**Smith v. United States (2015)**

**Background:** Ms. Juanita Smith had gone to the Department of Motorized Vehicles to apply for a driver’s license. Having solicited identification from Ms. Smith, the attendant was called away from her station. Ms. Smith then reached into the attendant’s space to remove the flash drive from the computer She then left the offices. When the attendant returned, she noticed that Ms. Smith had left and that the flash drive, which contained private and secure information on approximately thirty people, was gone. The authorities were notified when the footage from the security camera showed that Ms. Smith had taken the flash drive and had left without receiving her driver’s license. She was arrested a week later at Louisiana Tech when the police used the GPS signal from her phone to track her. Using an aerial drone, authorities observed Ms. Smith as she attempted to download the files from the flash drive. She was convicted of identity theft and sentenced to twenty years in prison. Ms. Smith later appealed the Court’s decision declaring that the Fourth Amendment was violated.

**Justice Clarence Thomas, writing for majority,** maintains that tracking Ms. Smith by GPS is not a violation of the Fourth Amendment. Because she had purchased her Global Positioning System, she had acknowledged the capabilities of such a system. The possibility of being tracked, as well as knowing her own location, should have been evident. Authorities needed no warrant to track her via GPS.

**Justice Elena Kagan, writing for majority,** refers to the use of a drone presents the following view. Some may think using a drone to peek through your window is a violation of privacy, but it is not stated as a violation in the fourth amendment. The fourth amendment states that government officials need a warrant to search any citizens self, house, and records. Using drone technology we would not be taking away the citizens right of security. Using surveillance drones, we would not invade the suspects privacy unless the drones are to break in or do not have permission.

**Justice Anthony M. Kennedy writes in dissent,** pointing out thatthe Fourth Amendment gives people the right to be secure on private property. Allowing domestic drones to act as spies for the government is a violation of privacy rights. Ms. Smith’s illegal actions could have been resolved in a manner that was not an invasion of privacy. Officials should have gotten a warrant for using the drone.Like other tools used in law enforcement, a warrant needed to be issued to use drones domestically. In the case of Smith v. United States (2015), privacy on a personal level was not the only factor ignored. The administration of Louisiana Tech University had not given consent for classrooms to be invaded for the purpose of tracking down a criminal. By paying tuition, Ms. Smith had also paid for private use of the classroom.In doing so, Louisiana Tech University was also denied the rights of privacy inside of its building.