

The Lake Assignment

<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 600 words** (this only applies to the content of your answers, not the questions or citations).

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

Research shows that individuals of lower economic status are more likely to be arrested and convicted of crimes (Miller, 2015). Amanda and Maurice both came from low socioeconomic statuses. They lived in public housing and received financial help for groceries and utilities. Amanda had an insignificant history of employment, and Maurice was unemployed at the time. I think that all these factors affected assumptions made by investigators related to the case.

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

Psychotropic medications can improve or alter mental capacity. These medications can cause confusion, disorientation, and sedation. If Amanda had a previous mental health condition that required medication for stabilization, an interview while on medication would be okay as it could improve her competency. In this situation, there were no indications that Amanda had a preexisting mental condition requiring medication for stabilization. Due to this, interviewing Amanda while medicated was inappropriate because it could result in her saying things that are not accurate.

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?

In Maurice's testimony, there were no indications of malicious behavior toward the children. Amanda supported this by stating that Maurice was very close with the children during her interview and would never do anything to hurt them. Maurice stated that he tried to get the doors open to the back seats but could not open them. Evidence supports that the doors were locked and unable to be opened. Maurice states that he was panicking and recollects calling 911 for help. Prosecutors criticized Maurice for not trying harder to get the children out of the vehicle, but in situations of panic, every individual has a different response. While Maurice did not have malicious intentions, he used poor judgment by parking so close to the water, not attempting to grab the children in the back seat, and not braking when the car started going toward the water.

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

Maurice was an unemployed, young black man with a history of cannabis use and unfaithfulness. In the United States, black people are seven times more likely to be convicted of murder crimes they did not commit than innocent white individuals (Gross et al., 2017). Black males are also more likely to be convicted of murder if the victim is white. Evidence presented in both Amanda and Maurice's trials was similar. Amanda was found not guilty of murder and allowed a lesser sentence with a charge of child endangerment. In Maurice's case, the judge did not allow jurors to choose a lesser charge of manslaughter or child endangerment, giving them only the option of first-degree murder. Due to this, Maurice was found guilty of first-degree murder and sentenced to life in prison. Based on the evidence presented in both Maurice and Amanda's cases, it is hard to deny that racial bias did not impact Maurice's sentence.

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 should have complete control of her reproductive rights. Amanda completed her sentence for child endangerment and should be allowed to have additional children. While it may be concerning, there are no indications that Amanda will harm future children. During an interview, Amanda expresses reflective statements regarding past behavior that supports efforts to change and new ways of thinking.

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

According to research, individuals who have lost their children due to neglect or abuse are likely to return to court for similar issues with other children, often newborns (Broadhurst & Mason, 2017). Due to this, I can understand the hospital staff's concerns about the infant's well-being. Despite concerns, Amanda no longer has an open case and should have the opportunity to rebuild her life following rehabilitation. The father also had no previous history of child abuse or neglect.

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?

While the courts must be aware of parental history, courts should focus on current conditions (Broadhurst & Mason, 2017). Parental circumstances can change, allowing parents to care for their children adequately and safely. In this case, there were no indications that Amanda and her husband would neglect their children. Removing children from their homes is also likely to result in adverse effects, including instability, confusion, and emotional and developmental delays.

References:

Gross, S., Possley, M., & Stephens, C. (2017). *Race and wrongful convictions in the united states*. National Registry of Exonerations.
http://www.law.umich.edu/special/exoneration/Documents/Race_and_Wrongful_Convictions.pdf

Broadhurst, K. & Mason, C. (2017). Birth parents and the collateral consequences of court-ordered child removal: towards a comprehensive framework. *International Journal of Law, Policy and the Family*, 31 (1), 41–59. <https://doi.org/10.1093/lawfam/ebw013>

Miller, B. (2015). Social class and crime. *The Encyclopedia of Crime and Punishment*.
[doi:10.1002/9781118519639.wbecpx150](https://doi.org/10.1002/9781118519639.wbecpx150)

**The Lake Assignment Rubric
N433: Clinical Learning Activity**

Criteria	Points Possible	Points Earned	Comments
Provided thoughtful and comprehensive answers to each question.	15		
Included a relevant scholarly source published within the last 5 years.	3		
APA format	3		
Content of assignment is 600-words	4		
Total points	25		