

****Title:****

People of the Philippines vs. Manolito Lucena y Velasquez, alias “Machete”

****Facts:****

On April 28, 2003, at around 11:30 p.m., AAA, a 17-year-old girl, was walking with friends in Parañaque City when two barangay tanods, including Manolito Lucena (appellant), approached them, claiming a curfew violation. While AAA’s friends escaped, she was apprehended and forced to board a tricycle. Despite her protests, she was taken near the San Dionisio Barangay Hall. One tanod entered the barangay hall, leaving Lucena to guard AAA. Instead of taking her home as claimed, Lucena took her to Kabuboy Bridge. Displaying and threatening AAA with a gun, Lucena raped her three times over several minutes despite her pleas.

The next day, AAA reported the assault and underwent a medical examination at PGH, confirming signs of sexual trauma. AAA identified Lucena based on his attire and ID. Charged with three counts of rape, Lucena pleaded not guilty, offering an alibi that he was on duty at the barangay hall, which was incrementally corroborated by a defense witness.

The Regional Trial Court (RTC) of Parañaque City convicted Lucena on April 30, 2008, sentencing him to reclusion perpetua for each count and ordering payment of P50,000 each in moral damages and civil indemnity. Lucena appealed to the Court of Appeals (CA), which upheld the conviction on August 24, 2009. Lucena further appealed to the Supreme Court.

****Issues:****

1. Whether the prosecution proved the element of force and intimidation in committing rape.
2. Whether Lucena can be convicted of three distinct counts of rape arising from consecutive acts during a single incident.

****Court’s Decision:****

1. ****Use of Force and Intimidation:****

- The Supreme Court scrutinized the case based on three principles: potential facility in making rape accusations, intrinsic nature making them hard to disprove, and the need for prosecution evidence to stand on its own merits.
- It found AAA’s consistent testimony and medical evidence credible, emphasizing the

psychological force exerted by Lucena's threats and presence of a gun. Although the gun was put down during the acts, its previous display was adequate to induce sufficient fear in AAA, who complied out of life-threatening intimidation. The Court concluded that psychological fear can render physical resistance unnecessary. Therefore, the prosecution effectively proved that force and intimidation existed.

2. **Conviction for Three Counts of Rape:**

- The appellant argued that the three penetrations constituted a single criminal intent akin to *People v. Aaron*. However, the Supreme Court distinguished that case from Lucena's continuous separate actions over intervals reflecting successive criminal intents. Each act being distinct warranted separate counts of rape.

Doctrine:

1. **Force and Intimidation in Rape Cases:**

- Intimidation sufficient to cow the victim into submission, particularly when a deadly weapon is involved, does not wane simply when the weapon is laid aside.
- Psychological resistance suffices; physical resistance need not be established when threats successfully subdue the victim.

2. **Multiple Acts of Assault as Separate Rapes:**

- Repeated acts of penetration separated by time intervals and reflecting renewed intent, not a single seamless incident, constitute multiple rapes.

Class Notes:

- **Elements of Rape (Article 266-A, RPC):**

1. Carnal knowledge of a woman.
2. Use of force, threat, intimidation, or when the woman is under twelve years of age or deprived of reason.

- **Psychological Intimidation:**

- Presence and previous use of force can persist as intimidation even if the weapon is not actively brandished throughout the act.

- **Distinct Acts, Separate Convictions:**

- Multiple criminal acts separated by intervals and renewed physical assaults constitute distinct criminal intents, leading to multiple convictions.

****Historical Background:****

This case highlights issues of enforcement and abuse of authority by barangay officials in the Philippines. It underscores the vulnerabilities of young women and the psychological aspect of enforcing legal protections against sexual violence. The factual matrix illustrates societal and procedural efforts within the Philippine justice system, balancing rigid evidentiary standards with acute considerations for victim testimonies in rape prosecutions. The decision reiterates legal precedents and statutory interpretations crucial in safeguarding human dignity and ensuring accountability.