



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 24TH DAY OF JUNE, 2025

PRESENT:

Hon. Jeffrey P. Ferrer	Vice-Governor/Presiding Officer
Hon. Rommel T. Debulgado	Member - 1st District
Hon. Araceli T. Somosa	Member - 1st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2nd District
Hon. Samson C. Mirhan	Member - 2nd District
Hon. Manuel Frederick O. Ko	Member - 3rd District
Hon. Andrew Gerard L. Montelibano	Member - 3rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Valentino Miguel J. Alonso	Member - 6th District
Hon. Jeffrey T. Tubola	Member - 6th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.
Hon. Richard Julius L. Sablan	Member - ABC Rep.

RESOLUTION NO. 0689

Series of 2025

RESOLUTION DISMISSING SP ADMINISTRATIVE CASE NO. 2025-001 OC BY AND BETWEEN EMELDA P. DIOMARO, COMPLAINANT, VERSUS HONORABLE JOHN MARK B. FABROZ, RESPONDENT, FOR GRAVE ABUSE OF AUTHORITY AND VIOLATION FOR CODE OF CONDUCT AND ETHICAL STANDARDS FOR PUBLIC OFFICIALS AND EMPLOYEES

Authored by:

HON SIXTO TEOFILO ROXAS V. GUANZON, JR.

Committee on Laws, Rules, and Ordinances

WHEREAS, a complaint for Grave Abuse of Authority and Violation for Code of Conduct and Ethical Standards for Public Officials and Employees was lodged by the Complainant, Emelda P. Diomaro, against Honorable John Mark B. Fabroz as Respondent before the Sangguniang Panlalawigan, and was docketed as SP Administrative Case No. 2025-001 OC;

WHEREAS, in the aforementioned complaint, a verified complaint was executed by Emelda P. Diomaro against Honorable John Mark B. Fabroz, citing other instances where she was allegedly targeted in a Facebook post concerning the Scholarship Program of the Municipality of Calatrava;

WHEREAS, other allegations submitted in the same complaint included instances of conflict between the Complainant and the Respondent, involving matters of irrelevant value with respect to the case;



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WHEREAS, it was further indicated by the Complainant that there was Abuse of Authority inflicted upon her by the Respondent through the use of the Privilege and Question Hour of the Sangguniang Bayan of the Municipality of Calatrava, wherein the Respondent, in the person of Honorable John Mark B. Fabroz, an incumbent Councilor or Member of the Sangguniang Bayan, allegedly abused the pulpit to attack her, thus inflicting harm and other injurious statements against her;

WHEREAS, the alleged statements made have failed to clarify whether they were directly aimed in the person of the complainant, Emelda P. Diomaro, and thus do not constitute grave abuse of authority, even if presumed to have been made during the privilege and question hour, or through the office of the Respondent as a Municipal Councilor, and are insufficient to establish harm to her reputation and integrity;

WHEREAS, the accusations against the Respondent do not establish probable cause, nor do they constitute a violation of the Code of Conduct and Ethical Standards, as there is no evidentiary material or meritorious ground indicating that there was a violation of the said Code, otherwise known as Republic Act No. 6713, for Grave Abuse of Authority was committed;

WHEREAS, after a thorough investigation and scrutiny of the Consolidated Memoranda of both the Respondent and Complainant, submitted before the Quasi-Judicial Body, there was found to be no meritorious reason to hold the Respondent guilty;

WHEREAS, the use of the pulpit during the Privilege and Question Hour of the Sangguniang Bayan is an avenue where a member is absolutely clothed with the authority and liberality to raise matters of public concern, especially those involving the use of public funds for public purposes;

WHEREAS, the freedom of speech is protected under Article III, Section 4 of the 1987 Constitution's Bill of Rights. Moreover, it is further protected by the liberality granted to public officials to speak on matters of public interest. It must be further stated that public office is subject to criticism and scrutiny, as public funds must always be protected and public officials held accountable to the people from whom the funds originate;

WHEREAS, therefore, finding no probable cause nor evidentiary material to support the allegations of Grave Abuse of Authority and Violation of the Code of Conduct and Regulatory Standards, the Quasi-Judicial Body of the 36th Sangguniang Panlalawigan hereby dismisses SP Administrative Case No. 2025-001 OC, by and between Emelda P. Diomaro and Hon. John Mark B. Fabroz, for lack of merit;

NOW THEREFORE, for premises considered on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., Pontente Writer, duly seconded *en masse* during the regular session of the Sangguniang Panlalawigan of Negros Occidental.

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to pass and approve this Resolution, to wit;



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ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JEFFREY P. FERRER
Vice-Governor/Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary