



Republic of the Philippines
Supreme Court
Manila

THIRD DIVISION

MARE CLAIRE RUIZ y G.R. No. 244692
SERRANO, *

Petitioner, Present:

- versus -

PEOPLE OF THE PHILIPPINES,
Respondent.

CAGUIOA, J., Chairperson,
INTING,*
GAERLAN,
DIMAAMPAO, and
SINGH, JJ.**

Promulgated:

October 9, 2024

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DECISION

CAGUIOA, J.:

This Petition for Review on *Certiorari*¹ (Petition) under Rule 45 of the Rules of Court filed by petitioner Mare Claire Ruiz y Serrano (petitioner) seeks to reverse and set aside the Decision² dated August 28, 2018 of the Court of Appeals (CA) Special Seventeenth Division and the Resolution³ dated February 4, 2019 of the CA Former Special Seventeenth Division in CA-G.R. CR No. 40106.

The CA affirmed the Decision⁴ dated June 2, 2016, of Branch 208, Regional Trial Court of Mandaluyong City (RTC) in Crim. Case No. MC05-9486 finding petitioner guilty beyond reasonable doubt of the crime of

* Also referred to as “Mare Clair Ruiz y Serrano,” “Marie Claire Ruiz,” and “Mary Claire Ruiz” in some parts of the record.

* On official business.

** On official business.

¹ *Rollo*, pp. 11–26, excluding Annexes.

² *Id.* at 31–42. Penned by Associate Justice Jane Aurora C. Lantion, with Associate Justices Pedro B. Corales and Gabriel T. Robeniol concurring.

³ *Id.* at 44–45.

⁴ *Id.* at 46–49. Penned by Presiding Judge Esteban A. Tacla, Jr.

Homicide, as defined and penalized under Article 249 of the Revised Penal Code (RPC).

Facts and Antecedent Proceedings

In an Information dated August 19, 2005,⁵ petitioner was charged with the crime of Homicide for the killing of Paulita Bonifacio y Sumintac (the victim), the accusatory portion of which reads:

That on or about the 13th day of June 2005, in the City of Mandaluyong, Philippines, a city within the jurisdiction of the Honorable Court, the above-named accused, with intent to kill, did, then and there willfully, unlawfully[,] and feloniously attack[,] assault[,] and hit **one PAULITA BONIFACIO y SUMINTAC**, hitting her on different parts of the body, thereby inflicting upon her fatal wound [sic] which directly caused her death.

CONTRARY TO LAW.⁶

Petitioner pleaded “not guilty” to the crime charged.⁷

During the preliminary conference, upon offer of the prosecution, the defense admitted the following stipulations:

- a. That somebody has died, a woman in the person of Paulita Bonifacio y Sumintac sometime on June 13, 2005 at Sta. Ana Street, Mandaluyong City;
- b. That the killing took place inside a rented room belonging to a certain Aling Siony Gillego, a widow, 81 years old;
- c. That the incident happened at the room rented by the victim, Paulita Bonifacio situated at #724 Sta. Ana Street, Mandaluyong; and
- d. That the accused is one [Mare Claire] Ruiz as mentioned in the Information.⁸

On the other hand, upon offer of the defense, the prosecution denied the proposed stipulation that petitioner was suffering from insanity before, during, and after the incident. Consequently, the defense admitted killing the victim but interposed the exempting circumstance of legal insanity.⁹

Upon the prosecution’s manifestation and with the concurrence of the defense, a reverse trial ensued.¹⁰

The defense presented the testimonies of five witnesses, namely: (1) Dr. Norma Macalalad-Lazaro (Dr. Lazaro), a forensic psychiatrist at the

⁵ Records, vol. 1, p. 1, Information dated August 19, 2005.

⁶ *Id.*

⁷ *Id.*, Order dated June 19, 2006.

⁸ *Id.*, at 164, Pre-Trial Order dated February 8, 2007.

⁹ *Rollo*, p. 32, CA Decision.

¹⁰ *Id.* at 32–33.



National Center for Mental Health (NCMH); (2) Dr. Roberto Garcia (Dr. Garcia), a medico-legal consultant of Victor Potenciano Medical Center (VPMC); (3) Carlos Romulo N. Ruiz (Mr. Ruiz), petitioner's father; (4) Senior Police Officer I Robert D. Eugenio (SPO1 Eugenio), a member of the Criminal Investigation Unit of the Mandaluyong City Police Station; and (5) Dr. Portia R. Valles-Luspo (Dr. Luspo), a psychiatrist at VPMC.¹¹

The defense's version of the facts is summarized in the CA Decision as follows:

[Petitioner], a nurse, and the victim became close friends when the latter tutored her for the TOEFL examination. Subsequently, [petitioner] stayed in the victim's rented room in Sta. Ana [S]treet, Mandaluyong City. During [petitioner's] cohabitation with the victim, they attended the Holy Mass, read the Bible and prayed the Christian Prayer Book every day. In January 2004, [petitioner] was brought to a Pentecostal Born-Again Christian Church where she met a pastor who anointed her with oil. They then prayed in tongues and since then, she allegedly developed a healing ability. On the following day, [petitioner] and the victim started their "Novena Prayer to God the Father," which the victim composed. They prayed the said Novena daily. On 8 June 2005, the[y] started fasting, eating only biscuits and drinking water. The next day, on 9 June 2005, they performed "deliverance of demons and devils" and every night thereafter. At that time, [petitioner] felt being possessed by a demon since her hands kept moving.

[T]he following day, [or on] 10 June 2005, [petitioner] saw thirteen (13) devils around her, who kept on touching her, thus making her feel itchy. She then saw an apparition of Our Lady of Lourdes, who pitied her and gave her a cross on her right hand. At night, [petitioner] saw and felt blood dropping to her hands and she would pour it around the area where the victim, who suddenly appeared as Christ, was standing. [Petitioner] then heard voices in her mind, commanding her to continue the deliverance from the devils.

On 11 June 2005, [petitioner] was brought by the victim to a convent, where the said victim met a friend who was working therein, to tell the latter that she and [petitioner] were performing a deliverance from the devil because the Second Coming of Christ is near. Thereafter, [petitioner] told the nuns that Cardinal Sin was a demon and that Pope Benedict XVI was a devil in disguise. Hence, the nuns got angry and told her that she was insane and possessed by the devils.

Thereafter, [petitioner] and the victim went back to the latter's rented room and continued their prayer and "deliverance" up to 3:00 o'clock in the morning of 12 June 2005. They woke up at 8:00 in the morning, and continued praying and performing their "deliverance." It was then that the victim appeared to the [petitioner] as Christ, so she kissed her feet. They prayed up to 11:00 o'clock [in the morning], and went to the Shrine of Divine Mercy to attend the Mass at noon. When they returned home at around 4:00 PM, [petitioner] noticed that the devil was inside the room. During the height of their praying and chanting, the victim appeared to the [petitioner] as Jesus Christ. The victim likewise continued reading the Bible while [petitioner] was doing "deliverance" by holding demons on the horn.

¹¹ *Rollo*, p. 33.

Thus, [petitioner] became so exhausted, especially [since] she had to fight many demons that appeared in the room. They both held the Christian Prayer Book and raised it while praying in tongues. They chanted their prayers so loud that occupants of the adjacent rooms could hear them.

