

People of the Philippines vs. Agaton Salazar

Title

106 Phil. 221 People of the Philippines vs. Agaton Salazar

Facts

1. **Appointment and Position**: Agaton Salazar was appointed as the Deputy Provincial and Municipal Treasurer of Balayan, Batangas.
2. **Misappropriation**: On May 14, 1957, Salazar, accountable for funds collected by his office, allegedly misappropriated P13,897.77 of public funds.
3. **Initial Hearing**: Salazar was charged with malversation of public funds before the Court of First Instance of Batangas (Criminal Case No. 384).
4. **Arraignment and Plea**: Initially, Salazar pleaded “not guilty” to the charge but later withdrew this plea in favor of one of “guilty”.
5. **Provincial Auditor’s Report**: A supplemental report indicated that Salazar had claimed there were some missing vouchers when first confronted about the missing funds. Subsequently, Salazar fell ill and left the municipal building, never to show up to address the shortage.
6. **Demand for Reimbursement**: On May 15, 1957, a letter demanded Salazar remit the missing amount immediately. His failure to do so would be seen as prima facie evidence of embezzlement.
7. **Preliminary Investigation**: Salazar did not attend the preliminary investigation set by the Provincial Fiscal, opting to remain silent.
8. **Plea and Sentencing**: Upon changing his plea to “guilty,” the court considered his voluntary surrender and sentenced him to imprisonment for an indeterminate period, along with other penalties.
9. **Appeal**: Salazar appealed the sentence, arguing that there was no malice involved as he lost the money while drunk and had not used it for personal gain.

Issues

1. **Malice in Misappropriation**: Whether the lower court erred in determining the presence of malice in Salazar’s misappropriation of funds.
2. **Executive Clemency**: Whether the trial court erred in not recommending executive clemency based on Salazar’s claim of lack of malice.
3. **Admission of Guilt**: The implications of Salazar’s “guilty” plea on the admission of all

alleged facts, including malicious intent.

Court's Decision

1. **Malice in Misappropriation**:

- The Supreme Court found no evidence in the record to support Salazar's claim that he lost the money while drunk.
- The supplemental report indicated Salazar could not account for the missing funds and had left the scene perpetually.
- Salazar's plea of guilty confirmed the material facts stated in the information, including the willful misappropriation of funds, effectively admitting malicious intent.

2. **Executive Clemency**:

- The Court rejected the argument for recommending executive clemency. The plea of guilty inherently included an admission of facts pointing to legal malice.
- Malice, as used in penal statutes, denotes evil intent or a bad purpose, thereby nullifying claims of executive clemency based on alleged lack of malicious intent.

3. **Admission of Guilt**:

- By pleading guilty, Salazar admitted all the elements and facts alleged in the information, including the malicious misappropriation of funds.
- The plea of guilty and default on required reimbursements solidified the court's finding of guilt and justification for the penalties imposed.

Doctrine

- **Legal Malice**: A plea of guilty to charges implies an acknowledgment of all material allegations, including any allegations of malicious intent.
- **Implicit Admission**: Pleas of guilty carry an implicit admission that all actions were done willfully and with legal malice.

Class Notes

1. **Elements of Malversation (Art. 217 RPC)**:

- A public officer must be accountable for public funds.
- The officer must have received such funds by virtue of their position.
- The officer must have appropriated, taken, misappropriated, or consented through abandonment or negligence for another person to take or misappropriate the funds.

2. **Voluntary Plea**:

- A guilty plea simplifies proving the elements of the crime, as it admits to all the allegations stated in the charge, including any involved malice or wrongful intent.
- Statutory Reference: Art. 217, Revised Penal Code (RPC); “By willfully misappropriating” indicates guilt even in case of default after explicit demand for reimbursement.

3. **Executive Clemency**:

- Judicial recommendations for clemency are based on mitigation of penalties due to extenuating circumstances, not applicable where legal malice is implied by a guilty plea.

Historical Background

- During the 1950s, public accountability in the Philippines became highly emphasized due to numerous cases of graft and corruption.
- This case forms part of the broader historical context emphasizing the Philippine government’s pursuit of integrity among public officials to deter malfeasance in public office.