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Gray Area: An Extension of Parental Responsibility for Juvenile Crime

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In March of 2026, Colin Gray was convicted of murder.(1) Mr. Gray was not the primary actor in the crime; in fact, he was not even present at the crime scene. His criminal liability was attached instead to the acts of another person: his 14-year-old son. Prosecutors asserted that Mr. Gray was aware of his son's history of online threats, self-harm, property destruction, extreme school absenteeism, escalating aggression, and interest in school shooters, including creating a shrine of the perpetrator of a 2018 Florida school shooting in his bedroom.(2) Despite this knowledge, Mr. Gray did not engage his son in mental health treatment, bought him an AR-style rifle for Christmas, and allowed him to keep the gun in his room to avoid conflict. The following September, Mr. Gray's son used the rifle in a school shooting that took the lives of two students and two teachers. While the shooter awaited his own trial, Mr. Gray defended himself, arguing that his actions were misguided in hindsight but not criminal, and that "never in a million years" could he have foreseen the tragedy that unfolded.(3) The Georgia jury deliberated for less than two hours before finding Mr. Gray guilty on all 26 counts, including second-degree murder.(1)

Critics of the decision raise concerns that such a conviction extends too far beyond the core requirements of criminal law – *actus reus* and *mens rea* – and may lead to a slippery slope of parental responsibility for the crimes of their children.(1,3) On the other hand, with a heartbreakingly high and rising number of school shootings over the past few decades, (4) the nation has grown weary, desperate for answers, but with difficulty uniting in response. Proposals of gun control measures are an obvious reaction but face significant opposition. Still, specific measures such as safe-storage firearm laws show potential for reducing risk.(5) Calls for increased mental health services often receive wider support but rely on inconsistent funding, early identification of high-risk children, and follow through from both teens and parents. Many school districts have introduced

safety measures, including installing metal detectors, increasing the presence of school resource officers, and implementing active shooter drills.(4) While well-intentioned, these measures alter the school environment and may not be as effective as intended.(4) Families of victims have pursued civil cases against various parties, including gun manufacturers, families of shooters, law enforcement officers, and even one notable public figure in a defamation suit. While some suits were ultimately successful, many were dismissed based on difficulties with causation, governmental immunity, and federal shield laws. (1) With the mixed success of civil and legislative measures, some communities have turned to the criminal system to find justice in the aftermath of tragedy.

But how can a state justify criminal charges against a parent for the acts of a child? The legal foundation begins with the parental responsibility to supervise, and to some extent, to control a child. It is well established that parents do not have absolute discretion in their choices, and the state can intervene when there is abuse or neglect. (3) Throughout the country, parents may face vicarious civil liability when neglect of parenting responsibilities leads to property destruction or injury of a third party. (3) In some jurisdictions, parents also face penalties for delinquent behaviors of their children, such as fines, community service, or even jailtime for a child's truancy or curfew violations. (6) In all of these situations, the law recognizes an association between parenting deficits and the development of delinquent behavioral patterns. While some jurisdictions provide parenting classes and other resources to parents sanctioned for their children's delinquent behaviors, others intend for punitive measures against parents to serve as a deterrent against juvenile delinquency.(6) But even with these precedents in civil and family courts, it is historically rare for parents to be brought into criminal court for the acts of their children. To meet the higher burden of proof and requirement for a criminally culpable state of mind, prosecutors are limited to cases with evidence of parental criminal intent, recklessness, or extreme negligence.

Mr. Gray was not the first parent to face criminal charges following a school shooting. In 2022, Jennifer and James Crumbley became the first parents to acquire criminal convictions for their child's actions in a school shooting.(3) Specifically, prosecutors focused on the parents' failure to treat their son's escalating mental health concerns and allowing him to access a firearm that was used in the mass murder.(3) Many predicted the Crumbley convictions would be a rare event, that similar circumstances were unlikely to arise, and that perhaps the few similar parents out in the world would be deterred from providing weapons instead of mental health care for their struggling children. Since the Crumbley convictions, however, the list of parents held in some way responsible for their children's violent acts grew. An Illinois father pleaded guilty to misdemeanor charges after signing an application for a firearm that his son later used in a mass shooting. (7) A Wisconsin father faces felony charges for allowing his daughter

to access firearms used in a shooting at a Christian school.(7) A Virginia mother pleaded guilty to felony neglect after her six-year-old son used her unsecured handgun to shoot his teacher.(3) These cases of parental liability share several common elements, including apparent indifference to mental health crises, providing weapons to children, and ignoring specific warnings about a child's violent ideas.(3) Although this particular constellation of rare occurrences seems unlikely to repeat with any frequency, these recent cases illustrate that the Crumbley convictions were not entirely unique.

Charging parents for crimes committed by their children certainly sends a strong message, but it is difficult to say how much of a deterrent effect these cases may have. In Mr. Gray's case, for instance, evidence was introduced that he may have been aware of the convictions of the Crumbley parents but still failed to secure the firearms in his home. (7) Even if positive deterrent effects exist, there remains a possibility that parental responsibility laws could apply more strain on parents who have fewer resources to begin with, exacerbating inequalities rather than addressing underlying concerns. (5,6)

Only time will tell if Mr. Gray's conviction holds up on appeal, if similar cases will follow, or if this case warns of a slippery slope of parental responsibility for the acts of children. As the legal landscape for parental responsibility evolves, child psychiatrists should stay alert for changes that are relevant to clinical and forensic practice. We should continue to advocate for evidence-based strategies to prevent acts of violence in schools. In forensic practice, we can assist families and communities in recognizing risk, continue to build a body of research in this domain, and most importantly, align with parents, schools, and treating providers in providing mitigation strategies and support to struggling children.

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