

When can parents be held responsible for their children's crimes?

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On September 4th, Colt Gray, a 14-year-old student at Apalachee High School in Georgia, shot dead two students and two teachers and wounded nine other people. Two days later, the boy was brought into court to face charges—as an adult—on four counts of first-degree murder.

His father, Colin Gray, aged 54, appeared in the courtroom that day, too. After the judge told Colt a conviction could send him to prison for the rest of his life, he had a similar message for Colin. If convicted of the two charged counts of second-degree murder, four of involuntary manslaughter and eight of cruelty to children, the elder Gray could be sentenced to as many as 180 years in prison. The state's case against the father has not yet been made in detail, but it involves the AR-15-style semiautomatic assault rifle he gave Colt as a Christmas present last year—not itself a crime—and his apparent negligence in informing the school of Colt's mental health. (In contrast, the boy's mother, who is separated from the father, reportedly contacted the school on the morning of the shooting to warn of an impending “extreme emergency”.)

America's criminal-justice system operates on the principle that individuals are responsible for their actions. Why, then, is the shooter's father facing the possibility of spending the rest of his life behind bars, especially given Georgia's decision to try his son as an adult? In what circumstances are parents legally accountable for the misdeeds of their offspring?

Another school shooting three years ago offers a precedent. Ethan Crumbley was 15 when he killed four students at Oxford High School in Michigan and wounded seven other people, including a teacher, with the semi-automatic pistol that his father, James Crumbley, had bought him four days earlier. In April this year, James and his wife Jennifer were sentenced to 10-15 years in prison for failing to lock up their weapons at home and for ignoring signs of their son's anguish. The Crumbley convictions marked the first time parents have been held criminally liable for a mass murder committed by a child. But the general principle that parents have a legal duty to control their children is long-standing. (...) Today laws imposing civil liability on parents for their children's crimes are found in all 50 American states, but most have a tight limit on damages (\$2,500 in Michigan, for example).

Shaundra Lewis, a professor at the Thurgood Marshall School of Law, notes that until 2024, states typically treated instances of parental negligence as misdemeanours. Charging parents for murders committed by their children, she says, is new.

Some observers worry that the advent of long prison sentences for parents of teen murderers risks prosecutorial overreach while doing little to curb mass shootings. But others, like Ms Lewis, reckon that the threat of punishment could be a deterrent; she says that “we have an obligation to do everything we can”. Perhaps prison for parents will encourage Americans to keep a better watch on their weapons—and on their children. ■