

EN BANC

[G.R. No. 214444, November 17, 2020]

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. LITO PAÑA Y INANDAN, ACCUSED-APPELLANT.

DECISION

LEONEN, J.:

The standard of legal insanity, which is complete deprivation of intelligence, is a concept born out of the narrow view that rejects the psychodynamic nature of human psychology. It fails to acknowledge that mental illnesses exist in a spectrum and its all-or-nothing notion of mental illnesses reflects a detachment from established and contemporary concepts of mental health.^[1]

Persons who suffer from mental illnesses are no longer viewed as wild beasts who are absolutely devoid of mental faculties. The diagnosis and studies on mental illnesses and disorders have progressed since. Attitude and views towards mental health have significantly evolved. Tests have been recalibrated and reformulated to better deal with the peculiarity and contours of insanity defense cases-tests whose merits are now recognized by this Court.

We clarify the guidelines laid down in *People v. Formigones*^[2] and now apply a three-way test: first, 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.

This Court resolves an appeal from the Decision^[3] of the Court of Appeals affirming Lito Paña's (Paña) conviction for the crime of murder.

Paña was charged with murder under the following Information:

That on or about the 20th day of March 2005, at about 7:30 o'clock in the morning at Barangay Masaya, Municipality of Rosario, Province of Batangas, Philippines, and within the jurisdiction of this Honorable Court, the above-named accused, armed with a bolo (gulok) with intent to kill with the qualifying circumstances of treachery and evident premeditation, with a buse of superior strength and without any justifiable cause, did then and there willfully, unlawfully and feloniously attack, assault and hack with the said bolo one Sherwin Macatangay y Lara, suddenly and without warning, thereby inflicting upon the latter incise wounds on his head and neck, which directly caused his death.

Contrary to law.^[4]

Upon arraignment, Paña pleaded not guilty to the charge. Trial on the merits ensued.^[5]

The prosecution presented the following witnesses: (1) the victim's mother, Thelma Macatangay; (2) Aldwin Andal (Andal); (3) PO3 Andres Mancia (PO3 Mancia); and (4) Municipal Health Officer Dr. Emelita Abacan (Dr. Abacan).^[6]

Based on the collective testimony of its witnesses, the prosecution alleged that on March 20, 2005, Andal left his house at around 7:30 a.m. to fetch Sherwin Macatangay (Macatangay) from the latter's hut. When Andal arrived, he saw Paña hacking Macatangay with a two-foot long bolo. Macatangay was sleeping on the *katre* (bed) while he was being hacked. Afraid of what he had just witnessed, Andal immediately ran away and reported the incident to the authorities.^[7]

PO3 Mancia and PO1 Ronilo Balita (PO1 Balita) were dispatched from the Rosario Police Station to proceed to the crime scene.^[8] When they arrived, they saw numerous bystanders in the area. They searched the place and saw Macatangay's lifeless body. While they were conducting their on-site investigation, PO3 Mancia and PO1 Balita found Paña in a grassy lot 25 to 30 meters away from the crime scene. Paña was lying on the ground with a bolo in his hand. When Paña saw the police officers, he attempted to run but he was immediately apprehended. He was then brought to the police station.^[9]

The post-mortem examination conducted by Dr. Abacan revealed that Macatangay sustained four (4) incised wounds on his head and neck, which caused his death.^[10]

After the prosecution rested its case, the defense presented Paña and his mother, Soledad Paña (Soledad), as witnesses. Paña interposed the defense of insanity.

Paña claimed that he had been mentally ill since 2003 which caused him to do things he was unaware of, suffer sleepless nights, and even attempt to commit suicide twice. In one instance, he jumped from a bridge but did not suffer any injuries. He further claimed that he was mentally ill in November 2004 and January 2005. He claimed that he absolutely had no recollection of what transpired on the day of the alleged incident and that he only regained his mental faculties after his apprehension and incarceration. The quack doctor whom he had previously consulted told him that his mental illness was brought about by depression.^[11]

Soledad corroborated her son's testimony. She testified that her son was having health problems before the alleged incident and was quiet and uneasy most of the time. Soledad knew that her son was not in his right mind because he would answer differently whenever she would talk to him. Due to financial constraints, they were unable to seek professional medical intervention. On the day of the alleged incident, Soledad observed that her son had a blank stare on his face (*'nakatulala'*).^[12]

Moreover, Soledad maintained that his son and the victim, who were close cousins, did not have any misunderstandings. When she visited her son in jail, he was allegedly still unaware of what happened and did not recognize anyone.^[13]

In its Decision,^[14] the Regional Trial Court found Paña guilty. The dispositive portion of its Decision reads:

For failure to establish by convincing evidence his alleged insanity at the time that accused killed Sherwin Macatangay, the Court renders its judgment of CONVICTION and hereby sentence the accused LITO PAÑA Y INANDAN to suffer the penalty of *Reclusion Perpetua*.

Furthermore, the accused LITO PAÑA Y INANDAN is directed to pay the heirs of Sherwin Macatangay y Lara the amount of Php 50,000.00 as death indemnity.

