

The fast development of technology has been advancing for as long as I can remember. For me and my generation, we are used to those fast-paced changes. However, our founding fathers probably wouldn't even begin to imagine these advanced technologies being made. When they made the Fourth Amendment it was to protect "[t]he right of the people to be secure in their persons, houses, papers, and effects." They never took into account any wirelessly transmitted communication, massive data storage, or flying remotely controlled recording devices, none of which would be considered persons, houses, papers, or effects. This is a major issue in our century because technologies are a part of everyone's lives nowadays.

They contain so much of our private information and are easily accessed. The Fourth Amendment was crafted by our founding fathers to protect us from unjust invasions of the government. It was made to let the people feel a sense of safety and privacy from the government. It has fallen on the Supreme Court to expand and clarify the language of the Fourth Amendment to address these situations where technologies have developed in such a way as to provide access to private information outside of the experience of the founding fathers.

The Supreme Court case *Katz V. United States* was the first case to consider the invasion of privacy in technology. The incident of the telephone booth led the court to take into account the "reasonable expectation of privacy," outside of simply asking whether the government was intruding on a person or place. The decision had a great impact on law enforcement because they now need to have a warrant showing probable cause to conduct a search by means of a technology extending human senses. *Katz* recognized that technologies had been developed which allowed the intrusion into areas that people had believed to be private in the absence of those technologies. The Supreme Court extended the reach of the Fourth Amendment to protect us in those areas we already felt safe. Although *Katz* dealt with advancing technologies, it took place in 1967. Technologies have long advanced. The only reason I am familiar with a telephone booth, is because they still appear in movies. Telephone booths are no longer being used by individuals because they have their own personal phones. The Supreme Court has dealt with more current cases relating to the privacy of technologies in our century.

In our generation almost everyone has their own personal cellphones which contain more personal information than any other place. Once information is placed on the phone the data cannot easily be erased. Since our phones hold so much information, much more than our houses, papers, and effects combined, we should have the right to secure our phones. In *Riley v. California* the Supreme Court addressed the unwarranted search of a personal cellular telephone. This case gave people the right to protect themselves from the government obtaining information from our phones without a warrant. This is just one example of how the

court is slowly expanding the reach of the Fourth Amendment to match the ever-changing way we store information.

In our generation, we have seen the creation of technologies so advanced that it has become easier to invade a person's privacy. A few examples of these technologies are the accuracy of GPS location and drones containing cameras. These technologies are something our founding fathers would never thought would happen, but they created the Fourth Amendment for the people's protection from the government. With GPS installed on every telephone, it is possible to locate any person with just a few meters. The Supreme Court decided in *Carpenter v. United States* law enforcement needed to get a warrant in order to use obtain location information from a person's GPS.

The Supreme Court has not yet decided on how to address the use of drones by law enforcement. Low cost drones with high definition cameras have made it easier to spy on people in their homes. In **California v. Ciralo**, the Supreme Court decided a person did not have an expectation of privacy from the view of overflying helicopters. They reasoned planes fly over properties and they can be visible to the publics eyes so government planes are no different. Although drones are similar to helicopters and planes in that they observe or photograph aerial views, they have other concerns. Drones are much easier to be hidden, provide a much closer view, and could easily be used to spy on people in a way that would beyond their reasonable expectations. The fact that the Supreme Court has not ruled on drones can be frightening because drones are cheap, they can be easily hidden, and lastly it can record in better quality than any helicopter could.

The advancement of technologies forced the Supreme Court to expand the reach of the Fourth Amendment. There was no comparable concept for these technologies in the days of our founding fathers. In our generation, it is frightening because technologies such as phones and computers contain so much of our personal information and having the government search our phones without permission whether innocent or guilty is unjust and oppressive. Our devices contain more information than can be found in our home. The fact the government can obtain information from our phones easily is frightening. The founding fathers created the Fourth Amendment to keep us safe from government abuse. Times have changed, but the decisions of the Supreme Court have allowed the protections of the Fourth Amendment to change as well. "The right of the people to be secure...against unreasonable searches and seizures" was the main reason the Fourth Amendment was created. The decisions of the Supreme Court have expanded the meaning of the Fourth Amendment to ensure that people's privacy is still in place. Technology is developing fast. It is a challenge for the Supreme Court to balance our right to privacy with the government's need to conduct searches when there is so much to take into account.