

EIGHTEENTH DIVISION

[C.A.-G.R. CR. NO. 01746, February 26, 2015]

**PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS.
RAMONITO ALINSOG A.K.A. "RAMRAM" AND RONALD LIM
RAMOS, ACCUSED-APPELLANTS.**

D E C I S I O N

LOPEZ, J.:

Before Us is an Appeal^[1] from the *Decision*^[2] of the Regional Trial Court, Branch 6, Cebu City dated January 10, 2011 in Criminal Case No. CBU-81474 finding accused-appellants Ramonito "Ramram" Alinsog and Ronald Lim guilty beyond reasonable doubt of the crime of Trafficking in Persons, in Violation of Section 4 (a) and (e) of R.A. 9208,^[3] otherwise known as the "Anti-Trafficking in Persons Act of 2003" and sentenced each of the accused-appellant to suffer the penalty of imprisonment of twenty (20) years plus payment of fines.

The Facts

On October 24, 2007, an *Information*^[4] was filed charging accused-appellants Ramonito "Ramram" Alinsog and Ronald Lim Ramos of the crime of Violation of Section 4 (a) and (e) qualified by Section 6 (c) of R.A. 9208, otherwise known as Anti-Trafficking in Persons Act of 2004, which reads:

That on or about the 22nd day of October 2007, at about 9:45 o'clock P.M., in the City of Cebu, Philippines, and within the jurisdiction of this Honorable Court, the said accused, conniving and confederating together and mutually helping each other, with deliberate intent, with intent to gain, did then and there hire Grace Ann Guyo Gomez, Mia Bonganay Reyes, Jasmine Maglasang Nicor, Joyce Asis Asejo, Kimberly Nocos Arnibal, and Gizella Parcon Santillan to engage in prostitution and sexual exploitation, by acting as their procurer for different customers, for money, profit or any other consideration, in Violation of Section 4 (a and e), in relation to Sec. 6 (c) of R.A. 9208 (Qualified Trafficking in Persons).

CONTRARY TO LAW.

The Information was based on the Report^[5] transmitted by the National Bureau of Investigation, Cebu, City, dated October 23, 2007, recommending the prosecution of the accused-appellants for the alleged violations. The NBI received an intelligence report from the International Justice Mission (IJM) that several pimps are proliferating at Jakosalem St., Brgy. Kamagayan, Cebu City, wherein girls particularly minors are being hired and maintained by these pimps providing customers with sex in consideration of money. Hence, an entrapment operation was conducted leading to the arrest of the accused-appellants.

On November 7, 2007, accused-appellants were arraigned wherein they pleaded not guilty of the crime charged in the Information.^[6]

Atty. Yvonne C. Artiaga and Atty. Samson R. Inocencio, Jr., Counsel and Collaborating Counsel for Private Complainants entered their appearance and their *Motion for Approval of Authority to Prosecute*^[7] was granted, allowing them to actively prosecute the case under the direct supervision and control of the public prosecutor.^[8]

The first prosecution witness was JASMINE NICOR, one of the private complainants, who identified accused-appellants' as Ronald Ramos and Ramonito Alinsog; that Ramonito Alinsog's nickname is Nitoy while Ronald Ramos' nickname is Ramboy. Jasmine testified that she has known the accused-appellants in March 2007 when they were introduced to her by a friend in Kamagayan and that the accused-appellants are pimps who sell girls to male customers for sexual purposes.^[9]

Jasmine testified that on the night of October 22, 2007, she was in Bonifacio, Jakosalem St., standing by a store; that she saw the accused-appellants pimping and calling girls;^[10] that she was one of the girls called by the accused-appellants but she said she can't because she was not feeling well;^[11] that they forced her, by dragging her towards a van, because a customer was looking for "good service" and is also looking for a young girl. Jasmine described "good service" as when she would do whatever the customer wants her to do like to have sex, "69," and "blow job;" that "69" means a man and woman would have oral sex with each other at the same time, while "blow job" means the girl will suck the penis of the male.^[12]

Jasmine further testified that, inside the van, she saw four (4) girls, one driver and a male tourist guide; that afterwards, another woman came inside the van; that the tourist guide told her that the customer is waiting at the Golden Prince Hotel; that the accused-appellants were negotiating with the tourist guide how much is the consideration for the girl; that upon arriving at the Golden Prince Hotel, they (six girls), the tourist guide and Nitoy disembarked from the van; that they went inside Golden Prince Hotel; ^[13] that the tourist guide called Nitoy to receive the money; that Ronald called Nitoy from the van; that they then took the elevator and upon reaching upstairs, they went inside Room 702; that inside Room 702, she saw a Filipino man whom she later on knew was an NBI agent.^[14]

