

### Title: People of the Philippines vs. Crispin Velarde y Bandojo

### Facts:

In the Philippine case of People of the Philippines vs. Crispin Velarde y Bandojo, Crispin Velarde was found guilty by the Regional Trial Court (RTC) of Malolos, Bulacan, of rape with homicide and sentenced to death. The conviction rested on Velarde's extrajudicial confession and circumstantial evidence. Velarde, however, contested the admissibility of his confession, contending it was taken without a competent and independent counsel during custodial investigation. His purported counsel was the incumbent mayor of Malolos, Bulacan, Atty. Danilo Domingo.

The prosecution presented evidence suggesting Velarde was last seen with the victim, Brenda Candelaria, before her body was discovered. They argued Velarde confessed to the crimes when investigated by the Malolos police, with Mayor Domingo assisting as counsel.

Velarde's defense argued his innocence, suggesting he was wrongly accused and detailed an alleged ordeal of torture and coercion following his arrest by Barangay officials. Velarde claimed he was forced into signing a confession without understanding its contents, highlighting that Mayor Domingo, acting as his lawyer during investigation, was not competent and independent as required by law.

The case automatically went for review to the Supreme Court due to the death penalty sentence.

### Issues:

1. Whether the extrajudicial confession of Velarde is admissible in evidence.
2. Whether the circumstantial evidence presented by the prosecution proves Velarde's guilt beyond reasonable doubt.
3. The competence and independence of Atty. Danilo Domingo as counsel during custodial investigation.

### Court's Decision:

The Supreme Court acquitted Velarde, ruling that the extrajudicial confession made in the presence of Mayor Danilo Domingo was inadmissible as evidence. The Court held that a municipal mayor could not serve as a qualified independent counsel during custodial investigation, as required by the Constitution. Consequently, without the confession, the

remaining circumstantial evidence was insufficient to establish guilt beyond a reasonable doubt.

### Doctrine:

The Court reinforced the doctrine that for a confession to be admissible, the individual under custodial investigation must be assisted by competent and independent counsel. The ruling emphasized that the role of counsel is more than mere nominal representation but necessitates meaningful advocacy in defense of the accused's rights.

### Class Notes:

1. **Extrajudicial Confessions**: Must be made with the assistance of competent and independent counsel for admissibility.
2. **Circumstantial Evidence**: Must be coherent and lead to the singular conclusion of the accused's guilt to convict.
3. **Role of Counsel**: Emphasizes the constitutional right to be represented by counsel who actively advocates for the accused's interest without conflicting duties.
4. **Presumption of Innocence**: Reiterates that the burden of proof lies on the prosecution to establish guilt beyond reasonable doubt.

### Historical Background:

This case highlights the critical balance between law enforcement interests and constitutional rights, particularly in custodial investigations. It underscores the judiciary's role in upholding constitutional protections against involuntary confessions and the importance of competent legal representation under the law.