


Lawver – Junior Lab – Off-Site Learning Packet Day 4

Katz v. United States: Case Brief

Cite this lesson 

The Supreme Court's landmark *Katz v. United States* decision introduced a new test for Fourth Amendment searches and seizures. In this lesson, you will be introduced to the facts of the case, as well as the Supreme Court's analysis and legal conclusions.

Questions Presented in *Katz v. United States*

Imagine you are talking to your significant other on the telephone. You talk about how your day is going, about how your coworker was really getting on your nerves during a meeting, and about how you need to stop by the grocery on your way home. Now imagine that a complete stranger is listening in on that very conversation. Creepy, right?

Even in the case of the most boring and mundane subject matter, you expect that your private conversations are actually private.

In the landmark *Katz v. United States* case, the Supreme Court of the United States introduced a new test for determining when private conversations in public places are protected by constitutional principles. While the **Fourth Amendment** of the United States Constitution protects against illegal searches and seizures and courts have interpreted this right to extend to police searches, in *Katz v. United States*, the Supreme Court was asked the following questions in relation to the protection under the Fourth Amendment:

- Does the Fourth Amendment's right to privacy extend to public places?
- Does an actual, physical 'intrusion' constitute a search a seizure?

Facts of the Case

Agents with the Federal Bureau of Investigation became suspicious that Los Angeles resident Charles Katz was operating an illegal gambling operation out of a public phone booth. The FBI agents attached an electronic eavesdropping device (a wiretap) to the outside of the phone booth and waited for Katz to place a call. As they listened to Katz's conversation, they concluded that Katz was indeed transmitting gambling wagers from Los Angeles to Miami and Boston via the public phone line.

Katz was arrested and was convicted based on the evidence of the illegal phone wagers. He appealed his convictions on the grounds that the evidence was illegally obtained without a warrant in violation of his Fourth Amendment privacy rights.

The Supreme Court's Holding and Analysis

In reaching its decision, the Supreme Court reasoned that the Fourth Amendment applies to people, not places. Based on this rationale, the fact that a person is having a private conversation in a public place does not strip away that person's Fourth Amendment right to privacy and held that a private conversation is protected under the Fourth Amendment so long as the speaker has a reasonable expectation of privacy where the conversation takes place, which became a new Fourth Amendment test: reasonable expectation of privacy.

Any invasion of that right constitutes a search and seizure, regardless of the 'level' of intrusion. The Supreme Court concluded that the use of a wiretap constituted a **search and seizure**. Therefore, the fact that the FBI placed the wiretap outside of the phone booth was irrelevant in the context of Fourth Amendment protections.

When a person enters a phone booth, closes the door, and inserts change into the pay phone to place a call, that person does not expect his conversation to be, in the words of the Supreme Court, 'broadcast to the world.' This example illustrates the concept of a reasonable expectation of privacy. In other words, the right to privacy extends to places and situations considered private by the person.

When applied to the facts of Katz's case, the Supreme Court concluded that Katz had a reasonable expectation of privacy inside the phone booth. Katz's right to privacy was violated by the FBI's use of the wiretap, which agent's used without first obtaining a search warrant. Therefore, the agents conducted an illegal search, and the evidence collected as a result of that search should not have been used against Katz at his trial. Katz's convictions were thrown out.

Lesson Summary

The Supreme Court's *Katz v. United States* decision held that a person's right to privacy extends wherever that person has a reasonable expectation of privacy. Therefore, the use of a wiretap to eavesdrop on a private conversation (even in a public place) constituted an illegal search and seizure in the context of the Fourth Amendment. Evidence collected in violation of a person's Fourth Amendment right to privacy cannot be used against that person at trial.

Worksheet: Katz v. United States: Case Brief

<https://study.com/academy/lesson/katz-v-united-states-case-brief.html>

1. Which of the following constitutional amendments applies to searches and seizures?

- The Eighth Amendment.
- The Fourth Amendment.
- The Second Amendment.
- The First Amendment.

2. According to the Supreme Court in the *Katz* decision, the Fourth Amendment protects which of the following things?

- People.
- Places.
- Objects.
- Valuable goods only.

3. What happens to evidence collected in violation of a suspect's Fourth Amendment right to privacy?

- The judge harshly admonishes the prosecutor before allowing the evidence to be shown to the jury.
- The evidence can only be shown to half of the members of the jury.
- The evidence is only half as useful at trial.
- The evidence cannot be used at trial.

4. How did the FBI agents eavesdrop on Charles Katz's conversation?

- The agents walked closely behind Katz as he whispered to a companion.
- The agents attached an electronic eavesdropping device to the outside of the phone booth Katz was using.
- The agents hide in the back seat of Katz's car.
- The agents pressed their ears against his front door.

5. What was the legal test announced in the *Katz* case used to determine whether a person has a right to privacy in a given place or situation?

- Probable cause that criminal activity is afoot.
- Reasonable expectation of privacy.
- The M'Naghten test.
- Beyond a reasonable doubt.