

## In Defense of Our Family's Honor

In every Filipino family, two things are most treasured: honor and home.

Our brother, Senator Panfilo "Ping" Lacson is accused of masterminding the murder of Salvador "Bubby" Dacer and his driver. The principal evidence against him that the previous administration's DOJ investigating panel and the court considered "probable cause" was an affidavit by a lone witness, Cesar Mancao. In that affidavit, Mancao narrated a supposed conversation inside a car between Ping and Michael Ray Aquino wherein Ping allegedly ordered Aquino to have Dacer murdered. He claimed to have overheard the conversation while seated at the front seat of the car next to Ping's driver, Reynaldo Oximoso, while Ping and Aquino were at the backseat.

To establish "probable cause", the investigators and the judge must find the evidence credible. It must lead a reasonable person to believe that the person being accused committed a crime.

We believe that a careful consideration of the following facts will lead reasonable person to a conclusion that Mancao's allegation in his affidavit was a fabrication and an absolute lie:

1. Oximoso denied in a sworn affidavit submitted to the court that such conversation or car ride ever happened. He explained that during the whole period that he served as Ping's security aide-driver, the front seat was always reserved for the Aide de Camp. Therefore, Mancao's claim that he occupied the front seat is not true. Oximoso also said that there was never a time that Ping, Aquino and Mancao rode together in a car during that period. Likewise, Aquino, in a sworn affidavit subscribed before a Philippine consul in the United States, having been in the same car as Ping and Mancao during the time that he was serving as PAOCTF Operations Division Chief, or having any conversation with Ping regarding any order or plan to liquidate or eliminate Dacer. He categorically denied ever receiving any order from Senator Lacson to liquidate any person, including a certain "Bero" or "Delta."
2. Mancao unwittingly proved his own affidavit to be a fabrication and a lie. His sworn affidavit indicated that the alleged car conversation took place "sometime

in October, 2000". He clarified in a hearing for his petition to become a state witness that the car conversation took place "sometime in September, 2000 or early October, 2000". He clarified that **he could remember it very well because it happened during the time that then Pres. Estrada was out of the country.** He made such clarification spontaneously upon direct examination conducted by DOJ prosecutor Hazel Valdez. He did so, however, oblivious to the fact as sworn to by Sen. Mar Roxas and Usec. Mike Toledo that at the time President Estrada was abroad and hence **when the car conversation supposedly happened, Ping was with President Estrada, Usec. Toledo and Senator Mar Roxas on an official visit to the United States.** Incidentally, DOJ prosecutor Hazel Valdez was part of the DOJ panel that drafted Mancao's February 14, 2009 affidavit while both were in the U.S. Thereafter, Mancao was sworn to his affidavit on a weekend in his U.S. detention cell by the Philippine consul on a weekend, accompanied by DOJ Prosecutor Valdez.

3. That Mancao's affidavit was a fabrication is further bolstered by the fact that several months prior to its signing, Mancao who was in the United States at the time, was interviewed over radio station DZMM and over Channel 7. He freely talked about being contacted by Gen. Romeo Prestoza, then presidential security chief in Malacanang. He narrated in both interviews that **Prestoza wanted him to implicate Ping in the Dacer murder case** and in exchange, he would be discharged as accused and he would be relocated with his family to Singapore, all expense paid. Is it a far-fetched conclusion that when threatened with extradition and being charged in this murder case; Mancao chose the easy way out by agreeing to become a state "witness"?
4. Even assuming, for the sake of argument, that the car conversation actually happened, Mancao admitted in a court hearing that he being seated at the front seat of the car with Ping and Aquino at the back seat, **he was not at all certain what he actually heard.**
5. On top of this is the testimony of Glenn Dumlao, who executed several affidavits attesting to Ping's innocence of the crime. In one of his affidavits, he narrated how **officials of the previous administration tortured him physically, mentally and emotionally so that he would implicate Ping,** but he held on to the truth.

In spite of very weak evidence to support its case, the previous DOJ filed the complaint. The court issued a warrant for Ping's arrest during the closing stage of the previous administration whose corrupt ways he exposed in many privilege speeches.

In an effort to strengthen a very weak case against Ping, the previous DOJ even cited a letter from Dacer to Estrada maligning Ping without submitting any proof that Ping knew about that letter. Another frequently told story is that Dacer allegedly told his daughters that if something happened to him, Ping was to blame. If these allegations proved anything, it is **the fact that the case filed against Ping extremely suffers from lack of evidence to establish probable cause.**

In our last Christmas together, Ping already told us of frantic moves of the previous administration to have an arrest warrant against him. He told us to take comfort in the fact that he had nothing to do with that crime.

