

DUE PROCESS

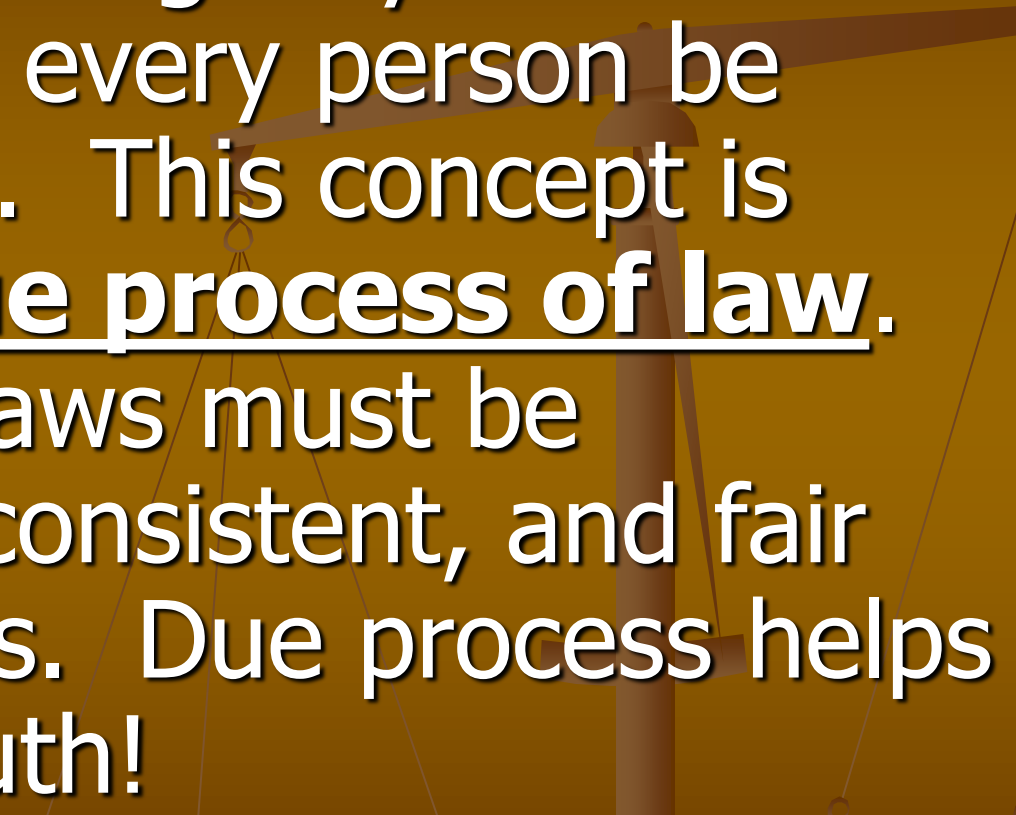


5th Grade Social Studies –GPS

By Carole Marsh

Let's Be Fair!

The American legal system requires that every person be treated fairly. This concept is known as **due process of law**. It says that laws must be reasonable, consistent, and fair for all citizens. Due process helps get to the truth!

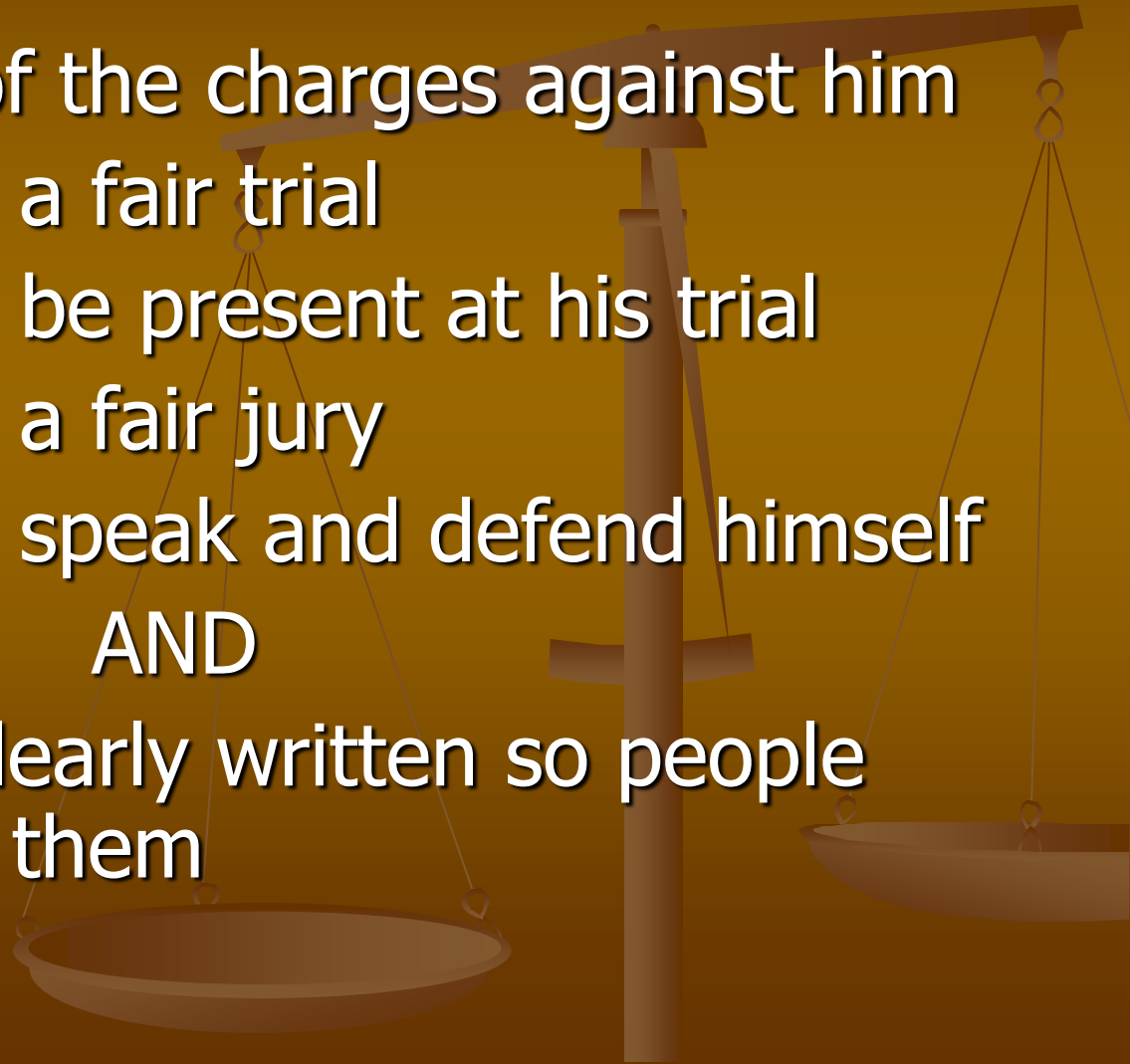


Over the years, the United States government has set up some basic rules for due process. They include: Accused person