Thereafter, in the early morning of 13 June 2005, [petitioner] saw how the victim transformed into a demon as horns grew on her head. Thus, [petitioner] fought against her. She even heard Mama Mary's voice, instructing her to put a cross on her hand and put her hand inside the mouth of the victim. Nevertheless, [petitioner] wanted the victim to be delivered from the demon which possessed her and to kill the said demon. Thus, she held the demon by its horn, and pounded its head on the floor. Unconsciously, [petitioner] had pounded the victim's head on the floor. When [petitioner] kicked the demon's head, she hit the victim's chest twice instead. She then placed her right hand inside the victim's mouth and continued praying alone with closed eyes. Witnessing a vision of a big luminous cross before her, [petitioner] tried to lift the victim's body to be laid therein, but the victim was resisting. Thus, she [continued] chanting "Our Father, Father of Christ" while her hand was inside the victim's mouth. She was so absorbed in prayer that she failed to recognize her nudity until she heard someone say "*kumutan*." Incidentally, the landlady and their housemates saw on the floor the lifeless body of the victim, soaked in her own blood, while [petitioner] was on top of her.

When [petitioner's] father, Mr. Ruiz was called in, he saw somebody putting a chain on the door upon entry, he saw [petitioner] and the victim naked. [Petitioner] was then sitting on top of the victim and chanting loudly, "This is the New Jerusalem." [Petitioner's] four fingers were then inserted inside the victim's mouth. Mr. Ruiz also noticed that his daughter's eyes were glaring "*nanlilisik*" ("*parang kakainin ako*"). [Petitioner] kicked Mr. Ruiz when he tried to pull her hand out of the victim's mouth. As [petitioner] was resisting him, she was shouting[,] "[T]his is the New Jerusalem, we will all be safe." After Mr. Ruiz succeeded in pulling [petitioner's] hand, he asked SPO1 Eugenio to handcuff her. Thereafter, [petitioner] was brought to the Polymedic Hospital (currently, VPMC), where her limbs were tied to her bed. Her physical injuries were treated by Dr. Garcia, who found bites on the backside of her swelling right hand and noticed abrasions in her right palm. Dr. Valles-Luspo, on the other hand, diagnosed that she was suffering from "PSYCHOTIC Disorder due to a Medical Condition" by reason of her "Hyponatremia, Decreased Electrolytes and Decreased Nutritional Status." In other words, Dr. Luspo determined that [petitioner's] psychosis was due to dehydration and malnutrition.

On 28 June 2005, [petitioner] was admitted to the NCMH and was treated by Dr. Lazaro, who discovered that five (5) [days] before the victim was killed, [petitioner] was not properly nourished (as she and the victim had fasted), and was already hallucinating and hearing voices. Thus, Dr. Lazaro concluded that [petitioner] was afflicted with "Schizophrenic, Paranoid type" and testified that she was insane before, during[,] and after the commission of the crime. As a matter of fact, after having been discharged from the NCMH, she continued her treatment or medication at the outpatient section thereof from 10 August 2005 until 10 June 2008.¹²

On the other hand, the prosecution presented three witnesses, namely:

¹² *Id.* at 33–35.



(1) Police Chief Inspector Jose Arnel M. Marquez, the medico-legal officer who conducted an autopsy on the victim; (2) Reverend Father Jericho M. Natividad (Fr. Natividad), a close friend of the victim and who also knew petitioner; and (3) Emily Bonifacio Madriaga, the private complainant and the older sister of the victim.¹³

The prosecution's version of the incident was summarized in the CA Decision as follows:

[Petitioner] and the victim were close friends. They had been friends [ever] since [petitioner was] at least 6th grade, [or] when [petitioner] was around 12 or 13 years old. [Petitioner] was also the victim's former student at the Naval, Architecture, and Marine Engineering Institute Polytechnic Institute at Mandaluyong City, and that the victim had treated [petitioner] like her own daughter. [Petitioner] was known as a shy and quiet girl. Mr. Ruiz, the father of [petitioner], even asked the victim to move in with [petitioner] free of charge because of how close they were to each other.

Then on 13 June 2005, as admitted at pre-trial, [petitioner] killed the victim.

According to Mr. Ruiz, someone came to his house at around 7:00 in the morning of 13 June 2015 to report that something was happening with [petitioner]. He then hurried to the victim's residence, about one block from his house, to see what was happening. When Mr. Ruiz arrived, he was assisted by another person in entering the room where his daughter was, because the door was locked.

Mr. Ruiz found his daughter naked on top of the corpse of the victim, who was already apparently dead. [Petitioner] had stuck her hand and fingers inside the victim's mouth. According to Mr. Ruiz, [petitioner] appeared to be praying, and that her eyes were glaring. She was on top of the victim's corpse which was [lying] on the floor.

The authorities then arrived after Mr. Ruiz. [Petitioner's] father then requested SPO1 Eugenio to handcuff [petitioner] because she was supposedly "*nagwawala*," shouting[,] and reciting religious words. [Petitioner] was allegedly hysterical and "*hindi siya makausap*." [Petitioner] was uncooperative when Mr. Ruiz tried to get her.

The medico-legal who examined the victim's corpse testified that the cause of the victim's death were traumatic injuries to her head, and that her sternum and ribs were also fractured. The medico-legal also testified that these injuries were probably caused by being in contact with a hard and blunt object.

[Petitioner] was initially brought and treated by Dr. Valles-Luspo at the VPMC, who diagnosed [petitioner] with having a psychotic disorder. [Petitioner] was then transferred to the NCMH on 28 June 2005, under the case of Dr. Lazaro, who diagnosed the said [petitioner] as suffering from paranoid schizophrenia.¹⁴

¹³ *Id.* at 35.

¹⁴ *Id.* at 36–37, CA Decision.



Ruling of the RTC

In a Decision dated June 2, 2016, the RTC found petitioner guilty beyond reasonable doubt of Homicide. The dispositive portion reads:

WHEREFORE, the Court finds the accused guilty of Homicide and is therefore sentence [*sic*] to a penalty of minimum of *Reclusion Temporal* or 12 years and 1 day to 14 years and 8 months and to pay civil liability of a) [PHP]50,000.00 and [PHP]4,000.00 as attorney's fees and appearance fees, respectively and b) to indemnify the heirs of the victim with [PHP]50,000.00 for the death of the victim.

SO ORDERED.¹⁵

According to the RTC, the findings of the expert witnesses for the defense, although showing an inclination towards petitioner's insanity, were based on opinion gathered from interviews of petitioner and the parents, and "notably, they even differ in the form or kind of mental illness and, possibly the case thereof."¹⁶

The RTC ruled that "opinion as to the mental state must not only be extensive, meaning, that it exists before, during and after the crime but believed must all foreclose the possibility that accused killed the victim conscientiously."¹⁷

The RTC also went further by inferring that Mr. Ruiz's testimony established that "somebody" put a chain on the handle of the makeshift door and that another person helped him open the door. Thus, the RTC concluded that such scenario tends to establish that as the victim was already waylaid on the floor at the time, the person who could have put the chain was no less than petitioner.¹⁸

Furthermore, the RTC deduced from the fact that since both petitioner and the victim were naked when they were found, they were possibly in an amorous relationship.¹⁹ The RTC then correlated this inference with a testimony romantically linking the victim with Fr. Natividad and made insinuations that this could have driven petitioner to commit such crime.²⁰

Taking these conjectures together, the RTC concluded that petitioner was not suffering from insanity at the time of commission of the crime.²¹

¹⁵ *Id.* at 49, RTC Decision.

