Katz v. United States Brief

Prepared by Chanakya Gaur

I. Opening

Case: Katz v. United States

Citation: 389 US 347 (1967)

Court: Warren Court

Petitioner - Katz

Respondent - United States

Argued Date – October 17, 1967

Decision Date – January 18, 1967

II. Facts

Federal agents, on a suspicion that Katz was transmitting gambling information from Los Angeles to Boston and Miami, which is a violation of federal law, using a public phone booth, attached an eavesdropping device on top of the phone booth. After listening on these conversations, Katz was convicted under an eight-count indictment for illegal transmission of wagering. Katz appealed to have the evidence of recordings to be suppressed as it was a violation of his fourth amendment of the constitution.

III. Issue

Does the Fourth Amendment of the Constitution protect conversations on a public phone booth and secretly recording of those conversations as evidence against a person?

IV. Decision

Yes.

V. Rationale *-*

The court ruled that Katz was entitled to the Fourth Amendment protection as it covers the seizure of oral statements as well as tangible items which is why his phone conversations could be considered a seizure. However, both the parties focused on the physical location, however, the Fourth Amendment “protects people and not places”. Accordingly, it does not matter if the phone booth is constitutionally protected but whether a person can justify the need of privacy in a public space reasonably. Thus, the federal agents could not record Katz conversation without a warrant.

VI. Holding

If a person has reasonable expectation of privacy in a conversation, that conversation is protected by the Fourth Amendment and cannot be recorded by the government without a warrant.

VII. Opinion

I agree with the court’s decision as the right for privacy is necessary and recording of conversations without a warrant is clearly a violation of the Fourth Amendment. Additionally, even if a pay phone is public, the conversation still is expected to be private like all phone calls.