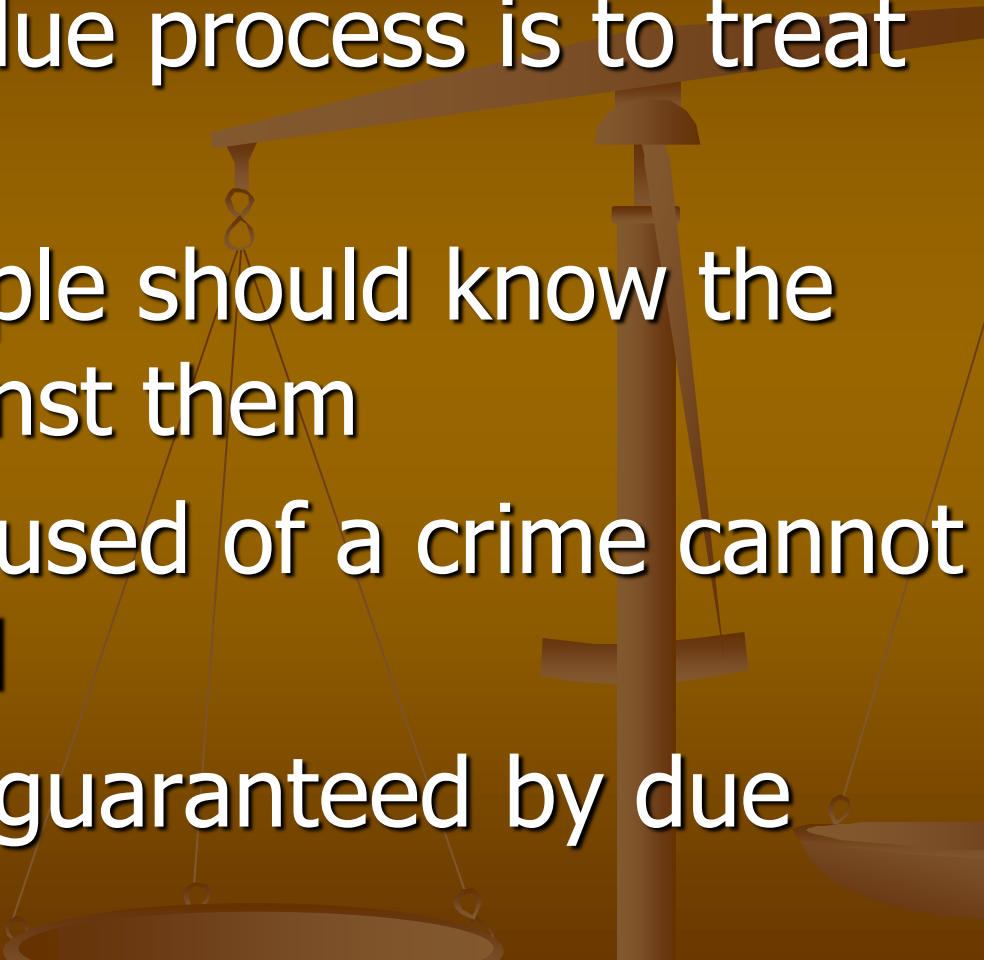
- Has to be told of the charges against him
- Has the right to a fair trial
- Has the right to be present at his trial
- Has the right to a fair jury
- Has the right to speak and defend himself

AND

- Laws must be clearly written so people can understand them

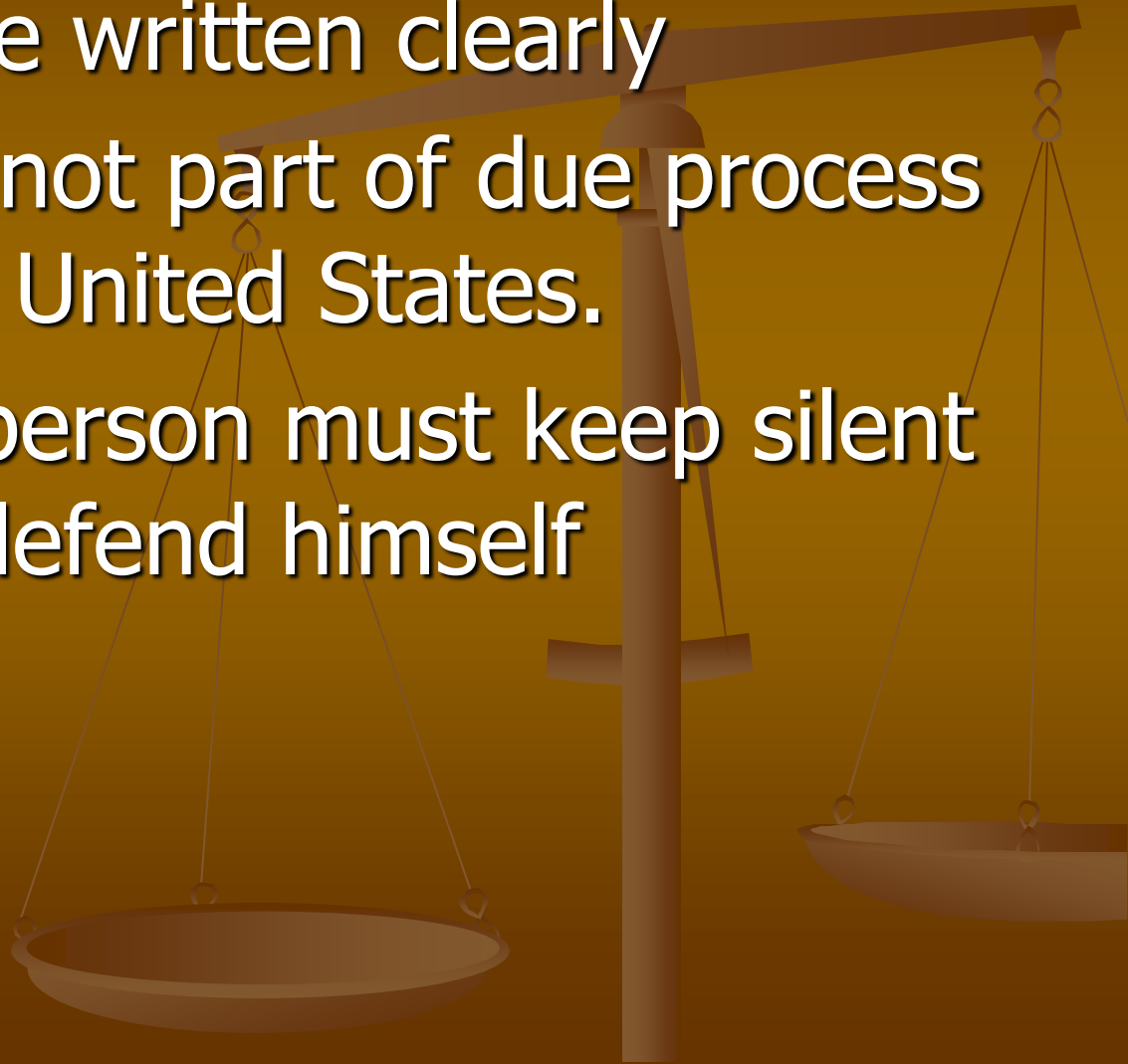


Decide if these statements about due process are true or false.

1. The goal of due process is to treat people fairly
 2. Accused people should know the charges against them
 3. A person accused of a crime cannot go to his trial
 4. A fair jury is guaranteed by due process
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Decide if these statements about due process are true or false.

- 5. Laws must be written clearly
- 6. A fair trial is not part of due process of law in the United States.
- 7. An accused person must keep silent and cannot defend himself



