

### Title: People of the Philippines vs. Pacito Ordoño y Negranza alias Asing and Apolonio Medina y Nosuelo alias Poling

### Facts:

On August 5, 1994, the decomposing body of 15-year-old Shirley Victore was discovered in La Union, Philippines, leading to the arrest of Pacito Ordoño and Apolonio Medina based on their subsequent confessions to the crime of rape with homicide. Initially released due to lack of direct evidence, they voluntarily returned to the police, admitting the crime without legal counsel. Despite attempts to secure a lawyer, none were available, leading to their confessions being taken in the presence of local officials and relatives. These confessions, alongside a radio interview admitting guilt, were central to their trial at the Regional Trial Court, Br. 34, Balaoan, La Union, that resulted in the death penalty for both. The Supreme Court's automatic review focused on constitutional issues regarding their confessions and the validity of evidence.

### Issues:

1. Whether the extrajudicial confessions of Ordoño and Medina were admissible given the absence of counsel during custodial investigation.
2. Whether the absence of immediate legal representation was sufficiently mitigated by later legal advice before re-signing their confessions.
3. The admissibility and reliability of the radio interview as voluntary admission of guilt.
4. The constitutionality and application of the death penalty for rape with homicide under RA 7659, given alleged constitutional violations.

### Court's Decision:

The Supreme Court:

- Ruled the original confessions inadmissible due to the violation of the right to counsel during custodial interrogation.
- Held that delayed legal advice did not remedy the constitutional defect of the initial uncounseled confession.
- Affirmed the admissibility of the radio interview as voluntary and not coerced, separate from the constitutional protections against self-incrimination.
- Affirmed the death penalty based on the valid and voluntary admission during the radio interview, their participation corroborated by additional evidence such as the autopsy report, notwithstanding their inadmissible initial confessions.

### Doctrine:

- A confession to be admissible must be voluntary, made with competent and independent counsel's assistance, express, and in writing. The absence of counsel during custodial interrogation renders subsequent confessions inadmissible, even if later ratified in the presence of counsel.
- A voluntary admission to a non-law enforcement individual (like a radio announcer) can be admissible, provided it is made freely and not coerced by authorities.

### Class Notes:

- **Right to Counsel during Custodial Investigation**: Essential for confession admissibility; absence thereof invalidates confession. (Art. III, Sec. 12(1), 1987 Philippine Constitution)
- **Voluntariness of Confession**: Must be free from any form of coercion by authorities. (RA 7438)
- **Evidence Admissibility Standards**: Confessions obtained without counsel are inadmissible, yet voluntary admissions to civilians (e.g., media personnel) can be admissible if freely given.
- **Death Penalty Enforceability**: RA 7659 allows death penalty for heinous crimes like rape with homicide, provided constitutional safeguards are met.

### Historical Background:

This case underscores the crucial balance between effectively prosecuting criminal behavior and upholding constitutional rights in custodial settings. It highlights the evolution of legal procedural standards in the Philippines, especially concerning confession admissibility and the imposition of the death penalty under prevailing legal frameworks.