

**Katz v. United States**

Katz was convicted for using a telephone to conduct illegal gambling activities in violation of a federal statute. At trial the Government introduced evidence of Katz' phone conversations, overheard by FBI agents who had attached an electronic listening and recording device to the outside of the public telephone booth from which he had placed his calls. The Court held that the 4th Amendment governs not only the seizure of tangible items but extends as well to the recording of oral statements. The 4th Amendment protects people, not places. What a person knowingly exposes to the public, even in his own home or office, is not a subject of 4th Amendment protection. But what he seeks to preserve as private, even in an area accessible to the public, may be constitutionally protected.

The Government's activities in electronically listening to and recording the petitioner's words violated the privacy upon which he justifiably relied while using the telephone booth and thus constituted a "search and seizure" within the meaning of the 4th Amendment. The fact that the electronic device employed to achieve that end did not happen to penetrate the wall of the booth has no constitutional significance.