¹⁶ *Id.* at 48.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.* at 49.

²⁰ *Id.*

²¹ *Id.*



In an Order dated December 9, 2016, the RTC granted petitioner's motion to use the same bail pending appeal.²²

Ruling of the CA

On August 28, 2018, the CA upheld petitioner's conviction for Homicide with modification as to the monetary awards. The dispositive portion of the CA Decision reads:

WHEREFORE, the instant appeal is **DENIED**. The *Decision* dated 2 June 2016 of the Regional Trial Court of Mandaluyong City, Branch 208 in *Criminal Case No. MC05-9486* is hereby **AFFIRMED with MODIFICATION** in that Accused-Appellant Mare Claire Ruiz y Serrano is **ORDERED** to **PAY** civil indemnity in the amount of [PHP]50,000.00 and moral damages in the amount of [PHP]50,000.00 to the heirs of the victim Paulita Bonifacio y Sumintac. The Accused-Appellant Mare Claire Ruiz y Serrano is also **ORDERED** to **PAY** interest on all damages awarded at the legal rate of six percent (6%) per annum from the date of finality of this *Decision* until fully paid. All other aspects of the *Decision* **STAND**.

SO ORDERED.²³

The CA primarily anchored its ruling on the fact that the examination, report, and testimonies of the expert witnesses were all done after the commission of the crime. This, according to the CA, cannot be said to support the conclusion that petitioner was insane at the time of the killing.²⁴

In addition, the CA agreed with the RTC's inference that it was petitioner who placed the chains on the handles of the makeshift door which prevented her father from initially entering the room.²⁵ This, according to the CA, supports the fact that petitioner was not deprived of intelligence at the time of the commission of the crime.²⁶

Accordingly, the CA pronounced that petitioner failed to establish her insanity at the time she had killed the victim.²⁷

Hence, this Petition.

The Present Petition

Petitioner insists that she was able to prove her insanity with clear and convincing evidence. In the Petition, it was highlighted that series of events and acts immediately preceding and succeeding the incident support her claim that she did not possess the element of intelligence at the time of the commission of the crime. These included the fact that they fasted for days, underwent non-stop praying, and the fact that petitioner was totally naked

²² Records, vol. 2, p. 617, Order dated December 9, 2016.

²³ *Rollo*, pp. 41-42.

²⁴ *Id.* at 39-40.

²⁵ *Id.* at 40.

²⁶ *Id.*

²⁷ *Id.*



when they were found by authorities without any weapons.²⁸ Petitioner likewise emphasized that her expert witnesses testified that she was suffering from Psychotic Disorder and Schizophrenia, paranoid type, and was thus, for legal intents and purposes, considered insane.²⁹ In addition, the historical data gathered by the expert witnesses was sufficient to establish a history of insanity.³⁰

In its Comment,³¹ the Office of the Solicitor General (OSG) maintains that petitioner failed to prove that she was insane at the time she killed the victim.³² The OSG hinges its claim on the fact that the examinations of petitioner's doctors were only made after petitioner had already killed the victim when the only relevant inquiry was whether petitioner was insane at the very moment of commission of the crime.³³ The OSG went further by saying that the statements of petitioner's expert witnesses were not of their personal knowledge such as the hallucinations which petitioner saw, i.e., apparitions of the Virgin Mary, seeing demons, and hearing the Virgin Mary's voice to put a cross in the victim's heart,³⁴ among others. The OSG further notes that nobody could possibly have seen petitioner's condition when she killed the victim as the statements given by the affiants showed that they have not met or seen petitioner and the victim for at least seven hours prior to the killing.³⁵

Issue

The crux of the instant case is whether petitioner is exempt from criminal responsibility due to legal insanity as defined under Article 12(1) of the RPC.

The Court's Ruling

The Court finds the present Petition meritorious.

The Petition primarily assails the CA Decision which affirmed petitioner's conviction for Homicide despite her claim of insanity. However, before delving into the substantive aspect of the case, it is imperative to first tackle the procedural matters.

Only questions of law may be entertained in petitions under Rule 45; exceptions

²⁸ *Id.* at 15–16, Petition.

²⁹ *Id.* at 17–23.

³⁰ *Id.* at 23–24.

³¹ *Id.* at 239–256.

³² *Id.* at 244–246.

³³ *Id.* at 246–247.

³⁴ *Id.* at 248–249.

³⁵ *Id.* at 251–252.



Preliminarily, it is worth noting that the office of a petition for review on *certiorari* under Rule 45 is to resolve pure questions of law only. This rule, however, admits certain exceptions. This has been pronounced by the Court in *Pagsibigan v. People and Cabasal*,³⁶ to wit:

A petition for review under Rule 45 of the Rules of Court should cover only questions of law. Questions of fact are not reviewable. A question of law exists when the doubt centers on what the law is on a certain set of facts. A question of fact exists when the doubt centers on the truth or falsity of the alleged facts.

....

. . . The exceptions to this rule are (1) when there is grave abuse of discretion; (2) when the findings are grounded on speculations; (3) when the inference made is manifestly mistaken; **(4) when the judgment of the Court of Appeals is based on a misapprehension of facts**; (5) when the factual findings are conflicting; (6) when the Court of Appeals went beyond the issues of the case and its findings are contrary to the admissions of the parties; (7) when the Court of Appeals overlooked undisputed facts which, if properly considered, would justify a different conclusion; (8) when the findings of the Court of Appeals are contrary to those of the trial court; (9) when the facts set forth by the petitioner are not disputed by the respondent; and (10) when the findings of the Court of Appeals are premised on the absence of evidence and are contradicted by the evidence on record.³⁷ (Emphasis supplied)

The present case mainly delves into petitioner's state of mind at the time of the killing. Clearly, it is a question of fact which, ordinarily, is not entertained by the Court in a petition for review on *certiorari*. Nonetheless as will be discussed below, the Court finds that the circumstances of the instant case warrant the application of the exception rather than the rule.³⁸

The records reveal that the CA misconstrued the facts pertaining to petitioner's plea of insanity.

Petitioner proffered clear and convincing evidence to prove her insanity at the time of committing the crime

An examination of the Petition and the records of the case shows that petitioner was able to adduce evidence showing a deprivation of intelligence, which is an element in *dolus* felonies during the commission of the crime. Equally important, petitioner was able to produce evidence showing that her psychiatric condition was the sole driving force which led her to commit the felony.

³⁶ 606 Phil. 233 (2009) [Per J. Carpio, First Division].

³⁷ *Id.* at 241–242.

³⁸ *Verdadero v. People*, 782 Phil. 168, 177 (2016) [Per J. Mendoza, Second Division].



