

Cops guilty of grave misconduct

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The Quezon City (QC) People's Law Enforcement Board (PLEB) has demoted two policemen after they were found guilty of grave misconduct for unlawful arrest and search without the proper warrants.

Patrolmen Zaldy Mejos Jr. and Julie Boison received a penalty of one-rank demotion, based on a decision on Administrative Case 19-005 by QC PLEB District 1.

The decision stemmed from a complaint by a certain Marissa Torres, who said the policemen searched her house and arrested her without proper warrants on 19 January 2019.

The PLEB said the plain view doctrine applies when the discovery of evidence is inadvertent.

The policemen denied the charges using plain view doctrine to justify their action.

They said they were on foot patrol in the vicinity of Torres' residence when they received a report that the complainant had a gun.

Boison claimed he noticed the nozzle of a suspected firearm in a black sling bag inside Torres' sari-sari store, prompting them to enter the house and conduct the search.

The cops claimed they found a gun and alleged illegal drugs inside the house, prompting them to arrest Torres.

The complainant claimed the gun and the illegal drugs were not hers, but were merely planted evidence.

The QC PLEB sided with Torres, saying warrantless arrest, search and seizure done by the respondent policemen "cannot be justified under the plain view doctrine."

In its decision, the PLEB said the "plain view doctrine applies when the discovery of evidence is inadvertent."

The QC PLEB further ruled Torres was "actually illegally and unlawfully arrested and her residence searched without a warrant."

"We have no agenda but to dispense justice. Constitutional rights are there to be upheld," Atty. Rafael Calinisan, PLEB executive officer, said.