Further, Jasmine said that the accused-appellants and the man inside the room were negotiating the price of the girls; that accused-appellants told the man that the girls will provide good service; that the three girls (Jasmine, Grace Gomez, and Bernalyn Arnibal) went inside the room and the man selected from the three of them; that the man selected her after which the man paid Ramboy P2,000.00; that after Ramboy received the money, he gave it to Nitoy; that the latter counted the money and placed it inside his pocket; that she ran after Nitoy to ask for her share to be given to her caretaker; that when she turned around, she saw Ramboy was already handcuffed; that Nitoy was also handcuffed next; that the NBI agent told them not to run away because they are just victims; that the girls were then brought to the NBI office where they were interviewed, their affidavits were taken and they were photographed.^[15]

On cross-examination, Jasmine testified that she goes to Kamagayan whenever she is on duty, that is, when she would display for male customers. She admitted that she is a commercial sex worker; that the house where she is staying in Kamagayan was paid by Mr. Wong and there were other girls who were staying in the house;^[16] that Mr. Wong was operating a prostitution business; that she was under Mr. Wong's ward for seven months; that there were instances when she was pimped by the personnel of Mr. Wong; that she was paid a commission every time she has a customer but in some customers, Ramboy and Nitoy would get her commission; that on the night of October 22, 2007, she was inside the house rented by Mr. Wong with other girls and Mr. Wong told her to go with accused-appellants Alinsog and Ramos because Mr. Wong already had a customer in mind for her.^[17]

The second witness for the prosecution was VERNALYN ARNIBAL, also one of the private complainants, but in her Affidavit-Complaint,^[18] she used "Kimberly" Arnibal as her name. She testified that Kimberly is her other name or nickname. She also identified the accused-appellants as Ramonito Alinsog and Ronald Ramos;^[19] that Ramonito Alinsog's alias is Nitoy and Ronal Ramos' alias is Ramboy; that she has known the two for two years because they were neighbors at Jakosalem; that she was from Toledo and she was brought to Cebu by her friend to work as a waitress but since there was no bar, she had no choice but to do her job; that she knew Ramboy and Nitoy as pimps because she was one of those they pimped; that when she was pimped, she will be given to a customer where she will go for sex because of poverty; that she does not receive any payment from customers because it will be given ahead to Ramonito Alinsog and Ronald Ramos.^[20]

Arnibal testified that on the night of October 22, 2007, she was at Jakosalem St. standing and waiting for her call; that she saw Ronald Ramos and Ramonito Alinsog pimping; that a customer stopped by; that when accused-appellants saw her, they called her because they had a customer who was looking for someone young and would give "good service," which means to have sex, "69," and "blow job."^[21] She explained that "69" is that when the head of the man is in the woman's sexual organ while the head of the woman is in the man's sexual organ. Arnibal said that when Ramboy and Nitoy called her because there was a customer looking for good service, she refused to go because she was waiting for a call; that Ramboy and Nitoy told her to go because it was a foreigner so she went with them because a foreigner is generous and she also needed money at that time; that they then boarded a van where she saw five girls, Ramonito Alinsog and Ronald Ramos, the driver, and the other guy whom they later knew as an NBI agent; that Ramboy and Nitoy talked with the NBI agent about the price which was P2,000.00 per girl; that they went to Golden Prince Hotel; that upon arriving, they disembarked, went inside the hotel, and took the elevator but they did not go upstairs yet because the NBI agent found out that Ronald Ramos was not there; that the NBI agent told Ramonito to call Ronald Ramos and then they went together upstairs; that she, Jasmine Nicor, Grace Ann and the accused-appellants went inside Room 702; that the accused-appellants talked to the customer that the girls would give good service; that the customer then chose Jasmine Nicor; that afterwards, she and Grace Ann went out to the elevator but when they were about to enter the elevator, there were some men from NBI who stopped and told them not to be afraid because they just wanted to rescue them; that Ronald Ramos and Ramonito Alinsog went outside the room and they were handcuffed; that the girls were taken to the NBI office where affidavits

and pictures were taken.^[22]

On cross-examination, Vernalyn Arnibal testified that it was her friend named Christy who hired her from Toledo to work as a waitress here in Cebu but because there was no bar, she had no choice but to sell her flesh; that the accused-appellants were not her boss because she doesn't have any boss; that they were just pimps who acted as agents in looking for customers for her but nobody asked them to look for customers as it was their will because that is their job; that she was not forced to accept customers she didn't like although there were times that they would insist to accept the customer because of high payment and she would accept it because of poverty.^[23]

Moreover, Arnibal said that the six (6) of them were engaged in prostitution; that she was living alone in a boarding house at Jakosalem where she was paying rent; that in the evening of October 22, 2007, there was an implied agreement between her and the accused-appellants that the latter will look for customers for her; that on that night, she was standing at Jakosalem St. waiting for her call from a customer; that she saw Ramonito Alinsog and Ronald Ramos standing near the van and they talked to somebody who was looking for good service; that she told Ramonito and Ronald that she already had a customer but they told her to just go with them because it was a foreigner; that they did not force her to go with them but since it was a foreigner and she needed money at that time because of poverty, she went with them.^[24]

