

**MANCAO'S AFFIDAVIT**

**It's Estrada, Lacson**

*Ex-police official was told to cover up crime*

by VOLT CONTRERAS  
Inquirer.net

**"T**APUSIN muna namin si Delta, sir, kasi naiirita na si Bigote sa kaniya." [We will finish off Delta first, sir, because Bigote is already irked with him.]

This curt, coded remark, supposedly spoken inside a car en route to a Japanese restaurant in October 2000 appears to link the fates of three men in a murder mystery that has festered for eight years.

"Delta" referred to publicist Salvador "Bubby" Dacer whose burned remains and those of his driver Emmanuel Corbito would be found months later.

"Sir" referred to then Chief Supt. Panfilo Lacson, and "Bigote" (Filipino for moustache) referred to then President Joseph Estrada.

The person saying "sir" was then police senior superintendent Michael Ray Aquino.

Recounting the exchange is former police senior superintendent Cezar Mancao II who claims that Lacson gave him direct orders immediately after the Dacer-Corbato murders to cover up the grisly deed.

In an affidavit executed on Feb. 14 in the United States, Mancao recalled what he said he knew or

heard of the "special operations" that led to the abduction and brutal killing of Dacer and Corbito.

He said it was from Aquino that he learned that the operations were "approved and cleared by Lacson and by Malacañang itself."

Both Estrada and Lacson have consistently denied any role in the murders.

Justice Secretary Raul Gonzalez said the copy—obtained from a government official who asked not to be identified for lack of authority to release the document—of Mancao's affidavit was "similar" with the affidavit he has in his possession. The Inquirer had contacted Gonzalez to validate its copy, and read to him excerpts from the affidavit.

In his affidavit, Mancao said that after Dacer and Corbito were killed, Lacson ordered him to "control the situation" by heading the investigation himself.

Mancao said documents recovered from Dacer's vehicle were also burned, though he never witnessed this and only learned about it from his subordinate.

He recalled how Lacson, after being elected senator in May 2001 and with Estrada out of power, supposedly ordered him and Aquino to leave and go to the United States, where they received "monthly allowance" per-

sonally from Lacson for at least two years.

Mancao recalled first learning about the "special operations" within the Presidential Anti-Organized Crime Task Force (PA-OCTF), which was created by Estrada, with Lacson as its head and Aquino as its chief of operations. Mancao headed PAOCTF's Task Group Luzon.

**'Without my knowledge'**

In the early part of October 2000, Mancao said, he found out "from my operatives' dispatch slips that Aquino was utilizing some of my personnel at TG Luzon in his 'special operations' without my knowledge."

That same day, Mancao and his subordinate, TG Luzon deputy for operations Supt. Glenn Dumlaog, went to Aquino's office to inquire on the matter.

Aquino then told them that "these 'special operations' had been previously approved and cleared by Lacson and by Malacañang itself," Mancao said.

"Dumlaog also mentioned to me that the special operations had for its target a certain media man critical of Erap, whom they referred to as Delta," he added.

Berroya was formerly the Philippine National Police intelligence chief and is now transportation and communications assistant secretary. ■

**'Nicole' originally did not complain of rape—lawmaker**

by JESS DIAZ  
Philstar.com

**"N**ICOLE," the woman who cried rape, did not complain of rape on the morning of Nov. 1, 2005 after parting with the US serviceman she had accused of committing the act, according to a lawmaker.

Speaking at the Serye Café news forum in Quezon City, Zambales Rep. Mito Magsaysay, who claimed she was the first person to talk with Nicole after the incident, said Nicole's latest affidavit backtracking from her previous testimony "hews more closely" to what really happened than her original complaint, which led to US Marine Lance Corporal Daniel Smith's conviction.

"The circumstances she described in her new affidavit are what she and other witnesses narrated to me," she said.

"She was mixing her drinks, she engaged in dirty dancing with Smith and his companions, and she did not want to go home until her sister and cousin left her with the American soldiers. Later, witnesses saw Smith carrying her on his back to the van."

Magsaysay, whose district covers the Subic Bay Freeport where the rape took place, said the complaint that Nicole filed with the Olongapo Prosecutor's Office "was different in some parts to

the story that she told me."

"There were obviously some people who took over and influenced her," she said.

Magsaysay said Nicole was crying when she first talked to her, but that she did not complain of rape.

"She was more concerned about the possibility of her mother getting angry at her because she was out the whole night," she said.

Magsaysay said Nicole narrated to her the circumstances of how the incident with Smith came about.

"And based on her narration, and the interviews I made with her sister, her cousin, other witnesses at Neptune bar (inside the free port) and the driver of the van Smith, his companions and Nicole rode in, I concluded that no rape took place," she said.

The van driver told her and later testified in court that he heard no utterances of resistance such as "No, no!" or "Stop, stop!" from Nicole inside the van, she added.

During the same forum, Cebu City Rep. Antonio Cuenco urged the Court of Appeals to now resolve Smith's appeal.

"The appeal has been pending for more than three years now," he said.

Cuenco said he believes that Nicole's change of heart should have no bearing on the court's decision to uphold Smith's rape conviction.

**Women's group bucks recantation**

A group of women's rights advocates believes that Nicole's recantation "should not be given weight."

In a statement, Clara Rita Padilla, EnGende Rights executive director, said the timing is "suspicious" as there is "strong clamor" to abrogate the Visiting Forces Agreement.

"As a private prosecutor of vio-

lence against women cases, I'd like to say that we should respect Nicole's decision," she said.

"The pressure must really have been too much for her. It is also important to mention that the Supreme Court has decided in a long line of cases that recantation of a witness should not be given weight.

"It has also been decided by the Supreme Court that the findings of fact of a lower court, the regional trial court in this case, bear a lot of weight.

"Thus, the conviction of Smith should be upheld by the appellate court."

Padilla said Nicole was a victim of the "ills" brought by the VFA.

"If the pressure to issue the recantation was specifically made to squash the momentum to abrogate VFA, then those behind this move are mistaken because no such acts will dampen the hearts of Filipinos who want the VFA abrogated," she said.

"The fight to abrogate the VFA will continue to rage on. Without the VFA, there wouldn't have been a Nicole."

**'Nicole must be extradited'**

Nicole must be extradited so she could swear to the truthfulness of her affidavit of recantation, an anti-crime advocate said.

Dante Jimenez, Volunteers Against Crime and Corruption founding chairman, said the US and the Philippines could forge a deal to force Nicole to return home from the United States.

"This is a special situation of a government-to-government treaty, and maybe they can look into an exception to the rule," he said.

Jimenez said the VACC plans to ask the Supreme Court to order the reopening of the Subic rape case based on how the verdict of "guilty beyond reasonable doubt" has become doubtful. ■

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