Carpenter v. United states analysis

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Carpenter v. United States, decided June 22, 2018, is a vital case that helped establish defined lines of protection when using the 4th amendment against government investigation as technology improves and methods change. The courts deciding decision was that due to the accuracy and detailed information given by certain cell phone data that a warrant is required before investigations are approved except in cases of ongoing emergency as to no impede the ability to respond efficiently. For the reasons, discussed in this paper I strongly agree with the court’s decision.

The case began in 2011, when police officers arrested four men suspected of a series of robberies in Detroit; after they were arrested one of the suspects confessed to nine other reported robberies in Michigan and Ohio in which he identified 15 other accomplices who had participated. The court ordered under the Stored Communications Act which provides the government to acquire the disclosure of certain telecommunications records when “ specific and articulable facts show that there are reasonable grounds to believe that the contents of a wire or electronic communication or the records or other information sought, are relevant and material to an ongoing criminal investigation” access to Timothy Carpenter and several other suspects phone records. This information included date, time of calls, and the approximate locations of the cell phone user. Based on the evidence provided by the phone records, the government charged Timothy Carpenter with, among other offenses, aiding and abetting robbery that affected interstate commerce, in violation of the Hobbs act which covers extortionate threats of physical, economic, and informational harm. Carpenter moved to repeal this decision on the grounds of the fourth amendment, arguing that the FBI required a search warrant based on probable cause to obtain the records. This motion to suppress was denied on the grounds that Carpenter lacked expected privacy as the information collected was voluntarily given to the wireless carriers and that as official business records, they are not protected under the fourth amendment. Furthermore, after deliberation the courts stated that while the orders to obtain access to the Cell Site Location Information (CSLI) was deemed insufficient, due to the information being obtained with noble intentions the decision was protected under the good faith doctrine, established by United States V. Leon.

Due to the nature of this case, the courts relied on the ruling of previous cases as well as self-interpretation in accordance with advancing technology to make their decision. The majority used Soldal V. Cook County to recognize that Fourth Amendment violations did not only apply to physical property rights. Likewise, they stated that in Katz V. United States that the 4th amendment protected people with a certain expectation of privacy and that in Carrol V. United States that while there is no definitive expectation of privacy, it is informed by historical understanding of what is deemed an unreasonable search and seizure. Likewise, they stated that because the technology provided such detailed information that like the case of Kyllo v. United States that the gathered information should have been cleared with a warrant before it was obtained. This case was particularly tricky as the nature of the information gathered fell in between two prior cases, States V. Knotts which cleared the usage of a beeper for tracking as it was placed on a vehicle in which they stated had no privacy expectation as it used public thoroughfares which could voluntarily be conveyed by onlookers and the case of United States V Jones in which that stated that a GPS tracker that monitored an individuals “every movement” was deemed a violation of an individuals expectations of privacy. They supported the obtaining of the cell records by stating that the government is free to obtain information that is voluntarily given to third parties by an individual in the case of United States V. Miller.

Because of this case, the Court stated that the government generally will need a warrant to undergo a search to discover evidence of criminal wrongdoing and that in the absence of a warrant, a search is reasonable only if it falls within a specific exception to the warrant requirement which is in the case of emergency in which immediate action is required. They also stated that the “third party doctrine” which states that information disclosed to a third party carries no reasonable expectation of privacy does not stand as the information gained by CSLI gives way to much more intrusiveness in an individuals life than is necessary and that while a user might be abstractly aware that his cell phone provider keeps logs, it happens without any affirmative act on the user's part

Overall, I strongly agree with the courts decision to both deny the repeal to Carpenter’s conviction in accordance with the undeniable guiltiness of his crime and the good faith doctrine but also the courts decision in requiring warrants before obtaining cell phone records. Especially in today’s society, an individual wouldn’t be far off in saying that peoples cell phones are an extension of themselves and that due to just how imbedded it is in daily life and how much information it holds that access to it should definitely be limited to others in that people are entitled to an unspoken agreed privacy and protection from the government under the protection of the 4th amendment.

Reference Page

* www.oyez.org/cases/2017/16-402.
* “Summary: The Supreme Court Rules in Carpenter v. United States.” Lawfare, 31 Oct. 2019, www.lawfareblog.com/summary-supreme-court-rules-carpenter-v-united-states.