Legal insanity, as an exempting circumstance, finds its basis under Article 12, paragraph 1 of the RPC, which provides:

ARTICLE 12. *Circumstances Which Exempt from Criminal Liability.*
— The following are exempt from criminal liability:

1. An imbecile or an *insane person*, unless the latter has acted during a lucid interval.

When the imbecile or an insane person has committed an act which the law defines as a felony (*delito*), the court shall order his [or her] confinement in one of the hospitals or asylums established for persons thus afflicted, which he [or she] shall not be permitted to leave without first obtaining the permission of the same court. (Emphasis supplied)

The quantum of evidence needed to successfully prove legal insanity is only clear and convincing evidence following the case of *People v. Austria*,³⁹ thus:

In order to ascertain a person's mental condition at the time of the act, it is permissible to receive evidence of his [or her] mental condition during a reasonable period before and after. Direct testimony is not required nor are specific acts of disagreement essential to establish insanity as a defense. A person's mind can only be plumbed or fathomed by external acts. *Thereby his [or her] thoughts, motives and emotions may be evaluated to determine whether his [or her] external acts conform to those of people of sound mind. To prove insanity, clear and convincing circumstantial evidence would suffice.*⁴⁰ (Emphasis supplied)

To guide the bench, the Court, in *People v. Paña*⁴¹ (*Paña*), has crafted a three-way test to determine whether the defense of legal insanity is meritorious. “[F]irst, insanity must be present at the time of the commission of the crime; second, insanity, which is the primary cause of the criminal act, must be medically proven; and third, the effect of the insanity is the inability to appreciate the nature and quality or wrongfulness of the act.”⁴²

Petitioner was able to satisfy the foregoing tests with clear and convincing evidence.

- The first and third tests under Paña were satisfied through the testimonies of Mr. Ruiz and SPO1 Eugenio both of whom initially responded to the crime scene and were able to witness petitioner's state immediately after committing the crime.*

In several cases, the Court ruled on insanity cases by determining if the accused were aware of the wrongfulness of their acts. *Paña* named a few such

³⁹ 328 Phil. 1208 (1996) [Per J. Romero, Second Division].

⁴⁰ *Id.* at 1221–1222.

⁴¹ 890 Phil. 533 (2020) [Per J. Leonen, *En Banc*].

⁴² *Id.* at 573.



as, immediate surrender to the authorities,⁴³ escaping arrest,⁴⁴ display of remorse,⁴⁵ and threatening the victim to avoid getting caught,⁴⁶ which have been appreciated as proof that the accused understood the nature and consequence of the acts committed.⁴⁷

Beyond doubt, insanity refers to an individual's state of mind. It goes without saying, however, that an individual's thoughts are only proven through overt acts.⁴⁸ Courts, therefore, can only consider evidence relating to the behavioral patterns of the accused to determine whether they are legally insane. In *People v. Madarang*:⁴⁹

The issue of insanity is a question of fact for insanity is a condition of the mind, not susceptible of the usual means of proof. As no man [or woman] can know what is going on in the mind of another, the state or condition of a person's mind can only be measured and judged by his [or her] behavior.⁵⁰

In order to appreciate legal insanity, our jurisdiction has adopted a requirement of deprivation of intelligence. Intelligence is commonly understood as the capability to discern right from wrong and comprehend the consequences of one's actions.⁵¹ Hence, any act, demeanor, or reaction which demonstrates this immediately before, during, or after committing the crime lends support to a finding of insanity thru the first and third tests of *Paña*. This was elaborated in *People v. Haloc*:⁵²

The defense of insanity rests on the test of cognition on the part of the accused. Insanity, to be exempting, requires the complete deprivation of intelligence, not only of the will, in committing the criminal act. Mere abnormality of the mental faculties will not exclude imputability. The accused must be so insane as to be incapable of entertaining a criminal intent. **He [or she] must be deprived of reason, and must be shown to have acted without the least discernment because there is a complete absence of the power to discern or a total deprivation of freedom of the will.**⁵³ (Citations omitted, emphasis supplied)

Mr. Ruiz was one of the first people who responded to the victim's room and saw the actual crime scene after being informed that something had happened to his daughter.⁵⁴ He was able to relay, in open court, all his

⁴³ *People v. Ambal*, 188 Phil. 372, 382 (1980) [Per J. Aquino, Second Division].

⁴⁴ *People v. Belonio*, 473 Phil. 637, 646–647 (2004) [Per Curiam, *En Banc*]; *People v. Arevalo, Jr.*, 466 Phil. 419, 479 (2004) [Per J. Panganiban, *En Banc*].

⁴⁵ *People v. Robiños*, 432 Phil. 322, 332 (2002) [Per J. Panganiban, *En Banc*]; *People v. Magallano*, 188 Phil. 558, 565 (1980) [Per Acting C.J. Teehankee, First Division].

⁴⁶ *People v. Rafanan, Jr.*, 281 Phil. 66, 84–85 (1991) [Per J. Feliciano, First Division].

⁴⁷ *People v. Comanda*, 553 Phil. 655, 673–674 (2007) [Per J. Tinga, Second Division]; *People v. Diaz*, 377 Phil. 997, 1007–1008 (1999) [Per J. Bellosillo, *En Banc*]; *People v. Cayetano*, 341 Phil. 817, 826–827 (1997) [Per J. Romero, Second Division]. See *People v. Tabugoca*, 349 Phil. 236, 250 (1998) [Per Curiam, *En Banc*].

⁴⁸ *People v. Bonoan*, 64 Phil. 87, 91–93 (1937) [Per J. Laurel, First Division].

⁴⁹ 387 Phil. 846 (2000) [Per J. Puno, First Division].

⁵⁰ *Id.* at 859.

⁵¹ *Guevarra v. Almodovar*, 251 Phil. 427, 434 (1989) [Per J. Paras, Second Division].

⁵² 839 Phil. 1042 (2018) [Per J. Bersamin, First Division].

⁵³ *Id.* at 1052–1053.

⁵⁴ Records, vol. 1, p. 324, Testimony of Mr. Ruiz dated May 26, 2008.



observations as to the overt acts and demeanor of petitioner immediately after the commission of the felony. Thus:

[ATTY. BERNARDO M. FERNANDEZ (ATTY. FERNANDEZ)]

So[,] when you saw your daughter on top of another girl, what was she wearing?

MR. RUIZ:

My daughter is [sic] wearing nothing, sir.

....

MR. RUIZ:

The four (4) fingers inside the mouth of her best friend, Your Honor.

ATTY. FERNANDEZ:

Inside the mouth of her best friend and saying that ...[?]

MR. RUIZ:

This is the New Jerusalem.

ATTY. FERNANDEZ:

How was she saying that?

MR. RUIZ:

She is [sic] like praying.

ATTY. FERNANDEZ:

She is [sic] like praying. In a loud voice?

MR. RUIZ

Yes, sir.

....

ATTY. FERNANDEZ:

Kung nakapatong po siya, ano po ang posisyon nu'ng isang babae?

MR. RUIZ:

Parang nakadipa, parang nakapako sa krus.

COURT:

The witness while answering is at the same time extending both hands demonstrating such act. Continue.

....

ATTY. FERNANDEZ:

She was not moving. Aside from hearing this New Jerusalem from the accused, what other unusual behavior did you observe from the accused?

MR. RUIZ:

Nanlilisik ang mata niya.

....

ATTY. FERNANDEZ:

How did she exhibit her madness?

MR. RUIZ:



She kicked me when I tried to get her. So[,] I looked for something to put around her neck so that I can pull her hand from the mouth of her best friend.

ATTY. FERNANDEZ:

Best friend. And then what happened, Mr. Witness?

MR. RUIZ:

She was so strong that time that it took me around more than three (3) minutes to hold her hand.

....

ATTY. FERNANDEZ:

Now, after you were able to pull her hand out of the mouth of [the victim], what did you do, if any?

