

**Quirino Grandstand Incident**  
**Actions taken against Responsible Individuals**

<b>S/N</b>	<b>Individual and post at time of incident</b>	<b>Actions taken pursuant to the decision of President Aquino upon review of the Independent Investigation and Review Committee Report</b>
1	Rodolfo Y. Magtibay / Manila Police Chief Superintendant (On-scene commander)	<ul style="list-style-type: none"><li>• In view of the incident, Mr. Magtibay was compulsorily retired on 14 March 2011. Since his compulsory retirement, all retirement benefits have been withheld and would continue to be withheld until final resolution of the case.</li><li>• The National Police Commission (NAPOLCOM) found him culpable for Gross Incompetence because he showed manifest lack of adequate ability and fitness to satisfactorily perform his police duties as the On-Scene Commander in the incident. The charge for Serious Neglect of Duty was dismissed.</li><li>• Upon review by the Secretary of Interior and Local Government who is the Chairman of NAPOLCOM, a heavier penalty of one rank demotion (as opposed to three months' suspension) was meted out on 30 October 2013.</li><li>• The NAPOLCOM decision is subject to review by the Office of the President. The NAPOLCOM decision was transmitted to the Office of the President on 11 November 2013.</li><li>• The retirement benefits of Mr. Magtibay will be adjusted in accordance with the one rank demotion, upon final resolution of this case.</li></ul>
2	Orlando Yebra / Manila Police Superintendant (Chief Negotiator)	<ul style="list-style-type: none"><li>• The NAPOLCOM found him culpable for Gross Incompetence for his failure to alert his superiors when it became manifest that the hostage-taker had grown agitated and angry after reading the letter from the Office of the Ombudsman. He also failed to properly perform his duty as negotiator when he allowed his attention to be diverted to charging Mr. Gregorio Mendoza as an accomplice of the hostage-taker instead of keeping focused on how to convince the hostage-taker to yield. The charges of Serious Neglect of Duty and Serious Irregularity in the Performance of Duty were dismissed.</li></ul>

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3	Santiago Pascual III / Manila Police Chief Inspector (Overall Assault Team Leader)	<ul style="list-style-type: none"> <li>• The NAPOLCOM found him culpable for Gross Incompetence for his failure to satisfactorily perform his duty as the assault leader. He failed to inquire about the structure of the bus which might have aided Special Weapons and Tactics (SWAT) in their assault on the bus to successfully rescue the hostages. He also failed to coordinate with the On-Scene Commander or any responsible officer to direct the media to turn off their lights in order for the SWAT team to make the proper assault.</li> <li>• Upon review by the Secretary of Interior and Local Government who is the Chairman of NAPOLCOM, a heavier penalty of one rank demotion (as opposed to three months' suspension) was meted out on 30 October 2013.</li> <li>• Mr. Pascual filed a Motion for Reconsideration on 11 November 2013. On 9 January 2014, the NAPOLCOM denied the Motion of Reconsideration and thereby affirmed their earlier decision finding him culpable of Gross Incompetence and meeting the penalty of one rank demotion, there being no aggravating nor mitigating circumstances.</li> </ul>

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4	Leocadio Santiago Jr. / Manila Police Director <sup>1</sup>	<ul style="list-style-type: none"> <li>• The Philippine National Police International Affairs Service<sup>2</sup> found him liable for Simple Neglect of Duty and imposed a penalty of 11-day suspension from the Police Service (4 to 14 March 2011).</li> </ul>
5	Alfredo S. Lim / Mayor of Manila	<ul style="list-style-type: none"> <li>• The Department of Interior and Local Government recommended holding him administratively liable for Simple Neglect of Duty and Misconduct in Office for failure to convene the Local Crisis Management Committee and leaving the on-scene command post during the height of the incident.</li> <li>• Upon review, the Office of the President dismissed the recommended charges in July 2012 on the following grounds – <ul style="list-style-type: none"> <li>(i) The Mayor’s directives to the different department heads and concerned official commanders constituted an implied convention of the Crisis Management Committee;</li> <li>(ii) There is no law requiring him to be physically present thereat for the entirety of the crisis.</li> </ul> </li> <li>• Mr. Lim stepped down from office on 30 June 2013 upon his failure to seek re-election.</li> </ul>
6	Merceditas Gutierrez / Ombudsman	<ul style="list-style-type: none"> <li>• The Office of the President referred the case to the House of Representatives for appropriate action.</li> <li>• Ms. Gutierrez resigned in May 2011 after the House of Representatives voted to impeach her.</li> </ul>
7	Emilio Gonzales III / Deputy Ombudsman	<ul style="list-style-type: none"> <li>• Dismissed from the service by the Office of the President in April 2011.</li> <li>• Mr. Gonzales filed a Petition for Review with the Supreme Court and was reinstated by virtue of a Supreme Court decision promulgated on 4 September 2012. The incumbent Ombudsman has not reinstated him.</li> <li>• The Office of the Solicitor General filed Consolidated Comment in January 2013, pleading disagreement with the</li> </ul>

<sup>1</sup> Santiago was moved to another office but not promoted prior to retirement on 16 March 2012.

<sup>2</sup> The Philippine National Police International Affairs Service has jurisdiction over less grave offences.

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		<p>Supreme Court decision.</p> <ul style="list-style-type: none"> <li>• Mr. Gonzales filed a Motion for Reconsideration.</li> <li>• In 28 January 2014, Supreme Court affirmed its decision that the dismissal of Mr. Gonzales unnecessary, but is without prejudice to the power of the Ombudsman to conduct an administrative investigation, if warranted, into the possible administrative liability of Mr. Gonzales under pertinent Civil Service laws, rules and regulations</li> <li>• Mr. Gonzales retired as of February 2014 without having been reinstated to his former position as Deputy Ombudsman.</li> </ul>
8	Michael Rogas / radio host	<ul style="list-style-type: none"> <li>• Fined P15,000 by Kapisanan ng mga Brodkaster ng Pilipinas (Association of Broadcasters of the Philippines, KBP).</li> </ul>
9	Erwin Tulfo / radio host	<ul style="list-style-type: none"> <li>• Fined P10,000 by KBP.</li> </ul>
10	Gregorio Mendoza / brother of hostage-taker, Rolando D. Mendoza	<ul style="list-style-type: none"> <li>• The NAPOLCOM found Mr. Mendoza culpable for Grave Misconduct (Serious Neglect of Duty) and Illegal Possession of Firearms and imposed a penalty of dismissal from the Police Service on 30 October 2013.</li> <li>• Mr. Mendoza filed a Motion for Reconsideration on 20 November 2013.</li> <li>• Court proceedings are in progress for criminal charges for illegal possession of firearms and resistance and disobedience to a person in authority or the agents of such person. Criminal charge for serious illegal detention was dismissed by Regional Trial Court of Manila in April 2013.</li> </ul>