

5. FAMILY TIME

Horses and sex were Jennifer Crumbley's two major vices. These simple pleasures, prosecutors argued, contributed to Ms. Crumbley's distraction from the deteriorating mental state of her fifteen-year-old son, the Oxford High School shooter. On November 30, 2021, using a gun his parents had bought for him, the shooter opened fire at Oxford High School, ultimately killing four of his classmates and wounding others.

Just three days after the Oxford shooting, Karen McDonald, the Oakland County Prosecutor, made the historic decision to charge both of the shooter's parents, Jennifer and James Crumbley, with involuntary manslaughter, despite the fact that they had neither participated in the violent crime nor urged their son to commit it. Both Jennifer and James Crumbley were found guilty of involuntary manslaughter; these verdicts marked the first-ever conviction of parents for a mass shooting committed by their child.

McDonald argued that the Crumbleys had failed to perform their basic legal duties to exercise reasonable oversight over their child; the couple's negligence, she argued, made the shooting possible. Ms. Crumbley's time-consuming hobby of caring for horses and her extramarital affair were used to demonstrate her negligence as a mother. Mr. Crumbley was admonished for his failure to keep a semi-automatic gun—the murder weapon—secured in their home prior to the shooting.

While some rejoiced at the Crumbley couple's conviction, others viewed the ruling with more skepticism. Legal scholars point out that Jennifer and James Crumbley were essentially the guinea pigs of a legal experiment that upended the established principle of law: "people are not responsible for the actions of others." Many believe the verdict could set a new precedent for the degree to which parents may be held accountable for the criminal behavior of their children.

On the other hand, holding parents responsible for some acts of their children is not an entirely new concept. In 1903, Colorado was the first state to criminalize contributing to the delinquency of a minor. Proponents of these laws believe that familial conditions are a key predictor of a child's criminal behavior. Parental responsibility legislation quickly gained popularity; today, all fifty states have some version of parental responsibility laws.

Some are hopeful that the James and Jennifer Crumbley ruling may prevent future crimes of a similar nature. In an interview with *Today, Explained*, Quinn Klinefelter, a senior news editor for WDET, said that holding parents criminally responsible for their negligent behavior may lead other parents to think twice before allowing their child access to weapons or neglecting their mental health needs.

These convictions may provide members of the community affected by the tragedy with healing and closure. Although it is impossible to bring back the victims slain by the shooter, the Crumbley conviction offers hope that parents indirectly complicit in their child's crime may be held accountable for their failure to prevent such tragedies.

Critics of the verdict, however, believe that holding parents responsible for their child's actions is too extreme. Even if a parent diligently attends to their child's behavior and needs, they may still miss key

warning signs or misinterpret their child's actions or explanations. "If you put a microscope on anyone's life," Klinefelter wondered, "would anyone escape looking completely innocent?"

Sue Klebold, the mother of one of the Columbine shooters, knows this feeling all too well. Klebold, an average suburban mother by all accounts, had no idea that her son was experiencing mental health struggles before he carried out the shooting. In her essay, "I Will Never Know Why," Klebold wrote, "I think I believed that if I loved someone as deeply as I loved him, I would know he was in trouble. My maternal instincts would keep him safe. But I didn't know. And my instincts were not enough."

Because Jennifer and James Crumbley did not commit violent acts themselves, some argue that they do not pose a significant threat to the safety of the community and that the use of time, money, and public resources to prosecute the Crumbleys was wasteful.

There is an old legal saying, "Hard cases make bad law," which means that extreme cases are not a good basis for laws that will have a more general application. Looking beyond the Cumbleys' convictions, where could the precedent lead?