Over the past few years the government has been monitoring the American public using drones and GPS location data from phones, at some times, without citizens’ knowledge and consent. This implies that the government’s respect for our rights and the constitution may be in question. There are two ways of obtaining information: by issuing a warrant and searching within the privacy of an individual or, in response to a time sensitive and dangerous situation, searching through material the individual does not consider being absolutely private. Our belief is that these actions, without use of a warrant, under certain circumstances are justifiable following the stipulations of the 4th Amendment.

The government should not be able to monitor the GPS location of an individual in their private homes unless they have reasonable suspicion to do so. For the government to monitor an individual, they must have evidence or a search warrant to do so due to the individual’s inalienable right to their privacy. However, there are certain circumstances, such as the Boston Marathon Bombing, where the need to stray away from the 4th amendment exceeded the need to abide by it. The government searched social media accounts to narrow the search of probable bombers. This allowed them to find sufficient information on the suspects to track their GPS location data from their phones. If the information was obtained without invading the immediate privacy of the person as the 4th Amendment protects, then the information is usable. Some cases require the utmost urgency and, to serve the greater good, the government may need to postpone resorting to warrants.

However, the daily monitoring of a citizen with no reasonable suspicion should remain illegal to conserve their right to privacy. If the subject has no reason for suspicion then there is nothing to gain but legal complications when a drone surveys his or her property without a warrant. When it involves a private land owner, the owner can claim the airspace above as his. When drones fly over the house and gather information without an issued warrant then any and all evidence obtained this way can be thrown out and, in some cases, be persecuted under trespassing. This offers the question: “If the information needed was in a clear view of anyone in the sky, did the individual really have the reasonable expectation of privacy?” The 4th Amendment protects the person not the property. Just because the property could be considered protected, if the individual did not make an attempt to be private, a law protecting privacy would not be applicable. This introduces the argument that the 4th amendment should not be violated in the process to gather information beneficial to the United States’ national security.

Information gives power. If the United States government has the knowledge of any threat to the country, then they have the power to protect it. The means by obtaining this knowledge may be in question if the stipulations of the 4th amendment are not closely studied.