Over 200 years ago, our founding fathers drafted a document containing the rights of the American people called the Bill of Rights. Among the first amendments created was the fourth amendment, an amendment that protected the American citizens from illegal search and seizures, but in modern day society, the government has found a certain escape clause. It is hard to trust a government does not feel a person’s digital property and GPS data is not protected under the constitution.

It is suspicious when a government attempts to access a person’s information without their knowledge and earnestly tries to defend that the right to privacy is, in fact, not protected by the fourth amendment. When the Framers wrote the amendment, their intentions were protect the citizen’s right to unreasonable search and seizures; they have the right “to be secure in their persons, houses, papers, and effects.” Though the Framers had no knowledge of the world that would unfold long after the constitution was drafted, their purpose was to safe-guard the people from being victims to an unjust government. If something is password protected, the company that protects the data for the costumer should not reveal the information unless a judicial search warrant is issued. A private document is private to a person, whether it is electronically stored or not. Therefore, the government should not have access to it unless the evidence is verifiable and a judge approves it. For instance, if someone locked a document in a safe, should the government be able to take it 180 days later? Would the government be able to walk into one’s house and search through a filing cabinet without a warrant? E-mail has become for the modern citizen a digital filing cabinet. The only way the government should be able to extract e-mail is if they obtain a search warrant. When Windows operating system was originally developed, it put the files that someone saved into a folder called *My Documents*, so we consider these files stored on a hard drive, rather than in a file cabinet, to be our personal property. It was developed specifically so that we could form a link from our reality, to a virtual one, to understand that a computer’s files are the same as a real paper and ink documents. If computer programmers created these documents to be regarded as hard copy documents, why cannot the government respect what the rest of the public has already accepted? They refuse to accept this because it does not fit their own agenda, and they can use it as loop hole to gain access to files that, if were made out of paper, would normally be illegal to search. This is just one of the things the government, when unchecked, can do to take advantage of the people; hence, the need for a proper understanding of the constitution.

If an American citizen wants his or her position private, it should be. A person’s privacy should not be breached unless a search warrant is presentable. Just because the constitution was drafted over 200 years ago does not mean that it does not apply today. The founders never intended for the government to have the power to freely track citizens. This violates the principles behind the fourth amendment’s protection from “unreasonable search and seizures.” An individual’s location is part of their being. It may not be a physical *thing*, but it does involve their personal freedom. This is unjust without sufficient reasoning.

The constitution is a document that must be protected and enforced. The government has taken advantage of the fact that spying on e-mails after 180 days and GPS tracking without knowledge is not illegal. We need to address these problems before our very privacy is stripped away from us.