

MALACAÑANG
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 173

EXONERATING JOSE C. ORBE AS CHIEF OF POLICE OF ILAGAN CITY.

This is an administrative case against Chief of Police Jose C. Orbe of Iligan City for alleged maltreatment, conduct unbecoming a chief of police, grave abuse of authority and drunkenness filed by Vice-Mayor Gerardo Padilla and Councilors Benito Ong, Providencio Abragan, Manuel Celdran, Edilberto Noel and Bonifacio Legaspi of said city. The case was formally investigated by the Board of Investigators of Iligan City composed of Capt. Romualdo Sanchez, P.C., as Acting Chairman and Councilor Casimiro Cabigon, member. The third member of the Board (City Treasurer Daniel Tuazon) inhibited himself from participating in the hearing of the case because of his close personal relation to respondent.

The charges against respondent chief of police are as follows:

(1) For Maltreatment and Conduct Unbecoming a Chief of Police:

"That on or about December 11, 1965, the aforementioned Chief of Police, while under the influence of liquor and without any provocation boxed and maltreated one Leodegario Cabili; that when one Pat. Camilo Sanchez went near the said Leodegario Cabili, Major Orbe met him with a fist blow and thereafter divested the said Patrolman Sanchez of the latter's Garand rifle and revolver. At this juncture, one Patrolman Andres Torralba of the Iligan City Police Department tried to pacify the Chief of Police but instead of calming down, the Chief of Police boxed the said Andres Torralba, cocked and pointed his pistol at the latter and thereafter dared Andres Torralba to fight him. All these happened in the presence of many people and in front of the Bascon Hotel in Iligan City which is frequented by many out-of-town guests.

"That in or about July 1962, while Patrolman Marcelo Alfeche of the Iligan City Police Department was on his beat at Quezon Avenue, Iligan City, the Chief of Police, without any provocation on the part of the aforementioned Marcelo Alfeche, with the use of the trench knife, stabbed the said patrolman but luckily he was able to evade the thrust of the knife."

(2) Grave Abuse of Authority:

"That on or about May 13, 1967, the Chief of Police, Major Jose Orbe, with grave abuse of authority ordered Police Lt. Anselmo Orellana of the Iligan City Police Department, to work for and secure a bail bond for one PC Capt. Hidalgo who was then under arrest by virtue of a duly issued warrant of arrest; that while his order for the preparation of the bail bond was being done he ordered a Patrolman by the name of Pagaling to buy liquor with which he and the said Capt. Hidalgo drank."

(3) Drunkenness:

"It is common knowledge that the Chief of Police of Iligan City, Major Jose Orbe, is always drunk even in the performance of his duties; because of this drunkenness, the men under him cannot any more discharge the functions of their offices because whenever he is drunk he manhandles and insults the members of the Police Force of Iligan City."

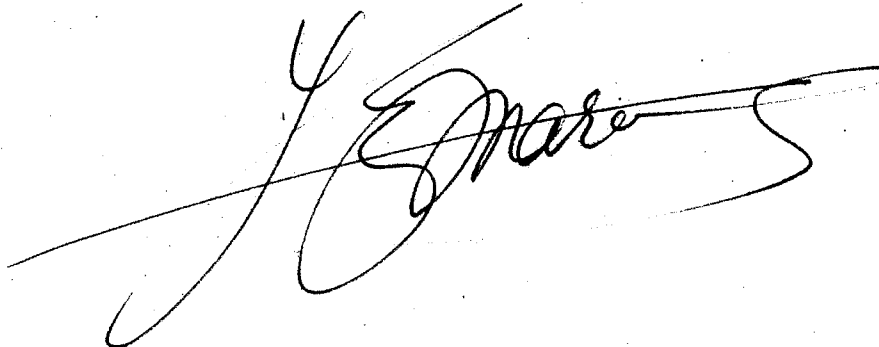
The charges were supported by four affidavits signed by Police Lt. Martine Galerio, Pat. Andres Torralba, Pat. Marcelo Alfeche and Lt. Anselmo Orellana which substantially corroborated the allegations therein. It appears, however, that in the formal hearing of the case by the Board of Investigators the complainants were not able to produce any witness including the aforementioned police officers who executed affidavits to support the charges against respondent chief of police despite repeated subpoena issued for their attendance and the fact that the respondent was already under preventive suspension.

Notwithstanding the failure of complainants to prove the charges against respondent, the latter denied all the charges and presented witnesses (Ceferino Dulay, PC Major Efren Asparragoza, Pat. Glicerio Bado, Pat. Elizardo Pagaling, Subaer Ali Pacasum, Provincial Board Member Datu Mitoon Ampang, of Lanao del Norte, Principal Buenaventura Barga Sr. of the Iligan High School, and Maximo Buot, former manager of Bascon Hotel and Cocktail Lounge of said city) who testified to the effect that it was Ceferino Dulay, bondsman of the Central Surety and Insurance Company, who actually procured the bail bond for Lt. Mario Hidalgo (referred as PC Capt. Hidalgo) but Lt. Anselmo Orellana of the Iligan City Police Department acted only as escort or guard for the detainee; that it was respondent who ordered the city jail in-charge on May 14, 1967, to lock in jail Lt. Hidalgo under strict confinement, and that Patrolman Pagaling did not buy liquor but instead was instructed


to buy bread and serve coffee to Lt. Hidalgo and his wife; that respondent was never found drunk while in the discharge of his official duties nor did the PC supervising officer of the Iligan Police Department hear of any complaint from any member thereof about respondent's alleged drunkenness and mandandling of any member of said police force; and that on December 11, 1965, at the Bascon Hotel and Cocktail Lounge no violent accident occurred involving the alleged maltreatment of a certain Leodegario Cabili by respondent nor any trouble between the latter and members of the Iligan Police Force. Leodegario Cabili, who was allegedly maltreated by respondent on December 11, 1965, at the Bascon Hotel, testified in the formal investigation that no such incident transpired between him and respondent and neither was there any violent encounter between the latter and the members of the striking force of the Iligan Police Force. It is noted that none of the alleged victims of abuse or maltreatment mentioned in the charges was a signatory to the complaint, nor was presented as supporting witness in the investigation of the case.

Wherefore, and as recommended by the Board of Investigators and the Police Commission, Chief of Police Jose Orbe of Iligan City is hereby exonerated from the charges against him.

Done in the City of Manila, this 15th day of May in the year of Our Lord, nineteen hundred and sixty-nine.



By the President:



RAFAEL M. SALAS
Executive Secretary