MR. RUIZ:

I asked the ... I think, it's [sic] investigator Eugenio whom I asked to handcuff my daughter, sir. And then I told him to bring her to the hospital.⁵⁵ (Emphasis supplied)

Mr. Ruiz's testimony was corroborated by SPO1 Eugenio's testimony. The latter was the first police officer who responded to the crime scene, and he relayed the acts and demeanor of petitioner right after the commission of the crime in open court. Thus:

[SPO1 EUGENIO]: *At that time nagsisigaw po siya and then her father asked me for help na dalhin siya at that time. Kasi po at that time wala pa naman akong suspect at that time eh. Masyado na pong magulo iyong crime scene na iyon dahil marami na pong nagkalat na duguan. Wherein later I asked from the SOCO assistance to conduct a physical and crime scene investigation. I called up mobile immediately and then one of the female to whom I identified as Mare Claire was brought to Polymedic para po magamot.*

....

*Because at that time she was hysterical, Your Honor. Hindi po siya makausap. Malakas po siya at that time. In my own observation, Your Honor, sa akin lang po itong paningin, parang wala po siya sa sarili.*⁵⁶ (Emphasis supplied)

Petitioner's demeanor, reaction, and overt acts immediately after killing the victim show that she did not have a sliver of understanding as to what had just happened. As can be seen, petitioner continued praying over the bloodied corpse of the victim while loudly chanting the words—*"This is the New Jerusalem, we will all be safe,"* with her hand inside the victim's mouth.⁵⁷ Furthermore, petitioner failed to recognize her own father as she in fact shouted back and kicked Mr. Ruiz when the latter was trying to pull her hand

⁵⁵ *Id.* at 328–329, 332–338.

⁵⁶ TSN, pp. 100–101, Testimony of SPO1 Roberto Eugenio dated August 17, 2009.

⁵⁷ Records, vol. 1, p. 337, Testimony of Mr. Ruiz dated May 26, 2008.



out of the deceased's mouth.⁵⁸ This is further bolstered by the fact that petitioner's eyes were glaring (*nanlilisik*, in Mr. Ruiz's own words) whenever she would look at her own father.⁵⁹ Finally, while all these were happening, petitioner was unfazed despite the fact that she was completely naked and covered in blood in front of all the people inside and outside of the room.⁶⁰

True enough, these circumstances were corroborated by SPO1 Eugenio who heard petitioner shouting religious chants and being hysterical.⁶¹ Based on SPO1 Eugenio's observation, petitioner was acting very strange (*wala sa sarili*, in his own words).⁶²

These acts satisfy the first and third tests in *Paña*. As recognized by the Court, "courts admit evidence or proof of insanity which relate to the time *immediately before, during, or after the commission* of the offense."⁶³

The Court acknowledges the difficulty of having to prove that an accused was deprived of intelligence at the exact moment of the commission of the crime. Thus, insanity may be proven through an accused's demeanor or actions either immediately before or immediately after the commission of the crime. While it was ruled in *Verdadero v. People*⁶⁴ and *People v. Dungo*⁶⁵ that insanity may be shown by circumstances immediately before *and* after the incident,⁶⁶ requiring both does not seem to serve any legitimate legal purpose. It only makes legal insanity difficult to prove than it already is.

Our jurisdiction requires a deprivation of intelligence, hence, any sign of reason before, during, or after the commission of the crime instantly overthrows the insanity defense.⁶⁷ If this is the standard to overthrow a plea of insanity, on top of the established fact that "courts admit evidence or proof of insanity which relate to the time immediately before, during, or after the commission of the offense,"⁶⁸ then there is no legal impediment to use proof of deprivation of intelligence either immediately before or immediately after the commission of the crime as sole basis to satisfy the first test of *Paña*.

Therefore, as long as an accused could proffer, thru clear and convincing evidence, proof of deprivation of intelligence either immediately before, during, or immediately after the commission of the crime, it shall be sufficient to meet the first test of *Paña*.

It goes without saying that proof of deprivation of intelligence thru the accused's demeanor or overt acts immediately before or immediately after the

⁵⁸ *Id.* at 336.

⁵⁹ *Id.* at 335.

⁶⁰ *Id.* at 328–329.

⁶¹ TSN, p. 99, Testimony of SPO1 Roberto Eugenio dated August 17, 2009.

⁶² *Id.* at 101.

⁶³ *People v. Paña*, *supra* note 41, at 560. Emphasis supplied.

⁶⁴ *Supra* note 38.

⁶⁵ 276 Phil. 955 (1991) [Per J. Paras, Second Division].

⁶⁶ *Verdadero v. People*, *supra* note 38, at 180; *People v. Dungo*, *id.* at 964.

⁶⁷ *People v. Paña*, *supra* note 41, at 560.

⁶⁸ *Id.* Emphasis supplied.



commission of the crime is already tantamount to proof of deprivation of intelligence at the precise moment of commission. This is more in line with the latest *En Banc* case of *Paña* without diminishing the requirement of clear and convincing evidence, considering that the accused still has two other tests to overcome.

Disturbingly, despite various indications that petitioner was deprived of reason at the time of the commission of the crime, the RTC and the CA turned a blind eye on these circumstances and focused on a single detail in Mr. Ruiz's testimony—that he saw somebody putting chains (or a *kadena*, in Mr. Ruiz's own words) around the handles of the makeshift door. According to the lower courts, who else would tie a *kadena* to the handles of the door other than petitioner herself. Thus, in denying petitioner's plea for insanity, they concluded that this very act shows that petitioner understood her actions inferring that she wanted to conceal the crime scene. However, the relevant portion of Mr. Ruiz's testimony shows the following:

ATTY; FERNANDEZ:

When you reached the house of Mrs. Sy, what did you see?

MR. RUIZ:

Since I am very familiar with that house, I went immediately to the receiving area at the first floor of the house. And upon arriving there, I saw the door of the room was slowly closing and somebody was putting on a ... I think, a [*kadena*].

ATTY; FERNANDEZ:

Somebody is putting a [*kadena*].

MR: RUIZ:

Yes, Your Honor, around the two handle (*sic*) of the makeshift door.⁶⁹

The Court finds the inferences drawn by the RTC and the CA as absurd.

First, Mr. Ruiz never mentioned that it was petitioner who was putting the *kadena* around the handles of the makeshift door. As the father, he would have easily identified petitioner. In addition, she would have likewise stood out considering that she was completely naked and covered in blood. Instead, Mr. Ruiz only mentioned "somebody was putting on a ... [*kadena*]."⁷⁰ Nowhere in Mr. Ruiz's testimony, however, points to the RTC and CA's conclusion that it was petitioner who tied a *kadena* around the door handles.

Second, if Mr. Ruiz saw that someone was putting a *kadena*, that should have been done from the outside, otherwise, Mr. Ruiz would not have seen that a *kadena* was being tied around the handles of the door. Thus, the lower court's theory is physically impossible—how could petitioner tie a *kadena* around the handles of the door from the outside and still end up inside the room where Mr. Ruiz and SPO1 Eugenio saw her? Furthermore, the facts show that even before Mr. Ruiz was able to arrive at the crime scene, "the

⁶⁹ Records, vol. 1, p. 327, Testimony of Mr. Ruiz dated May 26, 2008.

⁷⁰ *Id.*



landlady and their housemates [already] saw on the floor the lifeless body of the victim, soaked in her own blood, while [petitioner] was on top of her.”⁷¹ The Court cannot discount the fact that it could have been one of the residents of the apartment who tied a chain around the handles of the door due to fear for their safety or even to contain the crime scene as the authorities have not yet arrived. This is more plausible than what the lower courts were insinuating.

