

REMOVING MR. JOSE Z. TIAPON FROM OFFICE AS CHIEF OF POLICE OF THE CITY OF DAVAO

ADMINISTRATIVE ORDER NO. 67, August 12, 1948

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This is an administrative case against Mr. Jose Z. Tiapon, Chief of Police of the City of Davao, arising from 52 charges filed by Mayor Leon A. Garcia and Chief of the Secret Service Alfonso Teodoro.

After a careful perusal of the evidence, testimonial and documentary, presented during the investigation of the case conducted in the City of Davao, I find the following facts to have been established:

- (1) That in the operation of the fish corral business of respondent's wife, the official jeep marked "Chief of Police" was utilized on several occasions in transporting fish from the fish corrals to the public market at Bankerohan; that respondent availed himself from time to time of the services of Detective Jesus Torre Franca and Patrolman George Varian for this private purpose; and that respondent took advantage of his position by improperly utilizing the services of Patrolman Ceferino Taleon in the driving of his wife's weapons carrier which was used in the hauling of fish from her fish corrals to the public market.
- (2) That by helping solicit advertisements for the Davao Post Express, published and printed by the "Commercial Press", and allowing a member of the Davao Police Force (Patrolman Marcial Lariosa) to do painting jobs at the Commercial Press establishment, respondent has shown his personal interest in, if not actual connection with, the commercial printing business in which his wife has part interest, thus taking advantage of his official position as Chief of Police to further said business and even going to the extent of ordering food from the Aroma Restaurant and signing the chits thus: "For the Commercial Press, Jose Z. Tiapon, Chief of Police."
- (3) That respondent had been issuing identification cards to persons, designating them as "peace officers of the City Police Department * * * vested with police powers" and that one of the persons so designated, Inong Awi, does not even know how to read and write.
- (4) That respondent, in recommending to the City Mayor for appointment in the police force an escaped convict from Muntinlupa (Enrique Altamira) and persons who later turned out to be unworthy (Patrolmen Tribunal and Niega—both convicted of robbery), failed to exercise the necessary precaution and diligence in the selection of his subordinate personnel.
- (5) That respondent, in a personal and confidential letter to the Mayor of the City of Davao, requested the latter to use his influence so that the case for robbery against Patrolmen Agustin Tribunal and Domingo Niega, then pending trial in court, would be quashed, which act is clearly unbecoming a chief of police. Parenthetically, it may be stated that Patrolmen Tribunal and Niega were subsequently convicted of robbery by the Court of First Instance of Davao and the judgment of conviction was affirmed by the Court of Appeals.
- (6) That in connection with the leave of absence without pay of his brother-in-law, Patrolman George Varian, respondent is guilty at least of negligence in approving Lt. Guillermo de Leon's certification as to the correctness of the daily time records presented by Patrolman Varian that he rendered service on January 1-15, 1948, when the respondent knew all the time that his brother-in-law, who lives with him, did not render duty during said period;

and it was only due to the timely action taken by Mr. Rustico Salazar of the Office of the City Mayor that the Government was saved from being defrauded in an amount corresponding Varian's salary for said period.

(7) That in his correspondence with the City Mayor, respondent had been using improper and intemperate language, as may be seen from his letter, dated January 12, 1948, wherein he wrote in part as follows:

“The undersigned being a military man in active service is well posted in military operations and as such he cannot countenance to receive instructions, particularly with regards to intelligence operations from persons who have no military background or persons who have no specific duties and intelligence operations.”

(8) That in spite of the strong evidence against Detective Rodolfo Dizon that the latter had criminally assaulted a minor, Dulcisima Sarco, while under police custody, respondent merely advised said detective to resign from the service.

(9) That respondent had issued a memorandum, which is highly improper, to members of the police force, worded as follows:

“Mr. Chan will be a big contributor to the police trust fund. “Any case against him bring it to me for proper disposition. “Do not molest him.”

The foregoing acts of the respondent render him unfit for the position of chief of a law-enforcement organization. Wherefore, he is hereby removed from office as Chief of Police of the City of Davao.

Done in the City of Manila, this 12th day of August, in the year of Our Lord, nineteen hundred and forty-eight, and of the Independence of the Philippines, the third.

(Sgd.) ELPIDIO QUIRINO
President of the Philippines

By the President:

(Sgd.) EMILIO ABELLO
Executive Secretary

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