How in the cyber world should the fourth amendment be interpreted? For example, should you have the right to store your e-mails always as opposed to just 180 days? Should it be illegal to track a person through GPS on their cell phone? The Fourth Amendment says people reserve the right to remain secure in their person, property, documents, and personal effects without the government barging in to search for no reason. Personal security is the amendment’s message, but should some of them be dismissed under certain circumstances?

The first issue is whether the government should be allowed access to emails 180 days or older without a warrant. The age of the e-mail is not an indicator of it being “garbage”, as in the case of *California v. Greenwood.* On the contrary, it could show that the e-mail is important to the user. Secondly, despite the age of the e-mail, it is similar to a sealed letter, a person’s “papers”, in the sense that a reasonable expectation of privacy would be maintained in the e-mail. Without a search warrant, the government would be violating the Fourth Amendment by searching the e-mails of a person, even ones 180 days or older.

Secondly, the conflict on whether it is unconstitutional to track with GPS without a warrant. It is our opinion that you do need a warrant for GPS tracking. The Fourth Amendment protects the “right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated”. In current times, it is portrayed as “unpopular” to purchase a phone without all the “bells and whistles”. In addition, a cellular phone is also an extension of the person. To search it without a warrant would be unconstitutional. Thus, we have come to the conclusion that using GPS tracking without a warrant violates the Fourth Amendment.

As the dissenting opinion, we believe that using GPS to track people via their cellular phones does not violate the Fourth Amendment. There are few lower court cases on which to base our opinion. If the situation threatens our national security, it may need immediate action in order to protect the lives of innocent civilians. For example, if there was a cyber terrorist attack taking place and we would need to find their whereabouts. It would be better to construe the amendment in such a way that people do not have to live in fear of terrorists, or in some cases be injured or killed. Therefore, I believe interpretation of the Fourth Amendment allows for exceptions when tracking potential threats via GPS.

The Fourth Amendment deals with the violation of personal rights. The issues of e-mail retrieval and GPS tracking are associated with the privacy of the people. If you don’t have a search warrant, you shouldn’t be able to violate people’s rights. There are 27 amendments, but the Fourth Amendment is the one most spoken of by the people.