No, the federal government should not have access to a person’s emails, whether they are older than one hundred eighty days or not, without a warrant. This would indeed be a violation of the Fourth Amendment. The idea behind this is that if someone has left an email in the server for one hundred eighty days, the person must not care enough about it to delete it. However, a common practice is to keep highly important business-related and personal correspondence in the email provider’s archive. Subscribers using the email service do actually have a “reasonable expectation of privacy” established by Justice Harlan presented in *Katz v. United States (1967).* Email providers promote this thinking by directly stating that their servers are secure. For example, one major email service provider is Google’s Gmail. By viewing Gmail’s About Gmail page, one can see reason number nine clearly states that your mail will be secure. If the website tells you that your email will be secure, is it not reasonable to believe that? The first guideline has been met, therefore most people believe email is a constitutionally protected cyber-extension of his or her expectation of privacy. Harlan’s second guideline states: “Electronic as well as physical intrusion into a place that is in this sense private may constitute a violation of the Fourth Amendment.” An individual’s email and cyber identity are simply an extension of their papers and persons, two of the rights covered by the Fourth Amendment. Thus, the fact that governmental intrusion into email is a violation is established. Finally, the third guideline is “that the invasion of a constitutionally protected area by federal authorities is, as the Court has long held, presumptively unreasonable in the absence of a search warrant.” From this, one can conclude that searching through old email is a violation of the Fourth Amendment. This should only be allowed with a valid search warrant.

However, the government should be allowed to track people by means of GPS on their phones without the consent from a warrant. There is not much information you gain about a person based on their location. Actually, having the government know an individual’s location can help. If a person was abducted, law enforcement could get their location to facilitate rescue. One recent situation involved two hikers. They became lost, so a cell phone call to firefighters was made; the hikers were saved. If tracking required a warrant, could they have been saved? Also, the placement of an individual does not reveal illegal activity. Innocents do not have secrets. In addition, most people have knowledge that a cellular device can transmit location data. Since this is a completely public fact, there is no reasonable expectation of privacy. Also, there is the concept of the Fourth Amendment protecting people, not places. One’s location is not a person, nor an extension of one’s person. Therefore, it should not matter whether the government knows your location and it does not violate the Fourth Amendment.