Third, even if the Court assumes *arguendo* that the *kadena* was tied by petitioner from the inside and was seen by Mr. Ruiz from outside of the room, the same is not enough to cast doubt, or even overthrow, petitioner’s plea of insanity. Assuming such proposition to be true, it still does not show that petitioner understood the gravity of the crime she committed because such act of tying a *kadena* does not equate to escape. In fact, when Mr. Ruiz and SPO1 Eugenio saw her inside the room, petitioner was praying loudly while sitting on top of the corpse with her hand inside the victim’s mouth. Thus, if at all and for argument’s sake, such act would show that petitioner wanted to continue performing her “deliverance of the devil” ritual uninterrupted.

Therefore, in the Court’s mind, petitioner has proven the fact that she was unable to understand the wrongfulness of her acts at the precise moment of the killing.

- ii. *The second test under Paña was satisfied through medical reports and petitioner’s expert witnesses who testified that petitioner had numerous psychotic episodes before, during, and after the commission of the crime due to her medical condition, “Schizophrenia, Paranoid type.”*

Legal insanity, as an exempting circumstance, must be medically shown, unless there are extraordinary circumstances and there is no other evidence available.⁷² While our procedural rules allow ordinary witnesses to testify on the “mental sanity of a person with whom he [or she] is sufficiently acquainted,”⁷³ the testimony and reports of physicians have greater evidentiary value in understanding an accused’s mental state.⁷⁴ The nature and degree of an accused’s mental illness can be best identified by medical experts equipped with specialized knowledge to diagnose a person’s mental health.⁷⁵

It should be noted that this great evidentiary value accorded by the Court in expert testimony was applied in *People v. Puno*,⁷⁶ when the Court rejected the insanity defense considering the testimonies of three psychiatrists who testified that the accused therein acted with discernment.⁷⁷

⁷¹ *Rollo*, p. 35, CA Decision.

⁷² *People v. Paña*, *supra* note 41, at 569.

⁷³ RULES OF COURT, Rule 130, sec. 50(c).

⁷⁴ *See People v. Austria*, *supra* note 39, at 1223.

⁷⁵ *People v. Estrada*, 389 Phil. 216, 239–240 (2000) [Per J. Puno, *En Banc*].

⁷⁶ 192 Phil. 430 (1981) [Per J. Aquino, *En Banc*].

⁷⁷ *Id.* at 438, 441.



Here, two psychiatrists, as expert witnesses, rendered their respective medical opinion. One found that petitioner suffered from psychosis even before the commission of the crime. The second expert witness diagnosed petitioner with paranoid-type Schizophrenia and opined that she was insane at the time of the commission of the crime.

One of the defense's witnesses, Dr. Luspo was the first psychiatrist who treated petitioner after committing the crime. Her observations and diagnoses were only based on her examinations of petitioner from the time she was confined at VPMC after the incident until she was transferred to NCMH for further treatment. The highly inaccessible and incoherent state of petitioner right after the killing was noted by Dr. Luspo during her testimony in open court:

[ATTY. RODOLFO ALORA (ATTY. ALORA)]: On June [13], 2005, Madam Witness, what was the condition of the accused in this case?

[DR. LUSPO]: The patient was tied to the grills because she was restless.

....

[ATTY. ALORA]: Did you try to get from them why was there a need for them to place the accused in that situation?

[DR. LUSPO]: Because the patient was largely incoherent, could easily be agitated, she was already with a lot of aberrations and contusions, with traumatic injuries that is why if she further hurt herself, because she already have [*sic*] teeth bites that is why she needs to be protected.

[ATTY. ALORA]: After the examination on the patient, what was your findings?

[DR. LUSPO]: My mental examination on the patient findings will be largely [inaccessible] and seemingly hallucinating, wrangling arm [*sic*], and that it was at that time when the parents requested that maybe the patient be asked to rest muna, I think at that point the patient should be sedated better, because she wasn't coherent.

[ATTY. ALORA]: Your report was June 2, 2006, has she improved since June 2006?

[DR. LUSPO]: The last time I saw the patient was the time she was discharged about thirteen days after and I did not see her on follow ups, but from that point to the date of her discharge, there was some improvements[.]⁷⁸

Similarly, Dr. Luspo also testified that based on her expert opinion and assessment, petitioner already had psychotic episodes even prior to the incident.⁷⁹

⁷⁸ *Rollo*, pp. 162–165, Testimony of Dr. Luspo dated April 12, 2010.

⁷⁹ *Id.* at 195–196, Testimony of Dr. Luspo dated November 15, 2010.

Dr. Luspo then summarized the following findings in the Medical Certificate⁸⁰ she issued on June 2, 2006, thus:

Episodes of agitation & poor rest/sleep were noted, so Chlorpromazine (Thorazine) with Biperiden (Akineton) were initiated. As the patient slowly began to improve: mental status exam showed patient to be accessible, however, preoccupied w/ powers of healing and being challenged or opposed by evil/bad powers. She was disoriented to the incident that triggered this specific episode. She [was] also religiously preoccupied. Olanzapine (Zyprexa) was added to the regimen. As the physical status of the patient improved, she became quite verbose, continued to be religiously preoccupied, talking about her healing powers and desire/ability to save humanity from sin and disaster[.]⁸¹

Petitioner was then transferred from VPMC under the care of Dr. Luspo to NCMH under the care of Dr. Lazaro for further and extensive treatment.

Dr. Lazaro's expertise in the field of psychiatry and forensic psychiatry as former Chief of Medical and Professional Services for the NCMH⁸² was admitted by the prosecution.⁸³ According to Dr. Lazaro, petitioner was under psychosis and suffers from Schizophrenia, paranoid type. Thus:

ATTY. FERNANDEZ:

What makes you say Madam Witness that she was sick of this illness during the commission of the crime?

DRA. LAZARO:

Because I interviewed her, sir. Can I quote the symptoms?

ATTY. FERNANDEZ:

Yes.

DRA. LAZARO:

She found the victim, there was an illusion that the victim was Christ and she even kissed the feet of this victim because she thought that she was Christ. And then so suddenly, there was a shift into a form of a devil and that's the reason most probably she did ... she also heard voices of the Virgin telling her to kill the devil, to place her hand in the mouth of the victim to save her from the devil which is within the victim's body. That was her thought, that was her thinking at that time of the commission of the crime.

ATTY. FERNANDEZ:

What makes you say that the accused is sick of this illness after the commission of the crime?

DRA. LAZARO:

After the commission of the crime[,] I have seen the different symptoms of this illness, that was in the hospital.⁸⁴ (Emphasis supplied)

⁸⁰ Records, vol. 2, pp. 467–471, Medical Certificate dated June 2, 2006.

⁸¹ *Id.* at 470–471.

⁸² TSN, p. 8, Testimony of Dr. Norma Macalalad-Lazaro dated September 10, 2007.

⁸³ *Id.* at 13.

⁸⁴ *Id.* at 26–27.

With the foregoing pieces of evidence and testimonies from expert witnesses, the second test under *Paña* has been clearly and convincingly proven by petitioner.