Before the warrant for his arrest came out, Ping decided to become inaccessible. That was his personal decision. We understand that it had nothing to do with guilt or cowardice. He had enough information to base it on. For one, he knew then that the RTC judge was an applicant for promotion to the Court of Appeals. An evil trap was set by a perceived corrupt administration and it was about to be sprung on him.

Subsequent events validated his belief. **On Friday, February 5, 2010, the RTC judge issued a warrant of arrest against him. On Monday, February 8, 2010 the Judicial and Bar Council recommended the judge to President Arroyo and she was promoted to the Court of Appeals one month later.**

Ping became unreachable to avoid being a victim of an evil conspiracy to put him away because of his anti-graft and corruption crusade. Self-preservation is a natural human instinct. He did not regard letting evil triumph as an act of decency.

A person is presumed innocent until proven guilty. But with a non-bailable crime like murder, the reality is that punishment comes before conviction. The accused suffers in jail while a court trial is ongoing to prove his guilt or innocence. Our Constitution says that the right to bail can be denied when the evidence of guilt is strong. **In the case filed against Ping, the evidence is not only weak; it is fabricated.** Just one affidavit with a conflicting story by a witness of doubtful credibility against multiple exonerating

affidavits and statements, including two previously made by the accusing witness (Mancao) is why we say it is.

Therefore, we are extremely puzzled why DOJ Secretary Delima continues to ignore calls for a reinvestigation of this case. According to the DOJ secretary's interviews, she is waiting for additional evidence to start such a reinvestigation. If the foregoing facts are not enough, we do not know what else would justify a reinvestigation. We can only guess that public prosecutors at the DOJ who had a hand in filing this case are giving her the wrong counsel.

1. Setting legal technicalities and prejudice aside, is it not common sense to give more weight to the testimony of three people against the **uncorroborated account of one "witness"**? That lone witness even admitted in court that he was not at all certain about what he heard. He freely said in two separate interviews with media months before that he was being enticed by the previous administration to implicate the senator in exchange for a comfortable life. **Out of four alleged passengers in the car where the "incriminating" conversation supposedly happened, three have sworn that it never happened.** Why give so much weight to Mancao's affidavit and disregard Dumlao's affidavit which contains vivid details of how he was **tortured and threatened so that he would implicate Ping in the murder case?**
2. Again, for the sake of argument and assuming that Mancao's story is true, the invented conversation in the car referred to a certain "Bigote" as the mastermind for killing Dacer. **Rather than trying to determine the true identity of "Bigote", why did the previous DOJ instead charge Ping as mastermind?** Is this not a tell-tale sign of a concerted effort to put him in jail?
3. Finally, is **the physical impossibility of Ping who was travelling in the U.S. to be riding in a car to Greenhills with Mancao and Aquino** not enough to deem Mancao's affidavit as nothing but imaginary trash?
4. The most compelling proof that Mancao's affidavit is a pure fabrication comes from Mancao himself. In a statement filed by his lawyer with the court, he declared that **"he only learned of the sordid affair ex post facto"** (after the fact). He is in reality being consistent with the affidavit that Dumlao testified to:

**Mancao knew nothing about the alleged plan to commit the crime** and Mancao repeatedly admitted such innocence in several talks in the U.S. with Dumlao.

Being robbed of something valuable causes us pain and anguish. But when that “something” is our personal or family’s honor, it causes terrible pain and extreme anguish. Our brother may not be in jail right now, but we can feel his suffering. Mental and emotional suffering is worse than physical pain. Being away from home and from loved ones is one of the worst situations to be in. Our wish is for our brother to spend a quiet Christmas dinner with us, like what most Filipinos do, at home.

A friend sent this message: “From dark clouds, we get precious water. From dark mines, we get valuable jewels. And from our darkest trials come our best blessings from God.” This we believe in. We believe that justice and truth will ultimately prevail in God’s own time. Until then, we would like to express our gratitude to those who understand and sympathize with us.

#### THE FAMILY OF PING LACSON

(Sgd)

Romulo Lacson

Feliciano Lacson

Reynaldo Lacson

Juanito Lacson

Ma. Corazon Lacson-Magpayo

Ernani Lacson

Ma. Cristina Lacson-Diaz