

****Title:**** People of the Philippines vs. Marcelino Crispo y Descalso alias “Gogo” and Enrico Herrera y Montes

****Facts:**** This case involves illegal drug charges against Marcelino Crispo y Descalso (“Crispo”) and Enrico Herrera y Montes (“Herrera”) in Manila, Philippines. The Manila Police District Station 4 organized a buy-bust operation targeting Crispo, based on information from a confidential informant about his alleged illegal drug activities. During the operation, police posed as buyers and successfully purchased methamphetamine hydrochloride (shabu) from the accused, which led to their arrest. Subsequent searches yielded additional sachets of shabu in Crispo’s possession.

The Regional Trial Court (RTC) of Manila found Crispo and Herrera guilty of Illegal Sale of Dangerous Drugs and Crispo additionally guilty of Illegal Possession of Dangerous Drugs, as defined under Republic Act No. 9165 (Comprehensive Dangerous Drugs Act of 2002). Both accused appealed to the Court of Appeals (CA), which affirmed the RTC’s decision.

****Issues:****

1. Whether or not the chain of custody was properly observed in accordance with Section 21, Article II of RA 9165.
2. Whether or not the presence of representatives from the Department of Justice (DOJ) and the media during the inventory of seized items is indispensable for the prosecution’s case.
3. Whether deviations from the prescribed procedures under RA 9165 sufficiently preserved the integrity and evidentiary value of the seized items.

****Court’s Decision:****

1. The Supreme Court found that the police officers committed unjustifiable deviations from the prescribed chain of custody rule, thereby putting into question the integrity and evidentiary value of the dangerous drugs allegedly seized from Crispo. The Court emphasized that the absence of representatives from the DOJ and media without justifiable grounds cannot be overlooked since it significantly affects the lawfulness of the seizure and the integrity of the evidence.
2. The Court ruled that the prosecution failed to establish the guilt of Crispo beyond reasonable doubt due to these procedural lapses. Therefore, it acquitted Crispo of the charges against him. Regarding Herrera, the Court was informed of his death, and pursuant to Paragraph 1, Article 89 of the Revised Penal Code, his criminal and civil liabilities based solely on the offense committed were extinguished.

Doctrines: The Court reiterated the crucial principle that the integrity of the chain of custody in drug-related offenses under RA 9165 is fundamental in preserving the evidentiary value of the seized items. Non-compliance with Section 21 procedures without justifiable grounds will undermine the prosecution's case, potentially leading to the acquittal of the accused.

Class Notes:

1. **Chain of Custody** (RA 9165, Section 21) - Critical to establish an uninterrupted trail from the seizure of the drugs up to their presentation in court.
2. **Integrity and Evidentiary Value** - The prosecution must prove that the integrity and evidentiary value of the seized items are preserved, demonstrating a clear link that the items presented in court are the same as those seized during the operation.
3. **Presence of Required Witnesses** - For the inventory of seized items, the law mandates the presence of the accused or his/her representative, an elected public official, a representative from the DOJ, and a representative from the media. Their absence must be justified by the prosecution.
4. **Justifiable Grounds for Non-compliance** - If the prosecution fails to present justifiable reasons for deviation from Section 21 procedures, the integrity and evidentiary value of the evidence may be deemed compromised.

Historical Background: This case underscores the challenges and procedural rigor involved in the prosecution of drug-related offenses in the Philippines, highlighting the judiciary's stringent adherence to the legal requirements set forth under RA 9165 to ensure the lawfulness of operations and safeguard the rights of the accused. It also reflects the evolving jurisprudence on the importance of maintaining the chain of custody in drug cases.