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by W Z

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Privacy and Technology

Technology development has resulted in the automation of how data is processed and stored. Therefore, I agree that through computers and smartphones, many operations are conducted through technological devices. For example, mobile phones have become part of individuals' lives, making people use them to conduct their business, chat with friends and families, and even store their pictures. I concur that smartphones have a substantial number of individuals' data that can be traced easily and interfere with their privacy. Although there are many benefits of using smartphones, they also come with privacy ramifications because individuals share a lot of life information with a smartphone in different places such as social media networks. Some applications also allow individuals to tag themselves and others, allowing people to know a person's location in real-time. Wang & Zhang (2016), argue that phone organizations can store an individual's information for more than two years.

Moreover, the fourth amendment protects individuals from unreasonable searches or seizures, which I support fully. Therefore, having a warrant to search for individuals' phones is a fair ruling because individuals need to have a shield against interruption from the administration in their personal space. I believe that the search should not be limited inside the cell phone because despite we need to have the privacy of our data, the government is also required to ensure there is security in the country and respect people's privacy. Therefore, the search warrant should specify which part or object needs to be searched. An investigator should only have one search warrant and when it states to search for a phone, they can have authority to search for anything, including photos, call logs and location.

Reference

Wang, W., & Zhang, Q. (2016). Privacy preservation for context sensing on smartphone. *IEEE/ACM Transactions on Networking*, 24(6), 3235-3247.

DNA

When individuals submit their DNA to the genetic testing company, they do not abandon their DNA under the law. According to Selzam et al. (2017), “abandoning” DNA is any part of an individual's tissue that has the capacity of being examined and produce DNA results and the beleaguered persons unintentionally or unwillingly gave out with no compulsion from the police. Therefore, giving the tissue for DNA examination to the genetic testing company is not “abandoning” DNA because the person had given out the tissue willingly, in my view. DNA requires particular consideration because when it lands on criminals, it can have a lot of damage.

The government cannot retrieve a person’s DNA from any genetic testing companies without a search warrant. Every company has policies and is entitled to ensure privacy is highly maintained to protect the information concerning their clients because they understand the effects it may cause, which I support. The government should not be allowed to access the DNA without a search warrant as it can lead to improper utilization of the individual’s data. After collecting a suspected person's DNA, they will then compare it to that found at the crime scene. Therefore, charging the individual as the guilt of the crime. Also, I accede that the DNA can be searched in the database for other evidence on crime scenes.

I ascent that DNA samples can be collected from individuals who are convicted of certain criminals. However, the line to the crimes is drawn by different states, but most states have expanded the collection of DNAs to individuals convicted of committing felonies and several misdemeanors. Similarly, the way states collect DNA from suspects is changed because some

necessitate that DNA be collected before felony arrests. In contrast, others restrict certain felony crimes and others necessitate a hearing before collecting DNA.

Reference

Selzam, S., Krapohl, E., von Stumm, S., O'reilly, P. F., Rimfeld, K., Kovas, Y., ... & Plomin, R. (2017). Predicting educational achievement from DNA. *Molecular psychiatry*, 22(2), 267-272. <https://doi.org/10.1038/mp.2016.107>

Miranda

Miranda rights are essential in helping individuals have a chance to defend themselves in court. Also, Miranda rights' focus was based on eliminating the coercion of the law enforcement officials from compelling people to be questioned for criminal events and thus convicting themselves. Therefore, I believe these rights were established to protect the Fifth Amendment right against obliged self-conviction and preserve the sixth amendment right to counsel. I agree that the government can use the Quarles exception to admit unmirandized statements by a terrorist in the federal court, especially where a threat to citizens' safety and law enforcement officials exist.

According to Rogers & Drogin (2015), Miranda rights are vital in the criminal process because it provides individuals with their rights to remain silent. However, I agree with the evaluations of the Quarles exceptions because of the threats that may occur to the public and the officers. Several exceptions of the Miranda rule are logical. When the condition comprises an emergency captive or conciliation, law enforcement offers questions founded on upholding citizens' safety and agrees voluntarily to meet with the officers. The communication is recorded without their knowledge. Terrorists should be tried in federal court because the federal court has

indicated they can handle terrorism cases as they have been firm over the years. Also, I accede that the federal court has substantial tolls needed to convict terrorists than state and military courts because they can permit the government to continue gathering vital intelligence. Miranda should not apply to terrorists, especially when they have a likelihood of disrupting public safety. It also applies when the officers arrest an individual who rationally believes they are not free to leave.

Reference

Rogers, R., & Drogin, E. Y. (2015). Miranda rights and wrongs: Matters of justice. *Ct. Rev.*, *51*, 150.

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