June 3, 2011

Supreme Court, Washington D.C.

Matter of Security VS. Liberty

Paige Madison, a sixteen year old from Louisiana states that the Department of Homeland Security hacked into her email messages and text messages, as well as tracking her via cell phone. While the Department found no circumstantial evidence to accuse her of wrongdoing, she believes that hacking into her privacy goes against the Fourth Amendment.

Lance Lincoln, head of Homeland Security defends his office, saying that it was in the best interest of the country. He also states that if the emails are older than 180 days, the government should have access to them as well as being able to track citizens through their phone, in case of an emergency.

The nine Supreme Court Justices debated on the subject, and all but one decided it was against the Fourth Amendment to hack into anything personal.

Supreme Court Justice Dupree, the only one that did not agree with that, gave this reasoning for her vote:

I realize that an illegal search has occurred. But without knowing which of the two reasons the privacy was violated, we cannot say whether this search was justified. The Fourth Amendment states that it is the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures. This is always true, but also, America was founded as a safe place for its citizens. If terrorists are using email and messages to make plans to attack our nation, and the government has information and reasonable cause to believe someone is involved, or even just to skim through people to rule them out, I think that it is fine for the government to hack into a citizen’s privacy. When something is done with the intention of keeping people safe, I think people should understand that it’s in their best interest and that the government is not trying to abuse its power. On the other hand, if the government is using technological information to search for regular crime, and it’s not to keep people safe, I believe that is wrong.

Our privacy is important and should not be violated unless there is probable cause, as stated in the Fourth Amendment. If the government has probable cause, they have the right, without a warrant, to search. In a way, parents do the same thing the government is doing. Parents look through their children’s emails and other messages and keep track of where they are. This is done out of love to make sure their child is safe. Kids may be miffed at their parents for this invasion of privacy, but they love and forgive them because they understand why they do it. With this in mind, people should understand that even if their privacy being hacked is unfair to them, America has and will always do what is in the best interest of its nation and the people should understand.