NBI AGENT REYNALDO VILLORDON, JR., as third witness for the prosecution, testified that there was a written complaint from residents of Brgy. Kamagayan, through the International Justice Mission; that as instructed by the agent on the case, Agent Jedidah Hife, Villordon went to Jakosalem St., Kamagayan area and he observed that there were many pimps around the area who offered several girls to men looking for sex; that Agent Hife also instructed him to verify and identify the names of Ramonito Alinsog alias Nitoy and the one alias Ramboy or Ramram; that according to the letter request or the intelligence report, the names of Ramboy and Nitoy were already identified in the report so they just conducted a verification and confirmation on the said report; that it was very easy to identify the two; that it was confirmed that the pimps were indeed trafficking and maintaining several girls for sex to male customers; that upon confirmation, he immediately reported to Agent Hife who acted by planning and implementing an entrapment operation.^[25]

According to Villordon, in the said night of October 22, 2007, he went to Jakosalem St., Brgy. Kamagayan where he saw many peddlers for women and there were several women who were in the side of the street; that he saw the accused-appellants who were talking with male customers and on their side were pretty girls; that Villordon was there standing for a while when the two accused-appellants saw and approached him, asking him if he wanted girls;^[26] that he answered that he was interested and that he was inclined to accept the offer; that immediately, the two walked out and picked up the girls and when they returned they have with them six girls; that he requested the accused-appellants that the girls be brought to Golden Prince Hotel because the client was waiting there; that the two ordered the girls to embark to the van which Villordon used; that inside the van, they were talking with the girls; that upon arriving at Golden Prince Hotel, they disembarked; that Ramboy stayed inside the van while they went to the room where the

agent/decoy was waiting; that while inside the hotel, he requested Nitoy to go back downstairs and fetch Ramboy because the other girls were asking for the presence of Ramboy; and that Nitoy went downstairs and after a while, came back with Ramboy.^[27]

Villordon recounted that they went inside Room 702 where Agent Manapat was waiting; that the other girls just remained at the door while three girls, Nicor, Gomez and Arnibal, and the accused-appellants went to Agent Manapat; that the accused-appellants and Manapat agreed that the fee would be two thousand pesos (P2,000.00) per girl which includes sexual intercourse, blow job, and masturbation of the penis of the male; that Agent Manapat chose Nicor and then paid Nitoy P2,000.00; that Nitoy then went out of the room while Villordon went to the other room where Agent Hife and the rest of the operatives were waiting for the signal that the transaction had already took place; that Agent Hife and the rest of the operatives went out of the room and went inside and declared the purpose of that operation and they arrested the subject and informed the latter of their constitutional rights; and that the accused-appellants were brought to the NBI Office.^[28]

The fourth witness for the prosecution was JESUS MANAPAT, NBI Supervising Agent. He testified about the entrapment operation wherein he posted as a local tourist wanting to have sexual pleasure and Agent Villordon acted as a tourist guide tasked to bring the women to his room, Room 702 in Golden Prince Hotel; that Special Investigator Jedidah Hife and Special Investigator Gregorio Tomagan were in the same hotel but in another room; that he brought with him P2,000.00 in twenty (20) one hundred bills, four (4) of which were marked money intended to pay the asking price.^[29]

Manapat also testified that six (6) girls were brought to him by Agent Reynaldo Villordon; that the six (6) women were accompanied by two (2) male persons, Ramonito Alinsog and Ronald Ramos; that the six girls were Jasmine Nicor, Grace Ann Gomez, Kimberly Arnibal, Mia Reyes, Joyce Asejo and Gizella Antonio; that of the six girls, three (3) women, Jasmine Nicor, Grace Gomez, and Kimberly Arnibal entered the room together with Ramonito Alinsog; that when asked for the price of a sexual service, Ramonito said it would cost P2,000.00; that Ramonito told him that these girls are good and could perform well; that he then chose one of the women, Jasmine Nicor and then handed P2,000.00 to Ramonito Alinsog; that Agent Villordon then gave the go signal to the other operatives to come inside the room and seconds later, Special Investigator Jedidah Hife came with Investigator Greg Tomagan and announced the operation; that Ramonito Alinsog and Ronald Ramos were placed under arrest and informed of their constitutional rights while the six (6) women were brought to another room where DSWD 7 representatives were waiting; and that Special Investigator Tomagan got the money from the pocket of Ramonito Alinsog.^[30]

Special Investigator GREGORIO TOMAGAN, JR., as the fifth witness for the prosecution, testified that on October 22, 2007 at around 10:00 o'clock in the evening, he together with NBI Operatives of CEVRO, conducted an entrapment operation at the Golden Prince Hotel and Suites located at Acasia Street, corner Archbishop Reyes Avenue; that the entrapment operation was at Room 702;^[31] that Agent Jedidah Hife, who is the team leader of the case, informed them that the pre-