

Title:

Luis Derilo y Gepoleo vs. People of the Philippines: A Critical Examination of Chain of Custody in Drug-Related Prosecutions

Facts:

On November 19, 2004, police officers, led by SPO1 Sonny Evasco, performed an operation at Luis Derilo's residence in Bulan, Sorsogon, to execute a search warrant. Barangay tanods were designated to search Derilo's bedroom under Evasco's supervision, where they discovered twelve plastic sachets of shabu inside a matchbox and various drug paraphernalia scattered around. The seized items were initially marked by Evasco, photographed, and an inventory was prepared, which Derilo refused to sign. The items were then submitted to the PNP Crime Laboratory for testing, confirming the presence of shabu.

The Regional Trial Court (RTC), on January 18, 2008, found Derilo guilty of possessing illegal drugs and drug paraphernalia under Sections 11 and 12, Article II of RA No. 9165, leading to varying imprisonment and fines. The Court of Appeals affirmed this ruling, asserting the legality of the search and the admissibility of seized items. Derilo's subsequent appeal to the Supreme Court highlighted issues of the search legality, witness inconsistencies, and the integrity of the chain of custody.

Issues:

1. The legality of the search conducted and the admissibility of evidence obtained therein.
2. The credibility of witnesses, particularly on the discovery of illegal items.
3. The integrity of the chain of custody concerning the seized illegal drugs.

Court's Decision:

The Supreme Court granted Derilo's appeal, scrutinizing the prosecution's evidence and spotlighting the lapses in the chain of custody. The court emphasized the necessity of proving the illegal drug's identity beyond reasonable doubt, establishing an unbroken chain of custody to maintain the evidence's integrity. It pointed out discrepancies in markings and weights of the seized specimens and noted the prosecution's failure to present crucial witnesses who handled the evidence. Consequently, due to reasonable doubt stemming from the broken chain of custody and lack of proof regarding the intended use of the seized paraphernalia, Derilo was acquitted of all charges.

Doctrine:

The decision underscored the critical importance of establishing an unbroken chain of

custody in drug-related prosecutions, as mandated by Section 21 of RA No. 9165, to preserve the integrity and probative value of seized drugs.

Class Notes:

- **Presumption of Innocence:** An accused is presumed innocent until proven guilty beyond reasonable doubt.
- **Chain of Custody in Drug Cases:** It is paramount to show an unbroken chain of custody to eliminate any doubt concerning the identity of the seized drugs.
- **Elements in Establishing Chain of Custody:**
 1. Seizure and marking of the illegal drug by the apprehending officer.
 2. Turnover of the illegal drug from the apprehending officer to the investigating officer.
 3. Submission of the illegal drug by the investigating officer to the forensic chemist for laboratory examination.
 4. Turnover of the marked illegal drug from the forensic chemist to the court.
- **Importance of Marking:** Immediate marking of the seized items upon confiscation is crucial for identification and prevents tampering or substitution.

Historical Background:

This case highlights the stringent procedural requirements in Philippine law for handling evidence in drug-related offenses. It reflects the evolving legal standards aimed at ensuring the integrity of drug seizures and the challenges in aligning law enforcement practices with these standards.