Contrast and compare Katz v. United States (1967) with Olmstead v. United States (1928)

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**Compare and Contrast:**

The two cases Katz v. United States (1967) and Olmstead v. United States (1928) have some similarities as well as differences. Olmstead v. United States (1928) was one of the first cases that interpreted the scope of the fourth amendment. The case was argued on February 20-21, 1928. The decision was made in 1928. On the other hand, Katz v. United States (1967) was ruled on December 18, 1967. By comparing both the cases, it can be observed that both the cases pertained to the fourth amendment. Supreme Court expanded the fourth amendment right against "unreasonable search and seizure". In addition, both the cases covered the electronic wiretaps i.e. whether the use of electronic wiretaps to obtain the conversation is against the fourth amendment or not. Both the cases were filed against the government and law enforcement. Government used the electronic wiretaps to collect the evidence of illegal activities of the petitioners.

One of the differences between both cases was the act of the petitioners. In the case Olmstead v. United States (1928), the petitioner was a bootlegger during the prohibition while Katz bets for interstate gamblers. The major difference between both the cases was the decision. The decision of the judge in Olmstead v. United States (1928) was against the petitioner. The judges believed that the government has the right to record the conversation for safety purposes and it does not violate the Fourth Amendment or the Fifth Amendment of the Constitution. On the other hand, the decision was reversed in Katz v. United States (1967) where judges made the decision that recording someone's personal conversation illegally is against the Fourth Amendment. This is because when a person makes a conversation, he makes an expectation of privacy. Therefore, the government does not acquire the right to record the conversation without the warrant. The bottom line is that Olmstead v. United States (1967) was reversed by Katz v. U.S (“Olmstead case was a watershed for Supreme Court - National Constitution Center,” n.d.).

**Katz Ruling Guided Police Electronic Surveillance Procedures**

Electronic surveillance starts with the Fourth Amendment, which guided the police that the privacy of the people of United State should not be invaded without a warrant on reasonable cause. Katz’s ruling was helpful to make it clearer that entire privacy protection should be covered by administration spying. It means electronic surveillance is not completely illegal for the law enforcement or government by the constitution, but it is illegal under certain conditions. Total three laws make government spying legal that are title III, FISA, and ECPA. The decision of the Katz was made with the explanation that when the person enters into a public booth and closes the door for the outer world then it indicates that the person made the expectation for his conversation privacy. If government records the conversation without any warrant or giving reasonable cause then the privacy expectation is violated which is against the fourth amendment. Fourth amendment rules that search and seizure is for the people, not place(“NSA Spying on Americans Is Illegal,” n.d.).

**Opinion on the U.S. Government and Other Private Agencies**

My opinion on the U.S government and other private agencies collecting data on the population is against the government access to conversation. The video raised the point that the person who has not done anything wrong must not be worried. However, I agreed to the psychological fact discussed in the video that people often react fake when they know that they are being observed (Greenwald, n.d.). It is true as it can be observed through religious people who stay away from sins. They reason behind their behavior is the belief that God is watching them. Similarly, people have the right to live freely without a perception that someone is monitoring them. This fact is true and makes electronic surveillance against the right of reasonable search and seizure. It is important to keep the nation safe from terrorist attack or other illegal activities but it is also important to maintain the privacy of the people.

**References**

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