

Due process

Law



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The significance of due process to the United States criminal justice system is that it protects criminals from the government. Due process guarantees that no individual is deprived of their rights of life, liberty, or property without first being given a chance to argue their own case (Morrison, 2008). If any of these aspects are at risk of being rid of, then due process is implemented, allowing them first a hearing or trial to determine their side of the case. The due process essentially goes along the lines of “innocent until proven guilty”; unless a person has been indeed proven guilty, they cannot be treated as something other than innocent, meaning that they are entitled to everything that the law offers them.

While some states only allow due process to be implemented for people of the state, there are many other states that allow it to include individuals as well. Due process has helped many people in the criminal justice system hold on to their rights until a verdict has been set in their case. In a country that prides itself on freedom, the due process clause properly allows it in all cases.

References

Flack, H. E. (2010). *The adoption of the Fourteenth amendment*. Charleston, SC: Nabu Press.

Morrison, W. (2008). *Politics of the common law: Prospectives, rights, process, institutions*. New York, NY: Taylor & Francis, Inc.