| **A REASONABLE EXPECTATION OF PRIVACY?** |
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To qualify as a “search” for Fourth Amendment purposes, a government official (often a police officer) must violate someone’s constitutionally protected “reasonable expectation of privacy.” In this activity, you will explore the concept of privacy in different settings.

Evaluate the scenarios below. What level of privacy from government intrusion do you expect in each of the scenarios below? Use the following scale to rate each scenario by marking with an “X” for each. As you respond, think about how differences in time and place might change the expectation of privacy in a given category. Please note any of these thoughts below.

| Low The government should be able to search or seize for any reason; neither the individual nor society generally would recognize an expectation of privacy. | Medium The government needs a good and fairly specific reason to search; there might be an individual expectation of privacy, but not one recognized broadly by society as reasonable. | High The government must have a particular (and very specific) reason based on concrete information to search in that moment; there is both an individual and society expectation of privacy. |
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| What level of privacy from government intrusion do you expect in each scenario?  | L | M | H |
| --- | --- | --- | --- |
| Inside your home or apartment |  |  |  |
| The contents of your luggage at an airport prior to boarding the plane |  |  |  |
| A package you receive through the U.S. mail or FedEx/UPS |  |  |  |
| The location data transmitted by your cell phone that shows where you have traveled |  |  |  |
| Inside your car as you travel on a public roadway |  |  |  |
| The contents of your coat pockets and backpack as you walk along the sidewalk |  |  |  |
| The contents of your garbage can when you put it out on the street for collection |  |  |  |
| The text messages and pictures on your cell phone |  |  |  |
| Inside a vehicle that is parked outside of your garage, next to your home |  |  |  |