SO ORDERED.^[15]

The Regional Trial Court found the evidence presented by the defense insufficient to establish Paña's claim of insanity. The Regional Trial Court did not consider Paña and his mother as competent witnesses to testify on Paña's state of mind. Assuming their testimonies were given weight, it held that there was no proof that Paña was completely deprived of intelligence when the crime was committed.^[16]

Paña appealed the Decision of the Regional Trial Court. In his Appellant's Brief,^[17] Paña argued that expert testimony is not indispensable to prove his insanity as this may be established by the testimony of one who is intimately acquainted with him. Paña believes that his mother is the best witness to testify on his mental condition having observed his day-to-day behavior.^[18]

Further, Paña argued that he had no ill motive toward the victim and there was no misunderstanding between them. Moreover, the totality of the circumstances suggests that he was unaware of what he had done: first, he killed the victim in broad daylight; second, he was found around 25 to 30 meters away from the crime scene after the incident; and lastly, he has shown no remorse.^[19]

On the other hand, the People of the Philippines, through the Office of the Solicitor General, argued in its Brief^[20] that Paña's guilt has been proven beyond reasonable doubt. It stated that the act of killing a sleeping victim is considered treacherous. Thus, the trial court did not err in rendering a judgment of conviction.^[21]

As regards Paña's defense of insanity, the Office of the Solicitor General argued that legal insanity requires that the accused must be "deprived of reason and act without the least discernment[.]"^[22] The Office of the Solicitor General believes that the evidence presented by the defense showed that Paña only exhibited unusual behavior.^[23]

The Court of Appeals affirmed Paña's conviction in its March 13, 2014 Decision.^[24] Thus:

WHEREFORE, the instant appeal is DISMISSED and the Decision dated January 24, 2012 of the Regional Trial Court of Rosario, Batangas, Branch 87, in Criminal Case No. R05-065 is AFFIRMED IN TOTO.

SO ORDERED.^[25]

The appellate court agreed with the Regional Trial Court that Paña and his mother were not competent witnesses to testify on Paña's alleged insanity.^[26] Moreover, it found no clear evidence that would establish Paña's insanity immediately before or at the time he killed the victim. It held that the manifestations of Paña's alleged mental illness are insufficient to prove legal insanity, which requires complete deprivation of intelligence.^[27]

In affirming the finding of guilt, the Court of Appeals found that the prosecution proved all the elements of murder. It held that the number of stab wounds sustained by the victim indicated Paña's intent to kill. The killing was also attended with treachery as it was done while the victim was sleeping.^[28]

Paña filed his Notice of Appeal^[29] which was given due course by the Court of Appeals.^[30] The records were then elevated to this Court.^[31]

In a Resolution,^[32] this Court noted the records forwarded by the Court of Appeals and required the parties to submit their respective supplemental briefs. Both parties manifested that they would no longer file their supplemental briefs.^[33]

The issue for this Court's resolution is whether or not accused-appellant Lito Paña y Inandan can claim exemption from criminal liability based on the defense of insanity.

I

One of the basic moral assumptions in criminal law is that all persons are "naturally endowed with the faculties of understanding and free will."^[34] When a person is charged of a crime, the act is deemed to have been committed with "deliberate intent, that is, with freedom, intelligence[,], and malice."^[35]

The presumption in favor of sanity is based on practical considerations. As explained by this Court in *People v. Aquino*:^[36]

The basis for the presumption of sanity is well explained by the United States Supreme Court in the leading case of *Davis vs. United States*, in this wise: "If that presumption were not indulged, the government would always be under the necessity of adducing affirmative evidence of the sanity of an accused. But a requirement of that character would seriously delay and embarrass the enforcement of the laws against crime and in most cases be unnecessary. Consequently, the law presumes that everyone charged with crime is sane and thus, supplies in the first instance the required proof of capacity to commit crime."^[37] (Citation omitted)

Since the law presumes all persons to be of sound mind, insanity is the exception rather than the general rule.^[38] It is a defense in the nature of confession and avoidance.^[39] In claiming insanity, an accused admits the commission of the criminal act but seeks exemption from criminal liability due to lack of voluntariness

or intelligence.^[40]

Under Article 12(1) of the Revised Penal Code:

CHAPTER TWO

Justifying Circumstances and Circumstances which Exempt from Criminal Liability

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 confinement in one of the hospitals or asylums established for persons thus afflicted, which he shall not be permitted to leave without first obtaining the permission of the same court.^[41]

This Court defines insanity as:

a manifestation in language or conduct of disease or defect of the brain, or a more or less permanently diseased or disordered condition of the mentality, functional or organic, and characterized by perversion, inhibition, or disordered function of the sensory or of the intellectual faculties, or by impaired or disordered volition.^[42]

An insane person "has an unsound mind or suffers from a mental disorder,"^[43] but this Court admits that an insane person may have lucid intervals during which they may be held liable for criminal acts.^[44]

Previously, the inquiry in insanity defense cases had no clear parameters. It merely posed the question of whether the accused was insane at the time they committed the offense.^[45] There had been no defined standards as to what distinctly constituted insanity until 1950 when this Court, in *People v. Formigones*,^[46] adopted the complete deprivation of intelligence or will test.

In *Formigones*, the accused was charged with parricide for stabbing his wife. He interposed the defense of insanity under Article 12(1) of the Revised Penal Code, alleging that during trial, guards of the provincial jail testified that the accused exhibited strange behavior and behaved like an insane person during his incarceration.^[47]

There, this Court rejected the defense of insanity. Citing decisions of the Supreme Court of Spain, it held that for an accused to be regarded as an imbecile within the contemplation of the Revised Penal Code, there must be complete deprivation of reason, discernment, or freedom of the will at the time of the commission of the crime.^[48] Thus: