Analysis of the USA Patriot Act

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**Introduction**

The Patriot Act is legislation promulgated in 2001 to enhance the competency of law enforcement in the United States to deter and detect terrorism. Its official title reads as Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism. The provisions of the Patriot Act were revisited in 2015. However, several aspects of the act remain contentious in nature. Primarily, the Patriot Act is an extension of the instruments that were utilized against organized crime and drug dealers. The local law enforcement agencies played an instrumental role to enforce the act in true letter and spirits.

**Discussion**

The Judges could authorize the act by permitting the federal agents to use wiretaps to track a certain suspect. Each government agency plays a dominant role in the enforcement of the act. One of the most fundamental aspects is enhancing the intelligence and information sharing between the government agencies. Moreover, the state plays it part by abrogating specific statutes and legislation which limits the implications for crimes related to terror. A wide range of researchers argues that it desecrates the fundamental constitutional rights of American citizens. Since the government exercised the privilege and authority to spy on the citizens without their consent and enhance the risk for the ordinary citizen to become accused of a crime, section 215 was revisited. It is critical to highlight the manifestations of section 215 of the Act (Domke, Graham, Coe, John, & Coopman, 2006).

Section 215 essentially violates the constitution in several ways. Above all, the Fourth Amendment prevents every authority or government to permit a search without the acquisition of a warrant and have a probable cause to believe the person to be a criminal. Meanwhile, the First Amendment's provision of free speech also gets violated. The government is already privileged to exercise authority. The Act enables the government to investigate the suspect but at the cost of the very fundamental right of the citizens' right to freedom and privacy. The agencies responsible for enforcing the Act are often criticized and suspected for exploiting and misusing the government resources and funds. The primary intentions of the federal authorities are unsure of utilizing the information which raises concerns for the government's power and autonomy.

The states ought not to have the same authority to display and sponsor the contentious symbols of having radical messages affiliated with them. It may sound a petty matter. However, the significance of these controversial symbols is of paramount importance in light of the 1sta and 14th Amendments.

**Impact on Organizations and Businesses**

The manifestations of the act are not only confined to expanded surveillance ventures. The cross border activities of the financial institution are critically examined under the framework of Title III statute. The security paradigms of the organizations are also further enhanced under the influence of the Act. For instance, the intricate privacy elements and observation of the organizations by the government agencies with the aim to abrogate the laundering activities prove productive for several organizations.

The citizens possess the very right to harness their privacy and security under the 1st Amendment (Phillips, C. M. (2017)). The Act is a potential source to preserve and protect the security of the citizens from harmful elements. Essentially, the security paradigms of the citizens are protected and similar impacts are observed in the vast framework of organizations. The context of the security environment changed in the United States after the detrimental incident of 9/11. The Patriot Act is the leading development directed at strengthening the security paradigms of the state. The multinational and small organizations were used previously by the terrorist elements. The enforcement of the Act by the government and agencies has prominently reduced the adverse implications for these organizations related to the security metrics.

**A Critical Appraisal:**

The Patriot Act is one of the major developments made in the United States after the incident of 9/11 to strengthen the privacy, security and elimination of the terror elements. There existed several contentious statutes in the Act as section 215. Irrefutably, the right to freedom, speech and privacy of the citizens were surely compromised under the functioning of the Patriot Act. The local law enforcement agencies exercised the right to intervene and spy the citizens which were deemed the suspect (Mell, 2002). The constitution incorporated the provisions which were promulgated by the government and several stakeholders became a part in the process.

Each citizen of the United States is independent to exercise the right to speech and privacy. There exist instances which are critical and exceptions and restrictions can be observed in the law to prevent the citizens from perpetuating violence. The Act caused the organizations to operate in a secure environment by enhancing security paradigms.

**Conclusion**:

The Patriot Act of the United States of America (USA) has played an instrumental role to reduce the terroristic activities in the states. The major feature of the Act was following a strict model of privacy and authorizing the local agencies to enforce the provisions in a productive manner. However, the citizens expressed grave concerns upon violation of their privacy. They were deprived of their right under the 1st Amendment. The Patriot Act casts a crucial impact on the organizational security metrics as well.

References

Domke, D., Graham, E. S., Coe, K., John, S. L., & Coopman, T. (2006). Going Public as Political Strategy: The Bush Administration, an Echoing Press, and Passage of the Patriot Act. *Political Communication*, *23*(3), 291–312. https://doi.org/10.1080/10584600600808844

Mell, P. (2002). Big Brother at the Door: Balancing National Security with Privacy under the USA Patriot Act. *Denver University Law Review*, *80*, 375.

Phillips, C. M. (2017). The Constitutionality of Restricting the State Sponsorship of Oppressive Messages and Symbols. Retrieved from: https://digitalcommons.ithaca.edu/cgi/viewcontent.cgi?article=1140&context=whalen