

## **What Is A Reasonable Search Incident To Arrest?**

Physically detaining someone without the legal right to do so is false arrest. False arrest is a criminal offence. It is a crime to hold a person who you know has not committed a crime. Lawsuits for damages, including mental distress and embarrassment can and do arise from probable false arrest. Private security people, business and property owners, or employees of retail establishments who make a citizen's arrest by holding one whom they have not seen commit a crime or pretending that they are police officers are commonly found guilty of false arrest.