

## 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).

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

I do think the courts mistreated Amanda and Maurice based on social biases. Recent events and news portrayals of injustices based on race and social status may have skewed my opinions. Still, it was difficult to ignore the inconsistencies in Amanda's and Maurice's treatment. The way that the investigator interrogated Amanda in the audio clip was entirely unprofessional. The podcast presented the story in a way that seemed to insinuate Amanda and Maurice were innocent, which may or may not have been accurate. Based on the evidence presented in the podcast, I am not convinced that they committed any real crime against their children.

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).

Several types of psychotropic medications can alter a patient's perception of events and reality. Any combination of three drugs would likely affect Amanda's answers, especially in a high-stress situation. Also, the police interviewed her for seven hours. This amount of time is long enough to make most people agree to anything. The police compared this case to another unrelated case, which did not prove anything against Amanda or Maurice.

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?

Maurice acted in poor judgment on the day of the accident, but no evidence suggested that he acted maliciously or with any intent to harm the children. The description of his involvement with the 911 call describes a man who was genuinely concerned for the safety of the children. Any person who cared about someone would be panicked in a similar situation. He described his efforts to get them help as quickly as possible when he realized he could not open the doors. The owner's manual for the car states that the doors would have locked from the inside.

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

As stated earlier, my opinion is coming from a current environment that suggests everything is racially biased. Given the objective evidence that the courts only gave Maurice's jury the option of complete innocence or complete guilt and gave Amanda's jury the ability to convict her of "child endangerment," it is difficult to ignore the discrepancy.

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?

Once someone serves a sentence, they should be allowed second chances. Whether Amanda was innocent or guilty of anything, the jury sentenced her to five years in prison. The court did not place a life sentence on her, so I feel that she had the right to start her life over.

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?

While HIPAA allows nurses to report suspected child abuse, anticipatory neglect does not seem explicitly covered (OCR, 2020). The nurse had no reason to suspect that Amanda's current

or future children were in danger of abuse. Hospital staff made a choice based on a patient's name, which seems wrong to me.

Based on the evidence presented in the podcast, I do not see any reason that Amanda and Leo should have had their children taken away. Leo had no prior history that would have led to child protective services taking the children from his custody in the manner that they were.

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?

This podcast did not present a valid case for anticipatory neglect in this case. Amanda maintained a clean past for the past 11 years, and she was rebuilding her life around her current children. According to Broome (2019), nurses can report what they observe in terms of suspicion of abuse in cases where injury, certain types of sexual exploitation, or emotional abuse (Broome, 2019). The nurse that submitted the call to DCFS did not meet any of these criteria. In this case, the Hamm-Ware household sounded like a safe place to raise the children. There is a chance that the children were more guarded in their new home, given Leo Ware's drug history presented at the end of the podcast. However, the healthcare system and courts did not treat Amanda Hamm and Leo Ware the same as another family in the same situation would have experienced.

## References

Broome, P. H. (2019). Abuse & neglect of a child: What are the responsibilities of the nurse?

*Mississippi RN*, 81(3), 6. <http://ezproxy.lakeviewcol.edu:2079/ehost/pdfviewer/pdfviewer?vid=13&sid=27fe8301-d89d-4468-813c-600f272fc3e4%40sessionmgr4006>

Office for Civil Rights Headquarters (OCR). (2020, January 31). *Your rights under HIPAA*. U.S.

Department of Health and Human Services. <https://www.hhs.gov/hipaa/for-individuals/guidance-materials-for-consumers/index.html>

<b>Criteria</b>	<b>Points Possible</b>	<b>Points Earned</b>	<b>Comments</b>
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		
<b>Total points</b>	<b>25</b>		