Astorga vs. People of the Philippines

Facts:

The case involves Benito Astorga, the then Mayor of Daram, Samar, who was charged with arbitrary detention of five Department of Environment and Natural Resources (DENR) employees. On September 1, 1997, these employees, escorted by police officers, were on an official mission against illegal logging within Daram, Samar. They encountered boats they suspected of being constructed illegally. Upon questioning a local, they were referred to Michael Figueroa, the boats' owner.

In the course of their duties, the team approached two more boats under construction and met Mayor Astorga. Upon discussing their mission, Mayor Astorga exhibited aggressive behavior, including slapping the team leader, Mr. Elpidio Simon. Mayor Astorga prevented the team from departing by summoning armed men, who surrounded the team. Despite having dinner later with Mayor Astorga, the team was effectively detained until 2:00 a.m. the following day.

Charges were filed against Mayor Astorga, leading to his arraignment on July 3, 2000, where he pleaded not guilty. During the trial, the prosecution presented testimonies and affidavits but encountered the withdrawal of key eyewitnesses—the team members—who later filed a Joint Affidavit of Desistance. In spite of this, the Sandiganbayan found Mayor Astorga guilty on July 5, 2001, sentencing him to a prison term. Astorga's motions for reconsideration were denied, which led him to file a petition for review under Rule 45 of the Rules of Court to the Supreme Court.

Issues:

1. Whether the finding of guilty of Arbitrary Detention by the Sandiganbayan was based on mere speculations, surmises, and conjectures, especially in the face of an Affidavit of Desistance executed by complaining witnesses.
2. Whether the presence of armed men and the conduct of Mayor Astorga constituted sufficient intimidation to prove that the DENR team members felt compelled to restrict their own freedom of movement.
3. The relevance of the Affidavit of Desistance executed by the private complainants in the determination of Mayor Astorga's guilt.
4. Whether the trial evidence, specifically the testimony of SPO1 Capoquian, was sufficient to convict Mayor Astorga.
5. Whether Mayor Astorga was denied the "cold neutrality of an impartial judge" due to the

alleged participation of the ponente as advocate during the trial by asking extensive clarificatory questions.

#### Court's Decision:

The Supreme Court affirmed the conviction of Mayor Astorga and upheld the decision of the Sandiganbayan. It was held that:

- The restraint of the DENR team was out of fear from being surrounded and threatened by armed men on Mayor Astorga's orders, which established the detention against their will.
- The Affidavit of Desistance did not negate the established facts and was viewed as an insufficient basis for acquittal when considering the weight of the other evidence.
- The testimony of SPO1 Capoquian was deemed credible and relevant. The fact that Capoquian was not one of the formal complainants did not affect the admissibility or the weight of his testimony.
- The Sandiganbayan's impartiality was not compromised by asking clarificatory questions, which is permissible and often necessary for judges to understand the case better.

#### Doctrine:

Arbitrary Detention is committed by any public officer or employee who detains a person without legal grounds. The physical confinement of an individual is not a prerequisite for the crime; rather, intimidation or other acts causing a person to feel unable to leave also fulfill the elements of detention. An Affidavit of Desistance by complainants is not an absolute ground for acquittal and does not automatically negate the evidence established during the trial.

#### Class Notes:

- Arbitrary Detention Elements: (a) Offender is a public officer/employee; (b) Detains a person; and (c) The detention is without legal grounds.
- Intimidation or threats can suffice to prove detention.
- Affidavit of Desistance does not automatically void prior evidence.
- Testimony from witnesses other than the complainants can be used to convict.
- Judicial questioning is permissible and does not imply partiality.

#### Historical Background:

The case exemplifies the assertion of judicial authority against unlawful actions by public officials, showcasing the Philippines' legal system stance against impunity for arbitrary detention—reiterating the principle that everyone, including public officers, must abide by

the law.