US Ruling on Digital Privacy

What is the issue?

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A recent U.S. Supreme Court ruling has imposed limits on the ability of police to obtain cellphone data.

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What is the ruling?

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- It is related to law enforcers collecting location data of a tracked suspect, from cellphone companies.
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- The 5-4 ruling sets a higher legal hurdle than previously existed under federal law.
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- The court said police need a court-approved warrant to get the data.
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- Police now obtain such data without a warrant, from wireless carriers.
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- The court said this would amount to an unreasonable search and seizure under the U.S. Constitution's Fourth Amendment.
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- The ruling made exceptions for emergencies like bomb threats and child abductions.
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What is the significance?

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- Digital data can provide a detailed and intrusive overview of private affairs.
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- US court ruling throws light on the way this aspect of modern technology is being used all over the world.

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- It comes as a major victory for digital privacy advocates.
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- The new decision has implications for all kinds of personal information held by third parties.
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- This includes email and text messages, Internet searches, and bank and credit card records.
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How does this work in India?

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- Central and state law enforcement agencies gain access to cellphone location data.
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- Service providers, once asked, provide them with call data records.
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- Apart from helping in investigation of cellphone thefts, this also helps police crack criminal cases.
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- However, accessing such information is subject to certain permissions.
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- The nodal officer of a service provider should be asked in written for call data records.
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- Notably, only an officer of SP rank - DCP rank in a commissionerate - can write.
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- There are instances where policemen illegally obtaining records have been sent to jail.
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Source: Indian Express

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