

****Title:****

People of the Philippines vs. Romeo Delos Santos, G.R. No. 407 Phil. 599

****Facts:****

On July 31, 1997, around 9 PM, the accused-appellant Romeo Delos Santos sexually assaulted his 14-year-old daughter, Nenita. As Nenita prepared for sleep, her father approached, grabbed her waist, and threatened her with a knife. He then struck Nenita in the abdomen, causing her to fall to the floor in pain, removed her clothing against her will, and raped her. Nenita suffered in silence due to fear and shame but later reported the assault to the police and underwent a medical examination. Dr. Felma Caybot, the physician who examined Nenita, testified that she observed healed lacerations on Nenita's hymen and minimal resistance during the examination, indicating previous sexual trauma.

Initially, Delos Santos pleaded not guilty to multiple charges of rape. However, during the trial, he changed his plea to guilty, provided that the charge be amended to a single count of rape. The trial court, after questioning Delos Santos to ensure he understood the consequences of his plea, accepted the change. The court found Delos Santos guilty based on his plea and the prosecution's evidence and sentenced him to death. The decision was brought to the Supreme Court for automatic review due to the death penalty imposition.

****Issues:****

1. Whether the trial court conducted a proper and sufficient inquiry into the voluntariness and comprehension of Delos Santos' change of plea from "not guilty" to "guilty".
2. Whether the imposition of the death penalty was appropriate given the circumstances and the evidence provided, particularly concerning the victim's minority.

****Court's Decision:****

1. ****Sufficiency of Inquiry into Plea:****

- The Supreme Court acknowledged that the trial court did not thoroughly comply with the procedural requirements under Section 3, Rule 116 of the 1985 Rules on Criminal Procedure. The trial court should have ensured Delos Santos fully comprehended his plea's meaning, significance, and consequences. The questions asked by the trial court were deemed insufficient to establish the voluntariness and full understanding of the consequences of the plea of guilty.

2. ****Appropriateness of Death Penalty:****

- The Supreme Court found that while Delos Santos' plea of guilty and the corroborating

evidence were sufficient for his conviction, the imposition of the death penalty was not justified due to the lack of independent evidence proving the victim's minority, per the precedent set in *People vs. Javier*. The birth certificate or other substantial proof of Nenita's age was not presented, which is crucial for qualifying the crime under the Death Penalty Law (Republic Act No. 7659). Therefore, the penalty was downgraded to *reclusion perpetua*.

****Doctrine:****

- The trial court must conduct a thorough and comprehensive inquiry to ascertain the voluntariness and awareness of a defendant pleading guilty to a capital offense.
- Independent and definitive proof of a victim's minority is necessary to impose the death penalty for crimes qualifying under Republic Act No. 7659.

****Class Notes:****

1. ****Elements of Rape:****

- Carnal knowledge of a woman.
- Use of force, threat, or intimidation.
- Victim's incapacity to give consent due to age or mental state.

2. ****Procedural Requirements for Plea in Capital Offense:**** (Sec. 3, Rule 116, 1985 Rules on Criminal Procedure)

- Conduct a searching inquiry into the voluntariness and full comprehension of the plea.
- Require the prosecution to prove guilt and the degree of culpability.
- Accused may present evidence in their defense.

3. ****Imposition of Death Penalty:****

- Requires clear and certain evidence of qualifying circumstances (e.g., minority).
- Proof beyond reasonable doubt must be established for all elements, including qualifying circumstances.

****Historical Background:****

The case is set against the backdrop of the implementation of Republic Act No. 7659, which re-imposed the death penalty in the Philippines for certain heinous crimes, including the rape of a minor. The ruling illustrates the judiciary's meticulous standards in ensuring procedural fairness and the necessity for unequivocal evidence, especially when a defendant's life is at stake. This case underscores the importance of safeguarding the rights of the accused while ensuring justice for victims of grave offenses.