

POINT PAPER

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SY205
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Subj: POINT PAPER – FOURTH AMENDMENT AND NETWORK OPERATIONS

Ref: (a) U.S. Government. (1791) U.S. Constitution, Amendment 4, Search and Seizure.

BACKGROUND

The Fourth Amendment, ref (a), was signed almost 230 years ago, but still applies today. The tenants of the fourth amendment have been applied to situations that were not originally conceived when first written. The fourth amendment has been cited in both supporting and dissenting case opinions.

DISCUSSION

- Research the Fourth Amendment, focusing on applications of the fourth amendment to networked communications.
- Discuss a situation where a warrant would not be required to search networked communications.
- Discuss a situation where a warrant would be required to search networked communications.
- Discuss and include supporting or dissenting opinions from U.S. court cases.
- Discuss any supporting or dissenting court opinions that you disagree with; i.e. is there a court opinion you feel was judged incorrectly. If so, why do you disagree, what references support your opinion?

RECOMMENDATIONS

- Discuss points you will consider in future network operations; i.e. how do you expect to operate consistent with the fourth amendment.
- Discuss language or concepts you would include to users of networks that you may operate in the future related to the Fourth Amendment.