



ACCURACY
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When to Take the Fifth (Amendment)

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The Fifth Amendment may be the Left's favorite entry on the Bill of Rights but a relatively conservative law professor makes a pretty persuasive case that it should be more universally embraced.

"The use of the Fifth amendment has become perilous within the past five years," James Duane, a professor at Regent University Law School, said recently at the libertarian Cato Institute.

For one thing, there are too many laws one can break: They go well beyond the Ten Commandments. "The federal government today has over 10,000 criminal violations on the books," Duane observes.

Moreover, "This country is convicting too many people for crimes they did not commit," he avers. He notes that, "DNA evidence has proven the innocence of people convicted for up to 20 years or more."

Perhaps somewhat surprisingly, he surmises that in academia, "a large number, and probably a majority, say that in the 1960s, the Supreme Court was too lenient and permissive."

Duane is the author of *You Have the Right To Remain Innocent*. Duane is an admirer of the late Antonin Scalia and a former classmate of Obama Administration attorney general Loretta Lynch.

Millions have viewed his lectures on YouTube, alternately titled Never Talk to Police and Don't Talk to Police. "Cops tell their kids, 'Don't talk to police,'" he claims.