**“Can Your Phone Testify Against You?”**

I. The Constitutionality of using cell phone information against the owner

A. David Riley’s arrest (TS paragraph 1)

1. car registration expired

2. police found 2 loaded guns

3. police examined cell ph and msgs/videos re: gang activity

4. Riley arrested

B. Police found evidence linking R to a shooting (TS para2)

1. convicted of attempted murder

2. sentenced to 15 years to life in prison

C. Supreme Court overturned conviction summer 2014 due to privacy rights

1. police need to ask permission

2. or get warrant

3. similar to searching home

D. Courts trying to apply basic rights in Constitution to life in 21st Century

E. Quotation about Sup Ct’s job to balance antique values with today’s technology

F. Founding fathers of Constitution and Bill of Rights protected free speech with (First Amendment) and right to privacy (Fourth Amendment)

1. could not anticipate technology such as smart-phones,

Facebook, and Google

2. could not know how much interaction, social and business

would take place digitally

G. Supreme Court beginning to wrestle with many questions

concerning the digital age

1. Can students be punished for criticizing teachers on

Facebook?

2. Can websites be required to reveal identities of anonymous negative reviewers?

3. Do laws against cyberbullying violate freedom of speech?

H. Riley vs. California – most important case about digital rights

decided by Sup Ct so far

1. 9 justices unanimously ruled

2. violation of right to privacy because no permission or

warrant