

EN BANC

[A.M. No. P-94-1089, August 22, 1996]

**OFFICE OF THE COURT ADMINISTRATOR, COMPLAINANT, VS.
VICENTE P. LIBRADO, DEPUTY SHERIFF, MTCC, BRANCH 1,
ILIGAN CITY, RESPONDENT.**

DECISION

PER CURIAM:

Respondent Vicente P. Librado is deputy sheriff of the Municipal Trial Court in Cities (MTCC), Branch 1, in Iligan City. On September 19, 1994, he was charged with violation of R.A. No. 6425 in an information filed with the Regional Trial Court of Lanao Del Norte, Branch 5, for selling and having in his possession certain quantities of prohibited drugs known as metamphetamine hydrochloride or "shabu" and marijuana. He was subsequently found guilty and sentenced to six (6) years of imprisonment.

Pursuant to its authority under the Resolution of the Court En Banc dated March 12, 1981, the Office of the Court Administrator filed this administrative complaint against him and on November 23, 1994, he was suspended from office.

Respondent admits that he had been convicted of violation of R.A. No. 6425 and claims that he is now on probation. He narrated the incident that led to his apprehension, as follows:

"1) That on September 12, 1995 (sic) at 10:00 PM, a minica driver, a.k.a. JUN NEGRO . . . together with an unidentified companion, came to my residence in Pala-o and induced me to procure shabu.

"2) On September 13, 1994 at 7:00 PM, Jun Negro, together with a nice looking lady brought with them two [packs] of shabu worth P1,000 each[,] [t]wo-third[s] of which was consumed by that lady, [Jun Negro], and myself, leaving a small quantity which Jun Negro requested me to convert [into] cash.

"3) September 13, 1994-2:00 AM

"I was awakened by two men who insisted [on entering into] my residence. As I opened the door, I . . . learned that it was Jun Negro and a person [who] introduced himself as Randolph. Then Jun Negro asked me if I still ha[d] a pack of shabu. I gave to him the remaining pack which he price (sic) P300.00 to Randolph. The latter gave his P300 pesos to [me] while requesting for more. But I didn't have any. He later said that I would buy more this fiesta (sic).

"This Jun Negro immediately opened the door, seconds later, Rene

Salazar came in and said: We have a Search Warrant. This Randolph stood up and a shot took place! I was so nervous and out of my senses. (Note: The Narcom agents never reported the matter).

"They then conducted their search with their witness, Mr. Nerius M. Actub . . . He was killed three (3) weeks later, while their alleged agent Jun Negro has disappeared.

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"With all my shortcomings: A) Arrested on September 14, 1994; b) My wife had just arrived from USA on September 27, 1994, [and] immediately filed an Annulment of Marriage; and C) My house has been demolished on October 2, 1994 . . . I pleaded guilty of said crime.

"I am now on probation hoping that I'd be given a second chance."

Based on the foregoing facts, Judge Valerio M. Salazar, Executive Judge of RTC-Iligan City, to whom this case was referred for investigation, report and recommendation, recommends that in view of respondent's probation, a penalty short of dismissal be meted out against respondent "to provide him with the incentive and the will to rehabilitate himself and apply his time to his work as a judicial employee."^[1]

This case involves a conviction of a crime involving moral turpitude as a ground for disciplinary action under the Civil Service Law.^[2] Under the rules of the Civil Service Commission, conviction of a crime involving moral turpitude is considered a grave offense punishable, upon first commission, by dismissal.^[3] As this Court has held, it alone suffices as a ground for the dismissal of a civil service employee.^[4]

Drug-pushing, as a crime, has been variously condemned as "an especially vicious crime,"^[5] "one of the most pernicious evils that has ever crept into our society."^[6] For those who become addicted to it "not only slide into the ranks of the living dead, what is worse, they become a grave menace to the safety of law-abiding members of society,"^[7] while "peddlers of drugs are actually agents of destruction. They deserve no less than the maximum penalty [of death]."^[8]

There is no doubt that drug-pushing is a crime which involves moral turpitude and implies "every thing which is done contrary to justice, honesty, modesty or good morals"^[9] including "acts of baseness, vileness, or depravity in the private and social duties which a man owes to his fellowmen or to society in general, contrary to the accepted rule of right and duty between man and man."^[10] Indeed nothing is more depraved than for anyone to be a merchant of death by selling prohibited drugs, an act which, as this Court said in one case,^[11]

"often breeds other crimes. It is not what we might call a 'contained' crime whose consequences are limited to that crime alone, like swindling and bigamy. Court and police records show that a significant number of murders, rapes, and similar offenses have been committed by persons under the influence of dangerous drugs, or while they are 'high.' While