



Republic of the Philippines
PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Palo, Leyte
-ooo-



BLUE RIBBON COMMITTEE

COMMITTEE REPORT

This is in relation to Administrative Case No. BRC-SP2024-004 captioned as follows:

BRAINCE S. TORREÑA
Complainant,

ADMIN CASE No. BRC-SP2024-004

**FOR: Unjust Vexation, Oral
Defamation and Grave Threats**

-versus-

**HON. COUNCILOR DENNIS
BALDERIAN**
Respondent,

x-----x

Following the receipt of the Complaint and Answer together with their corresponding documentary support, the Committee, after a preliminary determination of the case based on the records, has arrived at the following:

1. The complaint filed is for Unjust Vexation, Oral Defamation and Grave Threats. Clearly these acts are criminal in nature as defined by the Revised Penal Code of the Philippines (Act 3815), which falls beyond the jurisdiction of this august body. Nevertheless, since this involves a complaint against an act of an elective official who is within the jurisdiction of the Sangguniang Panlalawigan, the Committee decided to determine whether or not a cause of action to proceed with an administrative investigation exists based on the records on file;
2. After careful determination of the case and the evidences presented by the complainant, this Committee finds no specific and clear utterances or actions made by the respondent which could support that the latter has committed any of the acts enumerated in Section 7 of Rule XVI of the Procedure in Administrative Disciplinary Proceedings. This Committee likewise subscribed to the findings of the Provincial Prosecutor that the complainant has no personal knowledge as to what actually transpired between his witnesses and the respondent on August 18-19, 2024. Moreover, it is worth noting that even the affidavits executed by the witnesses of the complainant failed to establish the acts or utterances complained against. Otherwise stated, the complaint and its supporting affidavit are bereft of any proof to hold herein respondent administratively liable;

3. However, the Committee disagrees to statement/ defense of respondent found in par. 20 of his counter affidavit, that he was just acting on his personal capacity since the incident happened at Brgy. Belisong or outside the Sangguniang Bayan Session Hall, and therefore he was not performing any official duty in relation to his official function as a municipal councilor. We find this contention misplaced. The committee would like to remind respondent that his demeanor or actions whether he is acting in his official or personal capacity is guided by ethical standards as a public official. As a public official, one should, **"AT ALL TIMES"** behave with integrity, accountability, transparency, impartiality, honesty, fairness, competence and courtesy while adhering to laws and ethical standards and always prioritizing the needs of the community one represents. Beyond his personal interests and whether acting on his/her official capacity or not, a public official is expected to follow all laws and regulations and conduct himself or herself by maintaining a high standard of professionalism in his interactions with colleagues and the constituency he/she serves, considering the ethical implications of his actions before making decisions.

Considering however that the complaint lacks substantial evidences to hold the respondent administratively liable, the committee *recommends for the DISMISSAL* of this instant case without prejudice, pursuant to Section 12, Rule XVI of the Procedure in Administrative Disciplinary Proceedings of the Sangguniang Panlalawigan, with a reminder to the respondent that he, being a public official shall be more mindful of his dealings and conduct himself with a high standard of professionalism in his interactions with the constituency he serves at all times, both in his personal and official capacity.

It is further recommended that all parties hereto, to include the offices concerned, be furnished copies of this report and the subsequent resolution of the Sangguniang Panlalawigan dismissing this case.

Submitted this 4th day of February, 2025, Baybay, Leyte.


HON. ATTY. RONNAN CHRISTIAN M. REPOSAR
Chairperson


HON. ATTY. CARLO P. LORETO
Vice Chairperson

HON. TRINIDAD G. APOSTOL
Member


HON. VINCENT L. RAMA
Member


HON. MA. CORAZON E. REMANDABAN
Member