

### Title:

**\*\*Antonio Jocson y Cristobal vs. People of the Philippines\*\***

### Facts:

1. **\*\*The Charge\*\***:

- Petitioner Antonio Jocson y Cristobal was charged with violation of Section 11, Article II of Republic Act No. 9165, for possessing 0.05 grams of methamphetamine hydrochloride (shabu).

2. **\*\*Pre-Trial and Trial\*\***:

- Jocson pleaded not guilty during arraignment.

- Prosecution's narrative:

- PO2 Molina received a report about a drug peddler named "Tony."

- A buy-bust operation was set up, resulting in Jocson's arrest after he involuntarily revealed his possession of a plastic sachet with white crystalline substance.

- Item was marked only upon arrival at the station, not at the place of arrest.

- Defense's narrative:

- Jocson claimed he was framed, forcibly taken to the Drug Enforcement Unit (DEU) office, where officers planted the evidence and extorted money from his sister for his release.

- No illegal items were found during the initial frisk.

3. **\*\*Regional Trial Court Verdict\*\***:

- The RTC Branch 210 found Jocson guilty beyond reasonable doubt and sentenced him to twelve years and one day imprisonment, with a fine of Php 300,000.

- The evidence presented, particularly the testimonies of police officers and physical evidence, outweighed Jocson's defense of frame-up.

4. **\*\*Court of Appeals\*\***:

- Jocson appealed, citing procedural lapses in the entrapment operation and the chain of custody rule breaches.

- The Court of Appeals affirmed the conviction, arguing the legitimacy of the operation and adherence to procedural rules despite minor lapses.

- Motion for reconsideration was denied.

### Issues:

1. **\*\*Primary Issue\*\***:

- Did procedural deficiencies relative to the marking, inventory, and photographing of the

seized item justify the reversal of Jocson's conviction?

### ### Court's Decision:

#### 1. **Resolution of Issues**:

- **Chain of Custody Rule**: Essential to proving the integrity of the seized drug as the corpus delicti. Any breach questions the identity of the drugs presented as evidence.
- **First Link**: The marking of the seized item (ACJ) was conducted at the station and not immediately after confiscation, compromising the integrity of the evidence.
- **Second Link**: No inventory was made in the presence of the accused or required witnesses (media representative, DOJ, and elected public officials).
- **Third Link**: Absence of any photographs taken of the seized drugs at any stage of the operation.
- **Fourth Link**: PO1 del Mundo, who supposedly marked the drugs, did not testify, raising uncertainties about handling and preservation.

#### 2. **Decision**:

- The significant breaches in the chain of custody rule severely compromised the Government's position, calling into question the authenticity and integrity of the supposed drug evidence seized from Jocson.
- The prosecution failed to provide justifiable grounds for these breaches, hence failing to invoke the saving clause of the Implementing Rules and Regulations of RA 9165.
- Based on repeated procedural lapses, the Supreme Court found the conviction 'unsafe' and acquitted Antonio Jocson y Cristobal.

### ### Doctrine:

#### - **Chain of Custody Rule**:

- The prosecution must establish every link in the chain of custody to uphold the integrity and authenticity of the drug as evidence.
- Section 21 of RA 9165 requires that confiscated drugs must be marked, inventoried, and photographed in the presence of the accused, a media representative, DOJ, and any elected public official.
- Breaches of this rule without justifiable reasons may lead to the invalidation of evidence, necessitating acquittal.

### ### Class Notes:

- **Section 11, Article II, RA 9165**: Unauthorized possession of dangerous drugs mandates strict procedural adherence to the chain of custody rule.

- **Chain of Custody**: A process of documenting movement and control of seized drugs starting from confiscation to their presentation in court.
- **Important Principles**:
  - Immediate marking at the site of seizure.
  - Inventory and photographing in the presence of requisite witnesses.
  - Complete testimony and documentation at every link of custody.
  - Non-compliance without justifiable reason affects the admissibility of evidence.

**Historical Background:**

- **Context**: The strict procedural requirements reflect an effort by the Philippine judiciary to curb abuses in drug law enforcement and protect individuals against wrongful convictions resulting from tampered or falsely presented evidence.
- **Evolution**: RA 9165 and its Implementing Rules were amended to incorporate stricter safeguards, especially emphasizing the integrity and chain of custody of seized drugs as a reaction to previous cases of wrongful arrests and convictions in similar drug-related offenses.