

Title:

Edwin D. Rodriguez and Michael T. Defensor vs. Commission on Elections, Ma. Josefina G. Belmonte, Gian Carlo G. Sotto, Wilfredo B. Revillame, and Elizabeth A. Delarmente

Facts:

Petitioners Edwin D. Rodriguez and Michael T. Defensor accused respondents Ma. Josefina G. Belmonte, Gian Carlo G. Sotto, Wilfredo B. Revillame, and Elizabeth A. Delarmente of vote-buying during the May 2019 National and Local Elections in the Philippines. On May 11, 2019, amidst a campaign rally, television personality Wilfredo B. Revillame allegedly distributed cash to attendees. This act was filmed, with videos and photographs used as evidence.

Respondents held different defenses, notably denying the accusations or clarifying their roles and actions during the event. Respondent Revillame admitted to giving minor amounts of money from his pocket but denied any vote-buying intent.

The COMELEC Law Department and the COMELEC En Banc both dismissed the complaint for lack of probable cause and insufficiency of evidence, asserting that petitioners failed to present concrete evidence or direct witness testimonies corroborating the vote-buying allegations. This decision was affirmed upon a motion for reconsideration.

Issues:

1. Whether the COMELEC committed grave abuse of discretion in dismissing the vote-buying complaint for lack of probable cause.
2. Whether the evidence presented by petitioners was sufficient to establish probable cause for vote-buying under Section 261(a)(1) of the Omnibus Election Code.

Court's Decision:

The Supreme Court dismissed the petition, affirming the COMELEC En Banc's decision. It was held that the COMELEC did not commit grave abuse of discretion and the petitioners failed to establish probable cause for the alleged vote-buying. The Court noted the following:

1. ****Insufficiency of Evidence****: The complaint affidavit lacked corroborative affidavits and firsthand witness testimonies. The videos and photos, without context and proper authentication, couldn't prove the intent to commit vote-buying.
2. ****Separate Events****: The Court found the distinction between the campaign rally and

Revillame's entertainment segment unnecessary for determining liability. However, for the sake of the proceedings, they affirmed that the rally and entertainment were separate events, and no concrete evidence linked the respondents to any vote-buying intent.

3. **Intent Must Be Established**: Even though vote-buying is considered a serious offense, it requires clear proof of intent (*mens rea*) to induce votes. Revillame's intention, as he stated, was to provide financial help, not to influence voting behavior.

4. **Use of Immunity Provisions**: The absence of affidavits from those directly receiving money, and their possible immunity under the Electoral Reforms Law was critical. Without these, the complaint stands weak for lack of direct, strong evidence.

Doctrine:

A complaint for the election offense of vote-buying must be supported by credible evidence establishing probable cause, including corroborative affidavits and direct witness testimonies. Mere speculations and uncorroborated video clips do not suffice.

Class Notes:

1. **Election Offense - Vote-buying**:

- Defined under Section 261(a)(1) of the Omnibus Election Code.
- Elements: giving, offering, or promising money or any valuable consideration to induce voting for or against a candidate.
- Requires proof of intent (*mens rea*) to influence the voters.

2. **Procedural Requirements**:

- Complaints should be accompanied by affidavits from complaining witnesses attesting to the offer or acceptance of money.
- Visual and audio evidences should be corroborated by witness testimonies to be admissible.

3. **Probable Cause**:

- Needs to rest on evidence showing the likelihood of the commission of a crime, but not necessarily on head-on, direct evidences at preliminary stages.

Historical Background:

This case was set against the backdrop of repeated allegations of electoral malpractice in the Philippines, particularly vote-buying, a recurrent issue aimed at undermining democracy. The case illustrates the legal and procedural challenges in proving such

allegations and the higher evidentiary standards required to proceed with prosecution in election-related offenses.