

Title: **People of the Philippines vs. Charlie Butiong**

Facts:

- **October 7, 1998 (Evening):** AAA, a 29-year-old mental retardate, was invited by her long-time neighbor, Charlie Butiong, to his house with the promise of giving her something. Upon entering, Butiong locked the door, removed his and AAA's shorts, and then led her to the sofa, where he had carnal knowledge of her. AAA felt pain and became angry.
- **Upon Arrival Home:** AAA immediately told her older sister about the incident, who then took her to the police station and subsequently to the National Bureau of Investigation (NBI).
- **Medico-Legal Examination:** Dr. Armie M. Soreta-Umil of the NBI examined AAA, finding her hymen intact but its orifice distensible and wide. Due to AAA's disorientation, she was referred for psychiatric evaluation.
- **Psychological Tests:** AAA underwent a series of psychological tests at the National Mental Hospital, revealing mild mental retardation with a mental age of six to seven years.
- **Defense's Witness:** Dr. Natividad Dayan contested the reliability of the tests administered on AAA, recommending more comprehensive individual intelligence tests.

Procedural Posture:

1. **RTC Proceedings:** Butiong was arraigned and tried for rape, resulting in a judgment of guilty and a sentence of reclusion perpetua on the basis that AAA was a mental retardate who could not consent.
2. **Appeal to the CA:** Butiong appealed the conviction to the Court of Appeals (CA), which affirmed the RTC's decision on May 18, 2005, stating that AAA was a mental retardate incapable of giving consent and that the evidence supported the rape charge.

Issues:

1. **Establishment of the Date of the Crime:**
 - Did the prosecution need to prove the exact date of the rape?
2. **Mental Retardation of the Victim:**
 - Was the evidence sufficient to establish that AAA was a mental retardate?
3. **Categorization of Mental Retardation:**
 - Does a mental retardate fall under the category of a "woman deprived of reason" or "a woman under twelve years of age"?

Court's Decision:

1. **Exact Date of the Rape:**

- **Resolved:** The Court emphasized that the exact date is not an element of rape and does not need precise proof. Absence of spermatozoa also does not negate rape, as the core act constituting rape is carnal knowledge rather than ejaculation.

2. **Establishment of Mental Retardation:**

- **Resolved:** The Court found that the psychological tests administered by state experts revealing AAA's mental age as six to seven years conformed with the criteria for mental retardation, and the testimonies and evaluations were deemed sufficient and reliable.

3. **Categorization of the Victim:**

- **Resolved:** The Court determined that carnal knowledge of a mental retardate qualifies as rape under paragraph 1(b) of Article 266-A of the Revised Penal Code, as a mental retardate is considered "deprived of reason" and unable to consent.

Doctrine:

- **Mental Retardation as a Basis for Rape:** Mental retardation falls within the purview of "deprived of reason" under Article 266-A of the Revised Penal Code. Establishing sexual congress and mental retardation is sufficient without proving additional force or intimidation.

Class Notes:

1. **Elements of Rape Under Article 266-A:**

- Through force, threat, or intimidation.
- When the offended party is deprived of reason or unconscious.
- By means of fraudulent machination or grave abuse of authority.
- When the offended party is under twelve years of age or demented.

2. **Mental Retardation (as Mental Deficiency):**

- IQ classifications: Profound, Severe, Moderate, Mild.
- Relevant Case Law: People v. Dalandas, People v. Cartuano.
- "Deprived of reason": Broadly encompasses mental deficiency preventing rational consent.

3. **Penal Provisions:**

- **Article 266-A:** Specifies conditions constituting rape.
- **Article 266-B:** Details penalties for rape, including reclusion perpetua.

Historical Background:

This case highlights the evolving legal interpretations of consent in cases involving persons with mental disabilities. It reinforces the jurisprudence that mental retardation significantly impairs consent capability, thus drawing a firm legal boundary against sexual exploitation of mentally deficient individuals.