

Judge: Use of GPS data in robbery case unconstitutional

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A federal judge has ruled that suburban Chicago police violated constitutional protections against unreasonable searches by accessing weeks of GPS data indicating a suspect's car had been outside a jewelry store when it was robbed.

The Chicago Daily Law Bulletin reported Wednesday that U.S. District Judge Gary Feinerman granted a motion by defendant Tobias Diggs to bar the [location data](#) compiled by Hinsdale police from his upcoming trial.

Prosecutors had cited a Supreme Court ruling that people don't have a legitimate expectation of privacy when they voluntarily provide data to a third party. But Feinerman said that doesn't apply to weeks of minute-by-minute location information kept by wireless carriers.

Diggs' lawyer, Douglas E. Whitney, said he was grateful for what he called Feinerman's "meticulous legal analysis."

Prosecutors declined comment.

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