

Title: People of the Philippines v. Albert Newman y Beclar and Dionisio Tolentino y Santillan, G.R. Nos. L-43952-53, 1986

Facts:

- Incident Date:** On March 19, 1975, driver Efren Bantillo was attacked while operating a Minica taxi in Bacolod City.
- Victim's Distress:** At around 9:00 PM, Bantillo stopped at Rosita Empio's store in Barrio Granada, seeking help while holding his bleeding chest and stomach. Despite attempts to bind his wounds, intestines protruding from a stab wound frightened Empio and other helpers but they managed to transport him to the Corazon Locsin Montelibano Memorial Hospital.
- Hospital and the Police:** Upon arrival at the hospital, Patrolman Eduardo Yanson obtained a brief statement from Bantillo, identifying his attackers as two men, a short fellow with long hair and a tall stout individual.
- Investigation:** Meanwhile, police investigators recovered a comb, P50 in bills, and P1.20 in coins from a ditch near the crime scene.
- Identification:** Based on information, police staked out Hacienda Gerardo where they apprehended Tolentino and later Newman, both in possession of the victim's wristwatch and driver's license.
- Confessions:** Newman and Tolentino gave confessions without counsel, waived their rights, and participated in a reenactment of the crime, leading to their indictment. Despite their subsequent repudiation of these confessional statements, their possession of stolen items and victim descriptions led to their conviction by the Trial Court.

Procedural Posture:

- Trial Court:** Accused were charged with and found guilty of Robbery with Homicide. Sentenced to reclusion perpetua with civil indemnity.
- Appeal:** They appealed the decision, challenging the admissibility of confessions due to lack of proper information on their constitutional rights, and claimed due process violations.

Issues:

1. Whether the extrajudicial confessions of the accused were admissible.
2. Whether the evidence excluding the inadmissible confessions was sufficient to convict the accused of Robbery with Homicide.
3. Whether due process rights of the accused were violated.
4. Whether the dying declaration of the victim was valid and could be used to identify the accused.

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

1. ****Admissibility of Confessions****: The Supreme Court found the extrajudicial confessions inadmissible. The investigating officers failed to genuinely inform the accused of their rights. The Court noted the perfunctory manner in which the right to counsel was waived and highlighted that a valid waiver must be made with the assistance of counsel.
2. ****Sufficiency of Evidence****: Despite the exclusion of confessions, the Court held the evidence against the accused sufficient to prove guilt. Possession of the victim's wristwatch and driver's license (with Tolentino's substituted photo), unexplained possession of stolen properties, ante-mortem statements, and mutually corroborative descriptions provided a strong case.
3. ****Due Process****: The Supreme Court acknowledged certain deficiencies in procedure but deemed that other corroborative evidence was compelling beyond the inadmissible confessions.
4. ****Dying Declaration****: The Court upheld the dying declaration, recognizing the victim's serious condition and consciousness of impending death, making his identification of attackers valid and credible.

****Doctrine:****

The case reaffirmed the following legal doctrines:

- ****Right to Counsel During Custodial Investigation****: Explicitly underscoring the invalidity of extra-judicial confessions without the presence or proper waiver of counsel (People v. Galit).
- ****Dying Declaration****: Emphasizing the admissibility of statements made under consciousness of impending death.

- **Possession of Stolen Property**: Reinforced the presumption that possession of recently stolen property suggests participation in the crime (Sec. 5(j), Rule 131 of the Revised Rules of Court).

Class Notes:

Key elements for memorization:

- **Robbery with Homicide**: Combination of theft and intentional killing. Requires proving intent to gain during or immediately after the commission of robbery.
- **Extra-judicial Confession**: Must be voluntarily, knowingly, and intelligently waived. Valid confession requires the presence of counsel during custodial interrogation (Republic Act No. 7438).
- **Dying Declaration**: Statements made with the consciousness of impending death. Admissible only if death is certain and imminent.

Historical Background:

In the 1970s Philippines, procedural safeguards regarding custodial investigation and the rights of the accused were under the spotlight, particularly in light of the declaration of martial law and resultant human rights abuses. This case highlights the Supreme Court's rigorous scrutiny of custodial confessions reflecting heightened protection against involuntary confessions, stemming partly from the historical misuse of police power during this era.