

N433 The Lake Assignment

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<https://thisiscriminal.com/episode-117-the-lake-6-21-2019/>

This podcast focuses on child neglect, social justice, and the nurse's role in involving the state. After listening, answer the following questions completely. You must include at least 1 scholarly source within the last 5 years that addresses child abuse or removing children from parental custody to support your opinion in at least one of the questions. This source must be properly cited with in-text citations and the full citation must be provided in APA format. **Total word-count for this assignment is to be no less than 700 words** (this only applies to the content of your answers, not the questions or citations).

1. Do you think that investigators (DCFS/police) made assumptions based on the social status of Amanda and Maurice?

After listening to the podcast, it is easy to realize that the investigators (DCFS/ police) made their assumptions based not only on the social status of Amanda and Maurice but also based on the report by the alleged culprits. Maurice, an African American, was dating Amanda, a white female who has 3 white children; it doesn't look at first a threat to the children. However, considering the poverty status of the couple, Maurice would have been driven to get rid of the unwanted children. Being financially poor would not cause Amanda to plan the murder of her children since she and her children benefit from the Federal assistance program, which provides housing and food. Although the circumstance surrounding the incident remains unclear, after trials of both Amanda and Maurice, the investigators could make assumptions based on the report by the alleged culprits when presenting the incident to the police. For instance, Maurice

testified that he parked the car in reverse on the boat ramp, and the nose of the vehicle facing the lake, a few feet from the water, which wasn't safe for the children and demonstrated recklessness. In addition, Maurice did not hit the brake when the car started moving down towards the water. On the other hand, Amanda testified that Maurice happened to be frustrated by the children at home; Maurice got confused, switched the car to the wrong gear, and hit the gas. The podcast reported that she seemed less concerned about the loss of her children, and she did not do what she could do to save her children's lives.

2. Based on your knowledge of psychotropic medications, do you think it was appropriate for investigators to interrogate Amanda after she received 3 different medications while admitted in an inpatient psych unit? (this occurs around 11 mins in).

Psychotropic medications are prescribed to treat various mental health issues such as anxiety, depression, schizophrenia, post-traumatic stress, etc. These medications can have adverse reactions such as headache, dizziness, drowsiness, constipation, dry mouth, sleep disturbances... (Jones & Bartlett, 2020). In my opinion, investigators were not wrong to interrogate Amanda after receiving 3 different medications while she was admitted to an inpatient psychiatric unit. This was appropriate because the investigators wanted to determine if Amanda would be unstable in her answers while she was interrogated. The podcast mentioned that the police officers at the hospital asked her several times about planning to harm her children, and Amanda repeatedly admitted that she planned to do so.

3. Based on Maurice's testimony (about 15 mins in) regarding his behavior with Amanda's children, do you think he was acting maliciously or using poor judgment during the day of the accident?

Based on Maurice's testimony, it is evident that Maurice was acting maliciously to accomplish what he had planned to do to Amanda's children. It is crucial to underline specific details regarding Maurice. First of all, Maurice was not the biological father of Amanda's children; he later testified that he was not really in love with Amanda, but if Maurice stayed with her just because he did not have somewhere else to go. Maurice testified that he parked the car in reverse on the boat ramp and the car's nose facing the lake, a few feet from the water. Maurice was playing around kids, acting as he was going to drive into the water. This was not a prank or a jock that turned wrong, but a deliberate plan that he successfully accomplished. Maurice said, "I didn't hit the break, I panicked, I can't tell you why..." this reveals the motive of not making any effort to save the children. As a man, he would have tried everything to his abilities to change the course of the event.

4. Do you think there was a racial bias that impacted Maurice's sentence more than Amanda's?

American justice has a history of biased trials based on skin color. Racial bias has been a cause of many incarcerations or unfair trials in favor of white clients. However, in the case of Maurice and Amanda, I don't support the idea that he was convicted of murder and sentenced to life in prison because of the difference in their skin color. Although it is unclear whether or not Amanda participated in the murder of her own children, Maurice's actions constituted a threat to the life of the children. During trials, he admitted once trying to put the child in the oven. Maurice was the driver and decided to park the car a few feet away from the water on the boat ramp.

5. Since Amanda was convicted of child endangerment, do you think she has the right to have additional children after serving her time in prison?

Amanda was convicted of child endangerment and served 5 years of incarceration. After being released from prison, I think Amanda has the right to have additional children as long as they are surrounded by the conditions that keep them safe. The point is to evaluate whether or not Amanda, with her new partner, can take care of children and keep them safe. Although the court should be more cautious and not allow another disaster to happen to other children due to her recklessness or any social issue but should not only rely on what happened in 2003. The court has to evaluate the client and make the right decision because people can learn from their wrongdoings after being released from prison and change their behaviors.

6. Do you think the hospital staff had the right to notify DCFS that Amanda Hamm had more children? What about the father's rights?

In the United States, more than 10% of children are affected by child abuse, mainly resulting from family dysfunction. Pediatricians are expected to play an essential role in the early detection and prevention of abuse. Pediatricians have guidelines to help them definitive steps to suspect and report neglect and child abuse (Kairys, 2020). In the case of Amanda Hamm, I am optimistic that the healthcare providers have the right to say to DCFS that Amanda Hamm had additional children because of the incident that took place in 2003 about the drowning of her 3 children. As mentioned early, hospital staff have an essential role to play to prevent situations that can put the life of the children in danger. Since Amanda is linked to a case involving neglect or child abuse, it was reasonable for the hospital to notify the DCFS for investigations. Although the father hasn't been involved in child abuse, he lost his rights not for being married to Amanda

but because of his criminal record, felony convictions, and domestic violence. All put together, the court would not let the father have custody of the 3 children.

7. What is your opinion on "anticipatory neglect" in this case? Do you think that the courts ruled in the benefit of the Hamm-Ware children in this case?

In my opinion, anticipatory neglect is a complicated and complex matter because it has to weigh the children's risk. In this case, I think it was the right decision that the court had to take for the safety of the children, even though these children did not show any signs of neglect or abuse. Since Amanda hasn't proved any positive change about her social status and has another set of 3 children with Hamm-Ware, who has a history of criminal record, felony convictions, and domestic violence, the court had no choice than apply the anticipatory neglect principle to prevent any harm to the children. In my opinion, by making the father's sister the children's guardian, the court ruled in favor of the children because none of both parents has a clear record that would grant him the custody of the children.

Reference:

Kairys S. (2020). Child Abuse and Neglect: The Role of the Primary Care Pediatrician. *Pediatric clinics of North America*, 67(2), 325–339. <https://doi.org/10.1016/j.pcl.2019.11.001>

Jones & Bartlett Learning. (2020). *2020 Nurse's drug handbook* (19th ed.). Burlington, MA.

