



P N P News Release

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SERIOUS MISCONDUCT CHARGES FILED AGAINST ILOILO JUDGE

The Regional Director of the PNP Regional Office 6 in Western Visayas yesterday filed an administrative complaint against the Executive Judge of the Regional Trial Court of Iloilo for alleged serious misconduct.

Named respondent in the complaint filed by PRO-6 Director, Chief Superintendent Julius F Yarcia is the Honorable Tito G Gustilo, Executive Judge of RTC Iloilo.

In his six-page complaint filed before the Office of the Court Administrator of the Supreme Court, Yarcia alleged that Gustilo violated the Code of Judicial Conduct and Canons of Judicial Ethics when "he issued a Temporary Restraining Order effective for 72 hours", in effect ordering the PNP to refrain from implementing the transfer of 30 policemen from the Molo Police Precinct in Iloilo to the Autonomous Region for Muslim Mindanao.

Records show that Gustilo issued the TRO in favor of the 30 policemen who earlier sought an injunction with the Iloilo RTC preventing Iloilo City policemen to a new assignment in the ARMM.

The transfer order for the 30 Iloilo City policemen was upon the recommendation of an inspection team from the PAOCTF that found the Police Precinct 4 in Molo, Iloilo City "virtually abandoned" on the night of July 2, 2000.

Thus, the PNP issued Special Orders No. 1784 for the transfer of the 30 policemen to Mindanao.

But, on August 10, 2000, Gustilo issued a memorandum to Senior Superintendent Michael Ray Aquino of PAOCTF explaining that one of the 30 policemen, a certain PO2 Rex Wendam should not be considered to have abandoned his post at the time of the inspection because Wendam was detailed as his personal bodyguard.

Yarcia said that by Gustilo's act of issuing the memorandum to Sr. Supt. Aquino "he has indiscriminately displayed personal interest in favor of PO2 Wendam" and even issued a TRO favorably aborting Wendam's transfer to Mindanao.

Yarcia also found the detail of Wendam as Gustilo's personal bodyguard as "highly irregular and questionable," considering that by Gustilo's own admission, Wendam has been detailed as his personal bodyguard since July 23, 1999, in violation of PNP Circular 98-007 (Rules Governing the Detail of PNP Personnel as Protective Security).

Complainant Yarcia said Gustilo obviously "violated provisions of the Canons of Judicial Ethics and the Code of Judicial Conduct, and has not led himself to act in accordance with the mandate of the Preamble of the Code of Judicial Conduct."