

**\*\*Title:\*\***

People of the Philippines v. Aurelio Jastiva

**\*\*Facts:\*\***

On August 3, 2004, around 11:00 PM, AAA, a 67-year-old married woman, was raped in her small barn in Zamboanga del Norte by Aurelio Jastiva. Jastiva entered AAA's barn by destroying a rack in her kitchen while AAA was alone, her husband having left to stay at their permanent residence to accompany their daughter.

Jastiva threatened AAA with a knife, licked her sexual organ and attempted to kiss her before inserting his penis into her vagina. After the assault, he tapped her on the shoulder and said "Salamat" as a thank you. When AAA opened the door to let him out, she clearly identified Jastiva through the illumination of the moon.

The next morning, AAA reported the assault to her neighbor Corazon Mokot and then to her husband BBB. They immediately reported the incident to the barangay official and AAA was medically examined. The medical certificate indicated signs of irritation and scratches consistent with her account of rape. On August 6, 2004, AAA filed a complaint for rape against Jastiva, who was subsequently arrested on August 29, 2004.

The Regional Trial Court (RTC), Branch 9, Dipolog City, found Jastiva guilty of rape and sentenced him to reclusion perpetua with civil indemnity and moral damages. The Court of Appeals affirmed with slight modification, adding a 6% annual interest on damages.

**\*\*Issues:\*\***

1. Whether AAA's identification of Jastiva was credible, despite the darkness of the barn.
2. Whether the prosecution proved Jastiva's guilt beyond reasonable doubt.
3. Whether the nature of the sexual assault (especially the "foreplay") invalidated the charge of rape.
4. Whether the medical evidence corroborated AAA's account.
5. Whether Jastiva's defense of alibi and denial was sufficient to overturn his conviction.

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

The Supreme Court upheld the conviction of Aurelio Jastiva for the crime of rape.

1. **Identification by AAA:**

- The Court noted that AAA saw Jastiva clearly when he exited the barn, illuminated by the moonlight. Her familiarity with Jastiva as a neighbor further reinforced her positive identification.

2. **Proving Guilt Beyond Reasonable Doubt:**

- The Court highlighted AAA's credible, positive, and categorical testimony. The evidence, including the medical certificate, corroborated her account, affirming the occurrence of rape through force and intimidation.

3. **Nature of Sexual Assault:**

- The Court dismissed arguments against the plausibility of the so-called "foreplay," noting that rape can happen under various circumstances, including when the rapist is aware that the victim is alone and undisturbed. The Court emphasized that the "foreplay" described was consistent with attempts to achieve erection necessary for the crime.

4. **Medical Evidence:**

- The medical findings showed signs of irritation and scratches consistent with AAA's account, supporting her testimony and further substantiating the rape charge.

5. **Alibi and Denial:**

- The Court underscored that the short distance between Jastiva's house and the crime scene (150 meters) made his alibi unconvincing. Testimonies provided by his family were riddled with inconsistencies, reducing their credibility.

**Doctrine:**

The Supreme Court affirmed that credible, positive, and categorical testimony of the victim, especially when corroborated by medical evidence, suffices to convict the accused of rape. The Court reiterated that rape does not require physical resistance if force or intimidation was used to subdue the victim and that even moonlight can provide sufficient identification in certain contexts.

**Class Notes:**

- **Rape Elements per Article 266-A of RPC:**

1. Offender is a man.
2. Offender had carnal knowledge of a woman.

3. Act accomplished through force, threat, or intimidation.

- **Key Legal Principles:**

- Positive identification prevails over alibi and denial.
- The consistency and credibility of the victim's testimony are crucial.
- Validity of foreplay in rape under certain circumstances.
- Medical evidence corroborating physical findings is pivotal.

- **Verbatim Citation:**

- "ART. 266-A. Rape, When and How Committed. - Rape is committed - 1) By a man who shall have carnal knowledge of a woman under any of the following circumstances: a) Through force, threat or intimidation."

**Historical Background:**

This case illustrates the application of rape laws in the Philippines, emphasizing the protection of vulnerable individuals, particularly elderly women. The decision underscores the rigorous standards of evidence and the importance of victim testimony in prosecution, reflecting the judiciary's commitment to uphold the dignity and rights of victims of sexual crimes.