

People's Pundit Daily

Big Tech Asks Supreme Court to Protect Cell Phone Location Data

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Big technology companies filed a **brief** late Monday night asking the U.S. Supreme Court (SCOTUS) to protect people's cell phone location data. The friend-of-the-court brief was submitted in the case of *Carpenter v. United States*, which will be argued in the fall.

The technology companies include Apple, Facebook, Google, Twitter, Verizon, Microsoft, Airbnb, Cisco Systems, Dropbox, Evernote, Mozilla, Nest Labs, Oath and Snap. The American Civil Liberties Union (ACLU) is representing Timothy Carpenter, a man who had months' worth of cell phone location information handed over to police without a warrant.

In 2011, the government obtained from cell companies months' worth of phone location records for suspects in a robbery investigation in Detroit, without getting a probable cause warrant. In the case of Mr. Carpenter, those records spanned 127 days and revealed 12,898 separate points of location data.

That's an average of over 100 location points per day.

The ACLU is joined by 20 media organizations warning of a chilling effect resulting from easy law enforcement access to the location information of reporters and their sources. They are also joined by groups from every end of the political spectrum, including the Center for Competitive Politics, Center for Media Justice, Color of Change, Americans for Prosperity Foundation and Tea Party Patriots.

"The number and variety of organizations and experts filing represent the widespread recognition that your cell phone's location history is your own business, and the government needs to have a good reason to get its hands on it," said ACLU attorney Nathan Freed Wessler. "In particular, the tech firms are sending a very clear message that the law needs to catch up with the technology that is now an integral part of our everyday lives."

Mr. Carpenter was convicted at trial and appealed to the Sixth Circuit Court of Appeals, which ruled 2 to 1 that no warrant was required under the Fourth Amendment. As the ACLU notes, local, state and federal law enforcement officials request cell phone location records from phone companies tens of thousands of times each year.

Briefs were also filed by the Cato Institute, Gun Owners Foundation, Competitive Enterprise Institute, Reason Foundation, Institute for Justice, DKT Liberty Project, Constitutional Accountability Center, Data & Society Research Institute, Electronic Frontier Foundation, Constitution Project, Brennan Center for Justice, National Association of Criminal Defense

Lawyers, National Association of Federal Defenders, Center for Democracy & Technology, Committee for Justice, Rutherford Institute, Restore the Fourth, United States Justice Foundation, Gun Owners of America, Inc., Citizens United, Citizens United Foundation, Downsize DC Foundation, DownsizeDC.org, Conservative Legal Defense and Education Fund, The Heller Foundation, and Policy Analysis Center, as well as law professors, legal scholars, technologists, and others