Here, the psychiatrists testified that petitioner was suffering from psychotic episodes before, during, and after the crime was committed. Subsequently, after thorough assessment and treatment in NCMH under Dr. Lazaro's care, a final report was issued conclusively diagnosing that petitioner is insane due to Schizophrenia, Paranoid Type.⁸⁵

Petitioner's insanity was the sole cause of the commission of the crime as she was having a psychotic episode when she thought that the victim grew horns and turned into a demon.⁸⁶ This led to petitioner killing the victim as purportedly urged by the Virgin Mary's voice inside petitioner's head which instructed her to put a cross in the victim's heart, among others.⁸⁷

Without a doubt, it is highly crucial for the defense to present an expert who can testify on the mental state of the accused. While testimonies from medical experts are not absolutely indispensable in insanity defense cases, their observation of the accused are more accurate and authoritative. Expert testimonies enable courts to verify if the behavior of the accused indeed resulted from a mental disease.⁸⁸ As shown above, petitioner's insanity, which was the cause of the crime committed, is proven to be a medical condition.⁸⁹ This definitively satisfies the second test in *Paña*.

Conjunctively, the expert witnesses were also able to lend support in satisfying *Paña*'s first test. Particularly, Dr. Lazaro's final medical report stated that "[p]atient is suffering from Schizophrenia. *She was sick before, during, and after the commission of the crime.* She had improved with medications given and is advised continued psychiatric treatment."⁹⁰

Exempting an individual from criminal responsibility because of Schizophrenia is not new in our jurisdiction. The Court, in previous cases, appreciated Schizophrenia as a medical condition which deprives a person of discernment, thus, falling under the exempting circumstance of legal insanity.⁹¹

All told, petitioner was able to offer more than clear and convincing evidence to prove her insanity under Article 12(1) of the RPC after satisfying all three tests under *Paña*, in consonance with relevant laws and jurisprudence. As such, the inescapable conclusion is to exempt petitioner from criminal responsibility.

⁸⁵ *Id.* at 21, 23.

⁸⁶ *Id.* at 26–27.

⁸⁷ *Id.*

⁸⁸ *People v. Paña*, *supra* note 41, at 576.

⁸⁹ TSN, pp. 17–27, Testimony of Dr. Norma Macalalad-Lazaro dated September 10, 2007.

⁹⁰ *Id.* at 25.

⁹¹ *See People v. Austria*, *supra* note 39 and *Verdadero v. People*, *supra* note 38, at 177–178.



***Evidence on what an insane individual
sees or hears are considered as
independently relevant statements***

In an attempt to discredit some factual matters offered by the defense and those discussed by the expert witnesses, the OSG claims that the following should be considered as hearsay: (1) petitioner had been exhibiting psychiatric behavior prior to the killing due to delusions and hallucinations; (2) petitioner was seeing figures in the emergency room; (3) petitioner had auditory hallucinations while confined in the hospital after killing the victim, had delusions, and could see the Virgin Mary; and (4) that according to petitioner, the victim was a demon and that the Virgin Mary told her to put a cross in the victim's heart.⁹²

The Court finds such arguments to be unfounded.

As defined under the Revised Rules on Evidence, “[h]earsay is a statement other than one made by the declarant while testifying at a trial or hearing, *offered to prove the truth of the facts asserted therein.*”⁹³

In criminal cases where an accused pleads the exempting circumstance of legal insanity, obviously, the accused's mental state is the primordial issue.

In resolving this issue, courts and medical experts need not inquire into the truthfulness of what an insane person claims to have seen or heard. Simply stated, and as applied in this case, the Court no longer needs to pry as to whether petitioner truly saw a demon with horns or the Virgin Mary. What is only relevant in resolving the issue of insanity is the very fact that petitioner claimed to have seen or heard them.

Considering this premise, the factual matters which the OSG claims as hearsay are not actually hearsay. Rather, they are admissible into evidence as independently relevant statements. As defined by the Court in *People v. Lobrigas*:⁹⁴

Under the doctrine of independently relevant statements, *only the fact that such statements were made is relevant and the truth or falsity thereof is immaterial. The hearsay rule does not apply, hence, the statements are admissible as evidence.* Evidence as to the making of such statement is not secondary but primary, for the statement itself may constitute a fact in issue or be circumstantially relevant as to the existence of such fact.⁹⁵ (Emphasis supplied)

⁹² *Rollo*, p. 249, OSG Comment.

⁹³ A.M. No. 19-08-15-SC, 2019 Proposed Amendments to the Revised Rules on Evidence, sec. 37. Emphasis supplied.

⁹⁴ 442 Phil. 382 (2002) [Per J. Ynares-Santiago, First Division].

⁹⁵ *Id.* at 392.



This is because hearsay only pertains to a statement made out-of-court with the purpose of proving the truth of the fact being asserted⁹⁶—which is not the case here.

Considering that the issue at hand is petitioner's insanity, only the fact that petitioner claimed to have seen or heard demons, Christ, or the Virgin Mary is relevant to resolve the same. Courts no longer have to inquire into the veracity of these hallucinations. Similar to psychiatrists, only the fact of utterance is necessary to make a conclusion or finding as to an accused's mental state.

Corollary to this, medical experts need not base such factual matters on their own personal knowledge. Being independently relevant statements, witnesses may relay and interpret such delusions, visual hallucinations, or auditory hallucinations even if they have not witnessed them as being seen or heard by the accused first hand. Similarly, courts should admit and may appreciate such statements from witnesses who merely relay what an insane individual claims to have seen or heard.

This puts the subject statements outside of the ambit of hearsay, thus, completely debunking the OSG's argument.

***Lack of prior psychiatric records
should not be taken against one who
pleads the defense of legal insanity***

In support of petitioner's conviction, it was mentioned that "the pieces of evidence proffered by the [d]efense failed to prove [petitioner's] insanity at the time of the commission of the crime. If at all, these pieces of evidence were gathered after the commission of the crime."⁹⁷

Furthermore, it was claimed that the examinations of Drs. Luspo and Lazaro were made only after petitioner had already killed the victim "when the only relevant inquiry in this case is whether [p]etitioner was insane at the very moment when the crime was committed."⁹⁸

To the Court, it seems that one of the reasons why petitioner's conviction was upheld is because she did not have any existing psychiatric records pointing to her mental state of being insane. Otherwise, it would be impossible and preposterous to expect that a doctor could examine a patient while in the height of committing a crime.

First, it should be stressed that having a documented history of a psychiatric condition is not, and should never be, an element required to prove legal insanity. In fact, it does not have any legal or evidentiary significance

⁹⁶ A.M. No. 19-08-15-SC, 2019 Proposed Amendments to the Revised Rules on Evidence, sec. 37. Emphasis supplied.

⁹⁷ *Rollo*, p. 39, CA Decision.

⁹⁸ *Id.* at 246–247, OSG Comment.



except to lend assistance in proving the second test under *Paña*, specifically, that the accused's medical condition is the reason why the crime was committed.⁹⁹

Furthermore, prior psychiatric records could not establish insanity at the precise time of the commission of the crime because, for obvious reasons, medical reports from doctors prior to the commission of the crime cannot be considered as having been rendered immediately before the commission of the crime, unless the facts clearly establish so. Thus, the foregoing arguments are misplaced.

To settle this, prior medical records are only relevant, but not the only smoking gun, in proving the second test in *Paña*.¹⁰⁰ On the other hand, lack thereof, absolutely has *nil* effect in the defense's burden to prove a deprivation of intelligence at the time of the commission of the crime, or *Paña*'s first and third tests.¹⁰¹

Second, and more importantly, if the Court were to subscribe to this argument, then it deliberately turns a blind eye to the unfortunate reality that health care is not accessible to majority of the population. In fact, the "Court realizes the difficulty and additional burden on the accused to seek psychiatric diagnosis."¹⁰² The argument being posited baselessly puts the impoverished at a disadvantaged position, who, due to circumstances beyond their control, are forced to brush aside conditions of their health in order to prioritize the immediate need to put food on the table and other necessities. The plea of insanity, as like any other similar defense available under the law, should always be equally accessible to all regardless of background or status. Adding additional burdens and qualifications to avail them, when not necessary and decisive to the legal issue, is undeserving to be branded as dispensation of justice.

