

Trump: “We Cannot Allow all of these People to Invade our Country”. Unwanted Aliens Denied Due Process and Equal Protection under Fifth Amendment

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On Sunday, Trump disgracefully tweeted: “We cannot allow all of these people to invade our Country. When somebody comes in, we must immediately, with no Judges or Court Cases, bring them back from where they came,” adding:

“Our immigration (is) laughed at all over the world.”

US immigration policy is the shame of the nation under Republicans and undemocratic Dems, along with a whole lot more – mocking the notion of equity and justice for all, a nonstarter in America.

Due process is constitutionally guaranteed by the Fifth Amendment, stating:

“No person shall...be deprived of life, liberty, or property, without due process of law.”

It applies to all states by the 14th Amendment, a universally recognized principle – derived from the 1215 Magna Carta, stating:

“No free man (woman or child) shall be seized, or imprisoned, or stripped of his (or her) rights or possessions, or outlawed, or exiled, or deprived of his (or her) standing in any other way, nor will we proceed with force against him (or her), or send others to do so, except by the lawful judgment of his (or her) equals, or by the law of the land.”

“Due process of law” later substituted for “the law of the land.” It’s inviolable. Invoking executive authority otherwise is flagrantly unlawful.

Responding to Trump’s tweets, the ACLU tweeted its own, saying:

“What President Trump suggested here is both illegal and unconstitutional.”

“Any official who has sworn an oath to uphold the Constitution and laws should disavow it unequivocally.”

In Plyler v. Doe, the Supreme Court ruled that “illegal aliens... may claim the benefit of the (14th Amendment’s) Equal Protection Clause, which provides that no State shall ‘deny to any person within its jurisdiction the equal protection of the laws.’ “

Equal protection applies to government at all levels, as required by the Fifth Amendment due process guarantee.

The protection applies to everyone within the borders of America. Presidents, Congress, state and local authorities cannot legally deny this right to anyone.

The Sixth Amendment guarantees criminal defendants

“the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.”

Summarily deporting unwanted aliens denies them due process, equal protection, legal counsel, and other constitutional rights - along with what the Magna Carta affirmed for everyone - including in Trump’s America.

In Brown v. Board of Education (1954), the Supreme Court ruled that separate is inherently unequal. Segregation based on race violates equal protection under the Fifth and 14th Amendments.

In Mapp v. Ohio (1961), the High Court ruled against evidence collected in violation of Fourth Amendment protection from an unlawful search, as well as Fifth and 14th Amendments’ due process clause protection.

In Gideon v Wainwright (1963), the Supreme Court affirmed the defendant’s Sixth Amendment right to legal counsel and 14th Amendment equal protection right in a criminal proceeding denied him by Florida and the state’s high court.

Constitutional law and High Court rulings affirm the inviolability of due process and equal protection rights.

If Trump’s tweets quoted above become regime policy, he’ll flagrantly violate these rights afforded everyone in America.

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