

Supreme Court Upholds Fourth Amendment Protections, Apply to Cell Phone Location Information

By [Stephen Lendman](#)

Global Research, June 26, 2018

Region: [USA](#)

Theme: [Law and Justice](#)

The US Constitution's Fourth Amendment affirms the "right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures..."

Warrants based on probable cause must be obtained to conduct them legally.

On Friday, the Supreme Court ruled by a 5 - 4 majority in *Carpenter v. United States* that Fourth Amendment protections apply to cell phone location information.

Prior to the ruling, government at the federal, state and local levels could obtain cell location records from companies on request by claiming they're required as part of an investigation.

Supporting the majority, Chief Justice John Roberts said location information collected by Comcast, AT&T, Verizon and other cell providers creates a "detailed chronicle of a person's physical presence compiled every day, every moment over years...400 million devices in the United States" tracked.

Authorities must now get warrant approval before obtaining this data, an important privacy protection.

According to the Court, cell phone tracking lets government achieve "near perfect surveillance, as if it had attached an ankle monitor to the phone's user."

Cell providers collect it for every device so "police need not even know in advance whether they want to follow a particular individual, or when."

The FBI, CIA, NSA, and other Big Brother US spy agencies have other ways of monitoring everyone, trampling on Bill of Rights protections virtually unrestrained.

Federal mass surveillance is pervasive, circumventing rule of law principles, metadata collected unrelated to national security without court authorized warrants.

Microsoft, Yahoo, Google, Facebook, Skype, YouTube, Apple, and major telecommunications companies are complicit in spying on customers.

Phone conversations are recorded, emails collected and stored, computers and television sets turned into monitoring devices in ways Orwell never imagined, today's technology way ahead of his time.

Capabilities enable spying on virtually everything we do, turning America and other so-called Western democracies into totalitarian states.

What's going on happens extrajudicially without congressional oversight or knowledge.

Big Brother is real, no longer fiction, reflecting unchecked police state power. Fundamental freedoms are vanishing, most people unaware of or indifferent about what's happening.

Friday's Supreme Court ruling was an important step in the right direction, prohibiting cell phone information exchanged between individuals from being shared with third parties without warrant authorization.

Yet it's not enough to counter the power and ability of the state to monitor and control our lives in countless ways – capabilities increasing as technology advances.

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Stephen Lendman is a Research Associate of the CRG, Correspondent of Global Research based in Chicago.

VISIT MY NEW WEB SITE: stephenlendman.org ([Home – Stephen Lendman](#)). Contact at lendmanstephen@sbcglobal.net.

My newest book as editor and contributor is titled "Flashpoint in Ukraine: How the US Drive for Hegemony Risks WW III."

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About the author:

Stephen Lendman lives in Chicago. He can be reached at lendmanstephen@sbcglobal.net. His new book as editor and contributor is titled "Flashpoint in Ukraine: US Drive for Hegemony Risks WW III."

<http://www.claritypress.com/LendmanIII.html> Visit his blog site at sjlendman.blogspot.com. Listen to cutting-edge discussions with distinguished guests on the Progressive Radio News Hour on the Progressive Radio

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