Therefore, not only is this type of argument baseless in law, but its application and effect are also highly discriminatory. This should never have any place in our legal system.

Legal repercussions of an accused's acquittal due to legal insanity under Article 12(1) of the RPC

First, the peculiarity of legal insanity as an exempting circumstance is that it, by its nature, admits that criminal and civil liabilities exist but the accused is freed from criminal liability. In other words, the accused committed a crime, but he or she cannot be held criminally liable because of an exemption granted by law.¹⁰³

⁹⁹ *People v. Paña*, *supra* note 41, at 573.

¹⁰⁰ *Id.* at 540.

¹⁰¹ *Id.* at 573.

¹⁰² *Id.* at 570.

¹⁰³ *Verdadero v. People*, *supra* note 39, at 177–178.



Here, it is recognized that petitioner committed the crime of Homicide. However, due to a circumstance personal to her, or her insanity, she cannot be held criminally liable as she was unable to discern and understand the wrongfulness of her actions then. Notwithstanding this, civil liability and other damages granted by law should still be adjudged against her considering that a criminal act was nonetheless committed.¹⁰⁴

Hence, consistent with *People v. Jugueta*,¹⁰⁵ petitioner is liable to the heirs of the victim for the following amounts: PHP 50,000.00 as civil indemnity and PHP 50,000.00 as moral damages.¹⁰⁶ Furthermore, these monetary awards shall earn legal interest at the rate of 6% per annum from finality of the Decision until full satisfaction.¹⁰⁷

Second, while insanity exempts an offender from criminal responsibility, this will not stop at simply exempting him or her from imprisonment as the law provides for the insane individual's confinement. According to the RPC:

When the imbecile or an insane person has committed an act which the law defines as a felony (delito), *the court shall order his [or her] confinement in one of the hospitals or asylums established for persons thus afflicted*, which he [or she] shall not be permitted to leave without first obtaining the permission of the same court.¹⁰⁸ (Emphasis supplied)

The beauty of this provision is that it directly addresses the cause behind the commission of the crime. It is only proper that petitioner be confined in the NCMH for a thorough assessment of her present condition. She likewise deserves to receive the necessary treatment to give her the best chance to be integrated once again to the community.

Prison is no place for an individual afflicted with a mental disorder. Moreso, it is no place for one who committed a crime because of such mental illness. Incarceration will serve no practicable purpose and will, most definitely, worsen the person's medical condition while behind bars. After serving his or her time in jail, one cannot confidently say that that person has

¹⁰⁴ REV. PEN. CODE, art. 101. *Rules regarding civil liability in certain cases.*—The exemption from criminal liability established in subdivisions 1, 2, 3, 5 and 6 of Article 12 and in subdivision 4 of Article 11 of this Code does not include exemption from civil liability, which shall be enforced subject to the following rules:

First. In cases of subdivisions 1, 2, and 3 of Article 12, the civil liability for acts committed by an imbecile or insane person, and by a person under nine years of age, or by one over nine but under fifteen years of age, who has acted without discernment, shall devolve upon those having such person under their legal authority or control, unless it appears that there was no fault or negligence on their part.

Should there be no person having such insane, imbecile or minor under his [or her] authority, legal guardianship or control, or if such person be insolvent, said insane, imbecile, or minor shall respond with their own property, excepting property exempt from execution, in accordance with the civil law.

¹⁰⁵ 783 Phil. 806 (2016) [Per J. Peralta, *En Banc*].

¹⁰⁶ *See id.*

¹⁰⁷ *See id.*

¹⁰⁸ REV. PEN. CODE, art. 12(1).



been reformed and is ready to be reintegrated to society without risk of repeating the violent or destructive behavior. Because, to begin with, there is really nothing to reform and punish for persons who acted due to insanity—medical treatment is the only definitive solution.

Without a doubt, the State should be steadfast in bringing to justice those found responsible for criminal acts. However, equally important is its mission to ensure that the measure adopted is fitting to the circumstances of the case—always taking into consideration what is equally beneficial to the victim, to the offender, and to society.

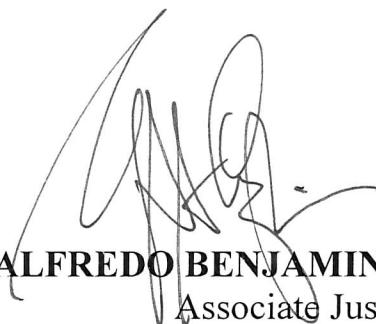
ACCORDINGLY, the Petition for Review on *Certiorari* is **GRANTED**. The Decision dated August 28, 2018 of the Court of Appeals Special Seventeenth Division and the Resolution dated February 4, 2019 of the Court of Appeals Former Special Seventeenth Division in CA-G.R. CR No. 40106 are **REVERSED** and **SET ASIDE**. Petitioner Mare Claire Ruiz y Serrano is hereby **ACQUITTED** of the crime of Homicide on the ground of Legal Insanity as defined under Article 12(1) of the Revised Penal Code. Consequently, the National Center for Mental Health is **ORDERED** to **CONFINE** her for treatment and shall be released only upon the order of the Regional Trial Court acting on a recommendation from her attending physician from the hospital.

Furthermore, petitioner is **ORDERED** to **PAY** the heirs of the deceased, Paulita Bonifacio y Sumintac, PHP 50,000.00 as civil indemnity and PHP 50,000.00 as moral damages. All monetary awards shall earn legal interest at the rate of 6% per annum from the date of finality of this Decision until full payment.

Let a copy of this Decision be furnished to the Medical Center Chief of the National Center for Mental Health for immediate implementation. The said Medical Center Chief is **ORDERED** to **REPORT** to the Court within five days from receipt of this Decision of the action taken.

Let entry of judgment be issued immediately.


SO ORDERED.




ALFREDO BENJAMIN S. CAGUIOA
Associate Justice

WE CONCUR:

(on official business)
HENRI JEAN PAUL B. INTING
Associate Justice

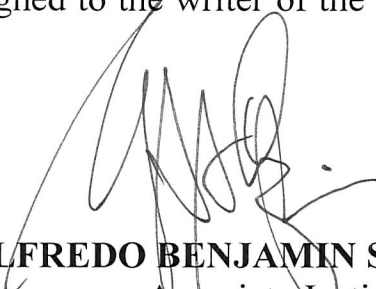

SAMUEL H. GAERLAN
Associate Justice


JAPAR B. DIMAAMPAO
Associate Justice

(on official business)
MARIA FILOMENA D. SINGH
Associate Justice

ATTESTATION

I attest that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALFREDO BENJAMIN S. CAGUIOA
Associate Justice
Chairperson, Third Division

CERTIFICATION

Pursuant to Article VIII, Section 13 of the Constitution and the Division Chairperson's Attestation, it is hereby certified that the conclusions in the above Decision had been reached in consultation before the case was assigned to the writer of the opinion of the Court's Division.


ALEXANDER G. GESMUNDO
Chief Justice