

### Title:

Gonzalbo-Macatangay vs. Civil Service Commission: A Case of Conviction of a Crime Involving Moral Turpitude

### Facts:

Rosa C. Gonzalbo-Macatangay, a Secretary in the Passport Division of the Department of Foreign Affairs (DFA), was dismissed from service following her conviction for the crime of Bigamy. This stemmed from Marites L. Calivara's complaint alleging Gonzalbo-Macatangay's marriage to Marites' husband, which led to the filing of a criminal case for Bigamy resulting in Gonzalbo-Macatangay and the husband's conviction. Upon administrative proceedings initiated by the Civil Service Commission National Capital Region (CSC-NCR), Gonzalbo-Macatangay was found guilty of Conviction of a Crime Involving Moral Turpitude. Despite her appeal to the CSC Proper and subsequently to the Court of Appeals (CA), the CSC-NCR's decision was affirmed, leading to her petition for review before the Supreme Court.

### Issues:

1. Whether the CSC's imposition of the penalty of dismissal from service is proper in light of the mitigating circumstances claimed by Gonzalbo-Macatangay.
2. Whether mitigating circumstances (i.e., length of service, first commission, and outstanding performance) can be appreciated in imposing penalties for Conviction of a Crime Involving Moral Turpitude.
3. Whether the petitioner's right to speedy disposition of cases was violated.

### Court's Decision:

The Supreme Court upheld the imposition of the dismissal penalty. It clarified that while mitigating circumstances could be considered for divisible penalties, the mitigating factors invoked by Gonzalbo-Macatangay (length of service, first commission, and outstanding performance) were not applicable or insufficient to offset the gravity of her offense. Bigamy is a serious offense that reflects moral depravity, which cannot be overshadowed by years of service or performance accolades. Moreover, the Court found no violation of the right to a speedy disposition of cases as the appropriate procedural steps to invoke such right were not followed by Gonzalbo-Macatangay.

### Doctrine:

This case reiterated the doctrine that conviction of a crime involving moral turpitude warrants the imposition of dismissal from service as an indivisible penalty. It also

highlighted that mitigating circumstances must be significant and directly relevant to the nature of the administrative offense to affect the prescribed penalty. The case further established that the right to a speedy disposition of cases must be timely invoked to be considered.

### Class Notes:

- **Conviction of a Crime Involving Moral Turpitude**: Reflects on the moral character of the individual and is considered a grave offense with dismissal from service as the penalty upon first commission.
- **Mitigating Circumstances in Administrative Offenses**: Not all mitigating factors can influence the imposition of penalties for grave offenses; considerations such as length of service and outstanding performance are not automatically deemed sufficiently mitigating.
- **Right to Speedy Disposition of Cases**: Must be affirmatively invoked at the appropriate procedural juncture; failure to do so may result in the forfeiture of the right.

### Historical Background:

This case exemplifies the strict interpretation and application of laws and regulations governing moral turpitude in the context of public service in the Philippines. It underscores the expected moral fortitude from public servants and the rigorous process of disciplinary proceedings for those found committing acts that betray public trust. The court's decision reflects its stance on maintaining high ethical standards within the civil service, ensuring individuals holding public office uphold integrity and morality, both in their professional conduct and personal lives.