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PART 1: INCIDENT REPORT

Case Number :89-01-Iloilo City
Type of case :Killing
Name :Herson "Boy" Hinolan
Media affiliation :Station Manager, DYIN Bombo Radyo Kalibo, Aklan
Province, Philippines
Time and Date of Incident :(shooting) 10:45 p.m., November 13, 2004;
died November 15, 2004
Place of Incident : Kalibo town, Aklan Province, Philippines
Perpetrators : Case filed against Lezo town mayor Fred Arceño
and one unidentified person
Motive : Unknown
Witnesses :Three persons who were near the area when the
shooting ensued were questioned by police:

1. Gerardito Salazar – government employee, friend of Hinolan; he was with Hinolan hours before and during the time hinolan was shot, but he said he was ten meters away from Hinolan when the shooting happened. He cannot identify the gunman.
2. Mario Paderes – businessman, knows Hinolan but not very well; was talking to Salazar when the shooting happened but took cover. He cannot identify the gunman.
3. Eddie Etrata- security guard of a gasoline station. The fleeing Hinolan, pursued by the gunman passed near him; they were six meters away from Etrata. He even saw the gunman stumbled while running. But Etrata is not sure if he can recognize him if he sees him again
4. Peter Melgar – alleged eyewitness to the crime who accused Arceño of shooting Hinolan.

Lawyer handling the case : Napolen Oducado; Address: San Jose Village,
Roxas City
Investigating Officer : Apolinario Barrios, assistant provincial prosecutor,
Kalibo Police Inspector Ramon Falales, provincial
chief, CIDT, Aklan

Reference/Contact Persons: Aphrodite Hinolan
Relation to Victim : wife

Account of Incident:

At around 2:00 p.m., Hinolan called up his friend, Gerardito Salazar, 56, to join him at his office in Bombo Radyo because they have something to talk about. But they did not see each other until 5:00 p.m. Hinolan invited Salazar to drink Tanduay whisky at the back of the Bombo Radyo's FM station and they consumed one and a half bottle of Tanduay whisky until it was dark. Hinolan went to his boarding house he called "safehouse" to change clothes and there they drink beer again until it was about 10 p.m. when they proceed to Sizzling House where they again have two bottles of beer each

Rather than go home, the two decided to stop by a carnival where Hinolan played by betting on the color games. Salazar told Hinolan that they should go home because it is already late, and he left. Hinolan said he will urinate first at the parking area where they parked their motorcycle and they were separated by about 10 meters.

Salazar said he had his back turned from Hinolan when the shooting took place; he hid at the left side of his motorcycle and observed where the bullets were coming from. When he no longer heard the gunfire, Salazar got up and asked bystanders what happened; they told him that somebody was shot and chased by gunman. He said he tried looking for Hinolan but could not find him. Later he was told by a personnel of Bombo radio that it was Hinolan himself that was shot and taken to hospital.

Hinolan did not mention that there were threats on his life, said Salazar. But the latter said a friend told him two months ago not to go out at night because their (with Hinolan) movements and activities were being monitored and their loves might be in danger.

Aside from Salazar, two persons were questions by the police because they happened to be in the area where the shooting have taken place.

Mario Paderes, 43, is a businessman who runs some games in the carnival. He knows Hinolan but not very well. He said he was talking to Salazar when the shooting happened but took cover. He said he saw two persons running towards the gasoline station. He cannot identify the gunman in the cartographic sketches presented before him.

Eddie Etrata, 38, security guard of a gasoline station. The fleeing Hinolan, pursued by the gunman passed near him; they were six meters away from him. He even saw the gunman stumbled while running. The gunman fell down and loosened the grip of his gun but he picked it up fast and chased Hinolan again. Etrata said he went to the left side of the gasoline pump where he hid, afraid that the gunman will shoot him too. He said gunman was bearing black bull cap

almost covering his eyes; but Etrata is not sure if he can recognize him again.

The gunman got away by riding a red motorcycle with a standby driver. Hinolan was taken to a hospital with the help of bystanders.

Peter Melgar , is the fourth person, who claimed to be an eyewitness for the killing. Melgar said he heard three successive gunshot while on board his motorcycle on his way to the carnival. He said he saw the gunman fired on shot at the victim. Melgar in his motorcycle followed the gunman, and the gunman even waved at him. Melgar described the gunman's hair because he was not wearing a hat. Melgar went to the police station on November 19, six days after the shooting, to give his statement. Melgar was able to identify Lezo town mayor Fred Arceño from the cartographic sketches presented to him.

The medico-legal report of physician Edmar Balleras said that Hinolan had multiple gunshot wounds – on his left shoulder, left forearm, right forearm, right buttocks, and stomach. His internal organs were affected and he was bleeding. A bullet slug was taken from his liver, among others. While at the hospital, Hinolan wasn't able to communicate to his family and colleagues if he recognized the gunman. After two days of fighting for his life, Hinolan passed away.

Lezo mayor Fred Arceño and an unidentified person were the suspect in the murder of Hinolan. But Arceño denied the charge against him. He presented six affidavits of persons, some of them his associates, saying that he was in Lezo at the time the shooting of Hinolan was taking place. He criticized Melgar, who identified him in the cartographic sketch, saying that Melgar could have been a co-conspirator to the shooting. He added that if Melgar was brave enough to pursue the gunman, he should have reported the shooting immediately to the police.

Arceño said the police procedure of presenting pictures for identification of the gunman is "flawed and irregular." He said that the cartographic sketch does not resemble him. He questioned the inclusion of his picture by the police when there were no statements incriminating him. He also asked why the pictures of others, whom Hinolan has criticized on air, were not included.

PART 2: VICTIM'S PROFILE

Name	: Herson Hinolan
Media affiliation	: DYIN Bombo Radyo Kalibo, Aklan Province, Philippines
Position	: Station Manager,
Address	:
Birthday	: September 3, 1966
Civil Status	:married
Children	:Kim (10 years old)

Background as journalist:

1988—reporter of Bombo Radyo in Bacolod City in Negros Occidental province covering the military beat

1993- anchor and assistant station manager of Bombo Radyo in Roxas City in Capiz Province

1998- station manager of DYRI of Radio Mindanao Network in Iloilo City

1999- station manager of DYIN Bombo Radyo in Kalibo, Aklan