

### Title: People of the Philippines vs. Jose Patriarca, Jr.

### Facts:

- On August 16, 1990, Jose Patriarca, Jr., alias “Ka Django,” “Carlos Narra,” “Ka Jessie,” and others were charged with the murder of Alfredo Arevalo on June 30, 1987, in Donsol, Sorsogon. The accused were alleged to have abducted and subsequently murdered Arevalo.
- Patriarca also faced charges for the murder of Rudy de Borja and Elmer Cadag in separate cases.
- During the trial, witness Nonito Malto testified that Patriarca and his armed companions rested at his house with a hogtied person later identified as Alfredo Arevalo. Malto heard gunshots and witnessed activities suggesting Arevalo’s murder.
- Another witness, Elisa Arevalo, Alfredo’s mother, testified about her son’s abduction by the NPA led by Patriarca and identified his remains through personalized briefs.
- Patriarca, along with a defense witness, denied the abduction and murder allegations, claiming NPA membership but not involvement in the crimes charged.
- The Regional Trial Court convicted Patriarca for Arevalo’s murder, sentencing him to reclusion perpetua and acquitted him in the other two murder cases due to lack of evidence.
- Patriarca appealed the decision, arguing the trial court erred in finding him guilty of murder given his amnesty grant under Proclamation No. 724 for crimes committed in pursuit of political beliefs.

### Issues:

1. Whether the grant of amnesty under Proclamation No. 724 applies to Patriarca, thus exonerating him from the murder of Alfredo Arevalo.
2. The judicial recognition and effects of amnesty in contrast to pardon regarding criminal liability and penalties.

### Court’s Decision:

The Supreme Court reversed the Regional Trial Court’s decision, acquitting Jose Patriarca, Jr. of the murder charge. The Court recognized the validity of the amnesty granted under Proclamation No. 724, which covered crimes committed in furtherance of political beliefs, including rebellion or insurrection, up to the date of Patriarca’s capture. It ruled that amnesty extinguishes not only the penalty but also obliterates the offense itself as if it had never been committed. Therefore, the Court ordered Patriarca’s release unless detained for other legal causes.

### Doctrine:

The ruling reiterated the doctrine that amnesty extinguishes both the penalty and the offense, with the person benefiting from amnesty standing before the law as if the offense had never been committed. Unlike pardon, which may relieve an individual from the penalties of a conviction without erasing the fact of the conviction, amnesty looks backward and completely removes the offense from the person's record.

### ### Class Notes:

- **\*\*Amnesty vs. Pardon\*\***: Amnesty generally applies to political offenses, granting forgiveness to groups of people and fully erasing the offense. Pardon, typically granted post-conviction, does not erase the offense but forgives its penalty.
- **\*\*Effects of Amnesty\*\***: Under Article 89 of the Revised Penal Code, amnesty fully extinguishes criminal liability and its consequences, effectively treating the individual as though they had not committed the offense.

### ### Historical Background:

In the late 20th century, the Philippine government employed amnesty as a tool for peace, aiming to reintegrate rebels back into society by legally forgiving their political offenses. This case contextualizes the legal framework for amnesty within Philippine jurisprudence, illustrating its profound impact on individuals involved in political armed conflicts and its role in national reconciliation efforts.