

Due process in america and people dangerous to others

Law



The due process is the right to be treated equally it is granted to us by the judicial system and the United States Constitution. We can refer to the fifth and fourteenth amendment. The fifth amendment says, ' that no one shall be deprived of life, liberty, or property without due process of law.' The fourteenth amendment states and uses the same eleven words, called the due process clause, to describe a legal obligation of all states. Every citizen has the right to due process, but it eventually stops when citizens violate the laws. There are two types of due process. There is procedural and substantive. Procedural due process involves an analysis of the procedure required by the constitution when states seek to deprive people of life, liberty, and property. Substantive due process involves the state's power to regulate certain activities.

The " no fly" list, is a list of people who cannot travel by aircraft, because they are a danger to others. If being on this list, they have the right to refuse any service to that specific individual. Even though most of America does background checks. There's something called a " loophole" where they are free from obligation, meaning they could buy a firearm without having to check their background. With this being said, guns can easily get in the hands of very dangerous people and murders. People who are on the " no fly" list should get the substantive due process. That way the government has control over them and they can regulate and observe their activity, not only for their safety but for the safety of American citizens. Prohibiting gun sales to those on the " no fly" list would be a great idea. They are on the list for a reason (being considered dangerous to others) its better to prohibit

them now instead of being too late, causing many deaths of innocent Americans.

The Dallas shooter who was recently killed by a robot carrying a bomb, did not receive due process. People will not receive due process depending on the circumstances. People are unable to receive it when the individual is threatening someone's " life, liberty, or property". Which the Dallas shooter was doing. Threatening the lives of many innocent Americans. The government is just trying to protect Americans and will do what they can to do so. You either have one dead criminal or up to a thousand innocent Americans. Everybody should have a due process until proven guilty. Unless they are a danger to other people. Due process is a very important right we have. Without it there would be chaos. Many murders as well. We would basically have no equality, and anyone would be able to violate our rights.

In the Philippines, during President Rodrigo Duterte's career, he ordered police to kill anybody that had ties with drugs. In his election campaign speech broadcast on June 30, 2016, Duterte encouraged citizens to kill suspected drug dealers or users as a " duty" and even offered huge bounties to people who turned in drug dealers, didn't matter if dead or alive. During his presidency election he promised honor treaties and international obligations as well as domestic Philippine laws. He is currently doing the opposite by denying his citizens the right to life and many other basic rights. Police are also taking advantage of the power of killing. They are even kidnapping family members of drug dealers. Duterte even has a " kill list". In this list were the names of drug dealers that needed to turn themselves in to

police custody. They are not safe in police custody much less in prison.

These orders have even led to the killings of innocent civilians who are not even into drugs or distributing drugs, police and other people are taking advantage and it is not fair.

In conclusion, America needs to have a strong due process, unless they are going on a killing rant. For example, if someone is serving jail time, they should be able to have a due process. In other words, if someone just starts shooting in a public place and killing hundreds of innocent people, they shouldn't be allowed to have a due process. Law enforcement needs to act fast.

Work Cited

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