

### Fourth Amendment Writing Assignment

Imagine that you are justices on the Supreme Court (congratulations!), and that you must decide a case which contains the following difficult questions:

- ➡ May the government, *without a warrant*, make use of GPS location data from your phone to track your location, or would this be a violation of the 4th amendment?
- ➡ May the government, *without a warrant*, use a drone to record activities occurring within private property, or would this be a violation of the 4th amendment?

As noted in the presentation, there are several issues you may wish to consider, including whether a search under the 4th Amendment has occurred; whether the individuals have a reasonable expectation of privacy; the notion that the 4th amendment protects people, not places; the larger values underpinning the 4th amendment (including protecting individuals against government oppression and a concern about giving the government too much discretion in criminal investigations); and the legitimate security concerns of the government.

If there are strong disagreements within your group, you may wish to consider writing one majority opinion and a separate dissenting opinion. Also note that you may end up answering the two questions in different ways.