

Title: Sison, et al. vs. People of the Philippines, et al. G.R. Nos. 108280-83 & 114931-33

Facts: The case involves the murder of Stephen Salcedo, a supporter of President Corazon C. Aquino (“Coryista”), during a politically charged time post-1986 EDSA Revolution when supporters of deposed President Marcos (“Marcos loyalists”) often clashed with Coryistas. On July 27, 1986, amidst a rally by Marcos loyalists at Luneta Park, Salcedo was attacked and severely beaten, leading to his death from intracranial hemorrhage caused by multiple skull fractures.

Procedural Posture:

1. Initial Charges:

- Eleven persons, identified as Marcos loyalists, were charged with Salcedo’s murder in various criminal cases:
- Raul Billosos and Gerry Nery (Criminal Case No. 86-47322)
- Romeo Sison, Nilo Pacadar, and Joel Tan (Criminal Case No. 86-47617)
- Richard de los Santos (Criminal Case No. 86-47790)
- Joselito Tamayo (Criminal Case No. 86-48538)
- Rolando Fernandez (Criminal Case No. 86-48931)
- Oliver Lozano and Benjamin Nueva, alongside Annie Ferrer as accomplices (Criminal Cases No. 86-49007 and 86-49008).

2. Consolidation: The cases were consolidated and raffled to RTC, Branch XLIX, Manila. All accused pleaded not guilty.

3. Trial:

- Prosecution: Presented witnesses including eye-witnesses Ranulfo Sumilang and Renato Banculo, and police officers. Documented evidence such as photographs and newspaper accounts were also submitted.
- Defense: Denied participation; presented alibis and challenged the credibility of prosecution witnesses.

4. RTC Decision (December 16, 1988):

- Convictions:
- Romeo Sison, Nilo Pacadar, Joel Tan, Richard de los Santos, and Joselito Tamayo (principals in murder) sentenced to reclusion temporal.
- Annie Ferrer (accomplice) sentenced to 9 years, 4 months to 12 years, 5 months, 11 days.
- Acquittals: Raul Billosos, Gerry Nery, Rolando Fernandez, Oliver Lozano, and Benjamin

Nuega.

- Ordered damages: All convicted ordered to pay jointly to Salcedo's heirs P74,000 actual damages and P30,000 moral damages.

5. Court of Appeals (December 28, 1992):

- Acquittal of Annie Ferrer.
- Increased sentences for the others to reclusion perpetua for murder, except Joselito Tamayo (homicide).
- Required automatic review by Supreme Court for those receiving reclusion perpetua.

Issues:

1. Credibility of eyewitnesses Sumilang and Banculo.
2. Reliability of prosecution's photographic evidence.
3. Existence of conspiracy among the accused.
4. Whether the crime committed was murder or death caused in a tumultuous affray.
5. Admission of certain exhibits and their proper identification.

Court's Decision:

1. Credibility of Witnesses:

- Upheld the credibility of the eyewitnesses despite minor inconsistencies. The court emphasized that honest mistakes do not equate to false testimonies and placed significant weight on the trial court's ability to judge witnesses' demeanor.

2. Admissibility of Photographic Evidence:

- Ruled that the photographs were admissible despite the absence of identification by photographers since witnesses used them to support their testimonies.

3. Conspiracy and Crime Classification:

- Reaffirmed findings of conspiracy due to coordinated actions attacking Salcedo.
- Rejected the tumultuous affray defense, concluding the attack was deliberate and coordinated, reflecting abuse of superior strength.
- Convictions affirmed for murder (Sison, Pacadar, Tan, de los Santos) reclusion perpetua and homicide (Tamayo) with corresponding penalties.

4. Exhibits' Validity:

- Found no merit in rejecting the challenged exhibits as the defense had used these photographs to buttress their arguments during trial.

Doctrine:

1. **Credibility of Eyewitnesses** – Minor errors do not impair overall reliability if general testimony remains consistent.
2. **Admissibility of Photographs** – Faithful representation rule; photographs can be authenticated by any competent witness.
3. **Conspiracy** – Defined by coordinated, collective action towards committing a crime, making each conspirator liable for the entire act.
4. **Death in Tumultuous Affray vs. Murder** – Distinction based on whether there was a coordinated attack versus a confused melee.

Class Notes:

- **Elements of Conspiracy**: Agreement to commit a crime, and overt acts in furtherance of the crime.
- **Murder vs. Homicide**: Murder is homicide with qualifying circumstances (e.g., treachery, abuse of superior strength).
- **Article 248 of Revised Penal Code** on murder and how qualifying circumstances elevate homicide to murder.
- **Photographic Evidence**: Must be shown as a correct representation either by the photographer or any witnessing party.

Historical Background:

- Case reflects intense political tensions following the 1986 EDSA Revolution, epitomizing volatile conflicts between Coryistas and Marcos loyalists during Corazon Aquino's presidency. This period was marked by significant animosity and violence against political opponents.