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Actually, Senator Manchin, due process protects us

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Maybe West Virginia's own Democratic U.S. Senator, Joe Manchin, the candidate who famously shot a bullet through the "Cap & Trade" bill during his Senate campaign, deserves a bit of a break for his outrageous statement on national television.

It was 7:30 a.m. last Thursday under the pressure of a Washington television studio's lights and feeling the need to say something in the wake of the Orlando shooting, the successor to the late Robert C. Byrd suggested eviscerating the rights of all Americans.

"The problem we have — and really, the firewall we have right now, is due process. It's all due process," the senator said on the CSNBC's "Morning Joe" program.

Understandably, like all of us, the senator is angry, frustrated and feeling helpless to stop attacks of madmen bent on killing others. Maybe the talkative senator spoke without thinking his statements through.

"So can't we say that if a person is under suspicion, there should be a five-year period of time that we have to see if good behavior, if this person continues the same traits?" Manchin asked the network's moderators. "Maybe we can come to that kind of an agreement."

Then he added: "But due process is what's killing us right now."

Keep in mind that it was Sen. Manchin's predecessor, Byrd, who doggedly protected the U.S. Constitution and called out any actions that threatened it.

Surprisingly, Manchin's statements have been barely noticed by national and local media, yet government watchdogs are alarmed.

"With all due respect, due process is the essential basis of America," Ilya Shapiro, a senior fellow in constitutional studies at the Cato Institute, told the Weekly Standard.

"The Constitution was established to 'secure the blessings of liberty' — that's the whole purpose of our government — and that government can't deny us our life, liberty or property without due process of law," Shapiro said, referring specifically to the Fifth Amendment. "If the government wants to deny someone's liberty, it better have an awfully good reason, and it better be ready to defend itself in court immediately."

The Founders included due process in the Bill of Rights because they had experience with a tyrannical government locking people up without a hearing or a trial. Such an act by the government would be a major crime in itself. We trust that surely, the good senator doesn't want to turn the country into a police state.

Could someone in the senator's office please find Byrd's copy of the Constitution and pass it on?