

Your Facebook privacy settings don't block access by the U.S. Government. Any one of your Facebook "friends" can be pressured into exposing your messages, wall posts and photos. Once you give "friends" permission, they are free to give anyone else permission to gaze into your life through **their account**. Look what's happening to Mr. Meregildo, in New York.

Uncle Sam could not get direct access to Mr. Meregildo's Facebook account, and it lacked the probable cause to obtain a search warrant. So, the Government made a real "friend" of one of Mr. Meregildo's Facebook "friends. Uncle Sam's new buddy gave access to Defendant's page. This allowed government to circumvent privacy settings of the Defendant. The U.S. Government then applied for a search warrant seeking direct access to Mr. Meregildo's Facebook account.

Mr. Meregildo's lawyer attacked the Government's method of developing probable cause, and moved to suppress. [Judge William H. Pauley, III](#), a President Clinton appointee, gave the Defendant's rights a good 'ole Tanya Harding whack across the knees in his August 10, 2012 opinion, captioned as [United States v. Meregildo](#), in the U.S. District Court, Southern District of New York, #11CR576 (WHP).

Sharing with "friends" gave the Government access needed to see "*...posted messages regarding prior acts of violence, threatened new violence to rival gang members...*" It was access to the Defendant's Facebook page that "formed the core of the Government's evidence of probable cause supporting its application for a search warrant."

Judge Pauley held that when privacy settings restrict postings and photos to "friends, " the Government may access your profile through access of any cooperating witness that is on your "friends" list. This does not violate the Fourth Amendment to the U.S. Constitution. It's like a phone call, where one of the parties agrees to let the Government record the call. So think of all your Facebook "friends" as if they are wearing a wire!

According to this judge, we have no reasonable expectation that our restricted profile information will be kept private, in turn, by our "friends." Our "friends" are free to cooperate with the Government, and to disclose information necessary to convict us of crimes.

Instead of a "poke" button, perhaps Facebook could add a "probable cause" button for our "friends" to push when cooperating with the authorities to send you to prison.