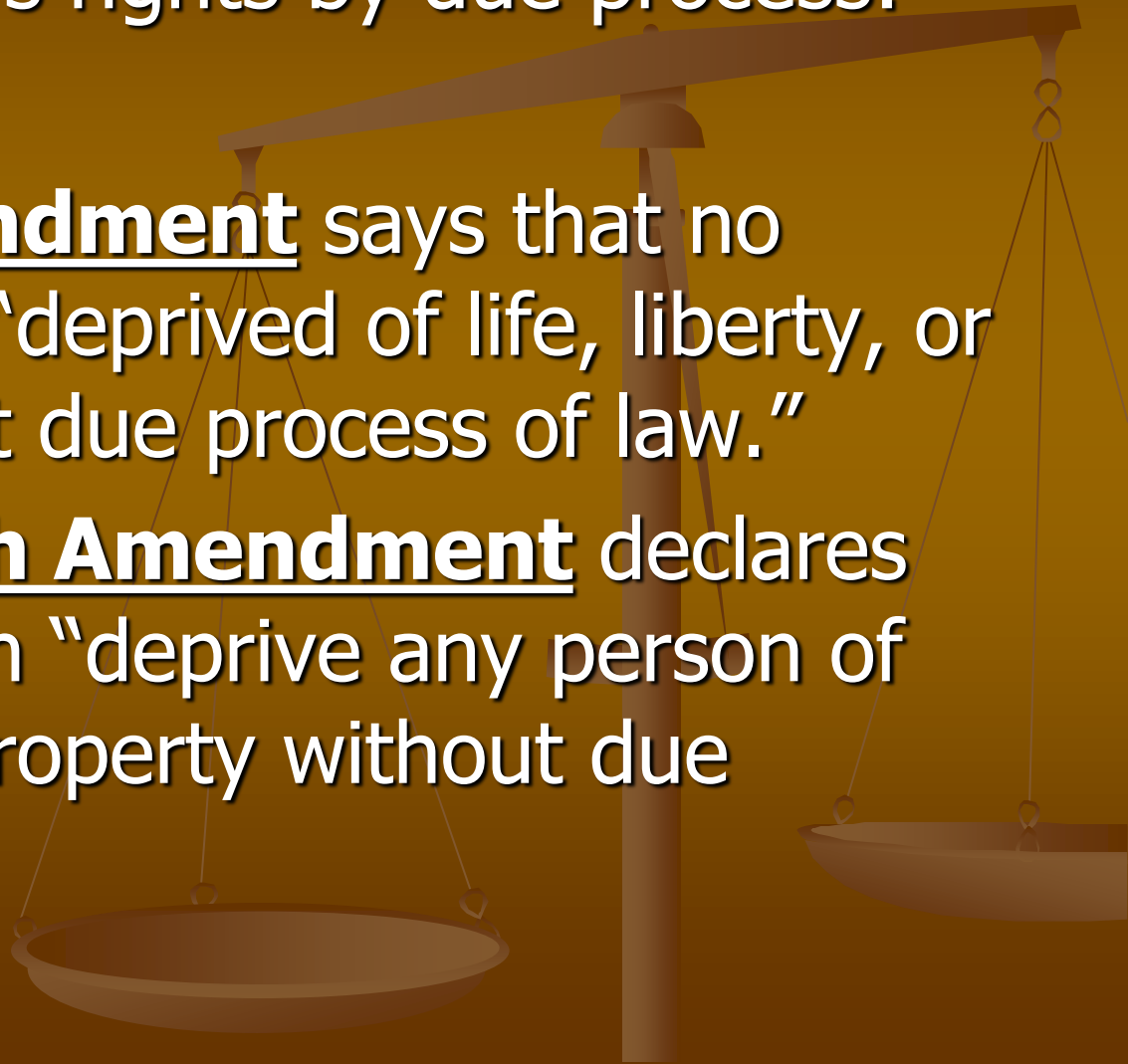
Answers

1. True
2. True
3. False
4. True
5. True
6. False
7. False



Due process is an important concept in the U.S. Constitution. Several amendments protect a citizen's rights by due process:

- The **Fifth Amendment** says that no person shall be “deprived of life, liberty, or property without due process of law.”
- The **Fourteenth Amendment** declares that no state can “deprive any person of life, liberty, or property without due process of law.”



Read the situation below. Decide if the person experienced due process of law.

1. Charles Wright was accused of murder. He went to trial and was found guilty. Later, his family learned that one of the jurors knew Charles in school and never liked him.

NO



Read the situation below. Decide if the person experienced due process of law.

2. Susan Taylor was accused of bank robbery. She went to trial and was found guilty. Her lawyer told her she could not speak in the courtroom to defend herself.

NO



Read the situation below. Decide if the person experienced due process of law.

3. Ryan Harper was accused of taking money from his employer. He was not told of the charges against him before he went to trial. He went to trial and was found innocent.

NO

