

**JUSTICE FOR THE FIVE (5) ABADILLA FALL GUYS!**  
**Sit-Down Protest & Fasting for Justice and Truth**  
**June 13, 2001, 10:00 AM to 3:00 PM (5 hours)**  
**In Front of the Department of Justice & Supreme Court, Padre Faura, Ermita, Manila**

STATEMENT OF THE FAMILIES OF THE FIVE (5) FALL GUYS/  
 DEATH CONVICTS ON THE FIFTH (5<sup>TH</sup>) ANNIVERSARY OF THE  
 JUNE 13, 1996 AMBUSH-KILLING OF EX-COL. ROLANDO ABADILLA

Our Loved Ones, “The Abadilla Five (5)”

- 1) LENIDO “POGS” LUMANOG – was a businessman based in Fairview, Quezon City
- 2) RAMESES DE JESUS – his sidekick, also staying in Fairview
- 3) CESAR FORTUNA - was a policeman with the Traffic Management Command who was renting a room at Rameses’ place in Fairview
- 4) AUGUSTO SANTOS - was in odd jobs, like construction work, in Fairview
- 5) JOEL DE JESUS - was a tricycle driver in Fairview

Their Story

Our loved ones, “The Abadilla Five (5),” were unjustly convicted and sentenced to death on August 11, 1999 for the ambush-killing of former PC-Metrocom Col. Rolando Abadilla by several persons using handguns while he was caught in traffic along Katipunan Ave. in Quezon City on June 13, 1996. They have been in jail since June 1996 and in Death Row since August 1999 for a crime they did not commit. They also suffered terrible torture while under secret or incommunicado detention after they were successively picked up starting June 19, 1996, without warrants, as suspects by the police “Task Force Rolly” and presented to the media as such on June 24, 1996. Yet, also on June 19, the Alex Boncayao Brigade (ABB), had claimed responsibility for the Abadilla killing (which was reiterated several times since then). The accused had no links at all with the ABB.

The Murder Case

Our loved ones, “The Abadilla Five (5),” were convicted by Judge Jaime Salazar, Jr. in Criminal Case No. Q-96-66684 in the RTC of Quezon City Branch 103 for the Abadilla murder on the basis only of their supposed positive identification by one security guard witness. During the period of reconsideration, one of them, Lenido Lumanog raised strongly, among others, an angle which was not addressed during the trial: the ABB’s true responsibility for the killing, and asked for this last chance to prove the innocence of the death convicts. This move was disallowed by Judge Salazar on technical grounds. So, the death convicts questioned his orders as “grave abuse of discretion” in a petition for certiorari, docketed as **G.R. No. 142065, in the Supreme Court**. This petition, filed on March 15, 2000, is hoped to be a faster way towards their acquittal and release.

Yet, the petition suffered two major delays, totalling one year, in the Supreme Court. First, the Court itself took seven months before requiring the prosecution to comment on the petition. Second, the Office of the Solicitor General took five months before filing its comment. After replying thereto, the petitioner-death convicts filed on May 30, 2001 a Motion for Early Decision. This much, at least, they deserve in compensation for the one year delay. Any further delay is unbearable for them who are innocent but languishing in Death Row. And also unbearable for us, their families, whose lives have been shattered with theirs.

(more)

## The Torture Case

Our loved ones, “The Abadilla Five (5),” assisted by the Commission on Human Rights (CHR), also filed in September 1996 a complaint against police officers of “Task Force Rolly” led by P/Sr. Supt. Romulo Sales for torture and other human rights violations. This has been pending as **I.S. No. 96-663** on preliminary investigation without any resolution up to now **in the Department of Justice (DOJ)**. The long delay – going on five (5) years - lies mainly in the hands of the assigned state prosecutor, Marilyn Campomanes, who is now detailed at the Muntinlupa City Prosecutor’s Office. Final submissions of evidence by the complainants and by the CHR were separately filed on September 22 and October 11 last year. Some of these were re-submissions because they were not in the case record, as they were supposed to be, when shown by SP Campomanes last September 8.

A personal check up of the case records last December 19 revealed that the final submissions were somehow not there. A final personal check up of the case status was made last May 25 but the record was not even in the office since, per information, SP Campomanes kept it at her home. This was the final straw. The complainants and their counsel filed on May 30, 2001 a letter with the DOJ urgently requesting for the reassignment of the case to another, more diligent state prosecutor at the Office of the Chief State Prosecutor (OCSP).

### Five (5) Immediate Demands

Regarding the torture case still on preliminary investigation in the DOJ (I.S. No. 96-663):

- 1) **Replace SP Marilyn Campomanes** with a more reliable state prosecutor at the OCSP.
- 2) **Secure the integrity and completeness of the case records.**
- 3) **Promptly resolve the preliminary investigation**, finding probable cause for torture and other human rights violations.
- 4) **Undertake appropriate disciplinary action against SP Campomanes.**

And in the murder case on petition for certiorari in the Supreme Court (G.R. No. 142065):

- 5) **Make an early decision**, granting the petition so that the case be reopened for reception of evidence on the ABB angle.

### Five (5) Bigger Concerns

There are bigger, strategic concerns in the murder and torture cases of our loved ones, “The Abadilla Five (5),” with implications not only for them but also for all others similarly or potentially situated. These concerns may be capsulized, because of limited space, as follows:

- 1) **Truth, Justice and Freedom for “The Abadilla Five (5)”!** On the basis of the truth about who really killed Col. Abadilla, and the truth about the torture suffered by our loved ones, justice demands that they be set free and that their police torturers be held accountable.
- 2) **No More Delays!** For truly, justice delayed is justice denied.
- 3) **Effectively Investigate and Prosecute Torture!** The torture complaint of the Abadilla murder suspects has become a test case for the Philippines – may it not fail the test. The world, thanks to Amnesty International, is watching.
- 4) **Reform the Criminal Justice System!** That the justice system can be criminal is precisely what the murder and torture cases of “The Abadilla Five (5)” are teaching us – can we learn?
- 5) **No to Death Penalty!** More so with an unreformed criminal justice system.

FAMILIES OF “THE ABADILLA FIVE (5)” - PLEASE SUPPORT OUR “5-5-5” ABOVE

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