Why we oppose prosecuting the parents of Michigan school shooter Ethan Crumbley

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The parents of 15-year-old Oxford High School shooter Ethan Crumbley were arrested early Saturday morning in Detroit following a law enforcement fugitive manhunt led by the U.S. Marshals Service that included a $10,000 reward for information leading to their apprehension. Officials conducted a search after the parents failed to appear at their arraignment on Friday afternoon.

James and Jennifer Crumbley were taken into custody by Detroit police at approximately 1:45 a.m. after their vehicle was spotted by a tipster near a light industrial building on the city's east side. Detroit Police Chief James White told local news media that the two "appeared distressed" but were unarmed and gave themselves up without resisting. Attorneys for the Crumbleys said they were "absolutely going to turn themselves in" and accused McDonald of not communicating with the defense team, despite multiple attempts on their part to reach the Oakland County prosecutor's office on Friday morning.

The couple was handed over to the U.S. Marshals and Oakland County Sheriff's Office and transported to the Oakland County Jail in Pontiac, Michigan, and placed in isolation cells, the same location where their son is being held. They were reportedly placed on suicide watch.

Ethan Crumbley was charged as an adult on 24 counts, including manslaughter and terrorism leading to death for shooting and killing four classmates and injuring six more students and one teacher on November 30. Crumbley carried out the shooting spree with a 9mm semi-automatic handgun between classes when the Oxford High School hallways were full of students and faculty. In five minutes, he fired more than 30 shots before he was stopped by on-campus police.

At the 30-minute arraignment of the parents on Saturday morning, Prosecutor McDonald demanded a $500,000 bond because the Crumbleys were considered a flight risk. With James Crumbley, 45, and Jennifer Crumbley, 43, appearing via video stream from the jail before Judge Julie Nicholson of 52-3 District Court in Rochester Hills, McDonald said, "This is a very serious, horrible, terrible murder and shooting and it has affected the entire community. And these two individuals could have stopped it." The prosecutor said that the parents had reason to know their son was dangerous, had given him the murder weapon and had failed to secure it.

Shannon Smith and Mariell Lehman, lawyers for the Crumbleys, argued that the prosecutor has "cherry-picked" the facts and that there is more involved than the court is aware. Smith said, "Our clients are going to fight these charges. Our clients are just as devastated as everyone else."

What took place last week was a horrific event. Ethan Crumbley committed a criminal act in taking the lives of four young people. But the decision of the Oakland County prosecutor to charge the parents with involuntary manslaughter for failing to stop their child from committing a horrible crime is inconsistent with charging their 15-year-old son as an adult. How can the court insist that the parents are responsible for the murders committed by Ethan Crumbley, when he is not being afforded the protections available to juvenile offenders?

One fact in the prosecution's explanation of the charges against the parents that Smith challenged at the arraignment was the claim that the murder weapon was left in an unlocked drawer at the Crumbley residence. But while his parents doubtless bear moral responsibility for what took place, moral responsibility and criminal legal culpability are altogether different

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matters.

Can it truly be said that the parents should have known it was *likely* that their son would kill his classmates on that day, as is required for conviction under Michigan's involuntary manslaughter statute? And what about the responsibility of the school administrators, who did not look in the boy's backpack? Already the prosecution is discussing the possibility of bringing criminal charges against the school as well.

As always after such events, the media and prosecutors search for individual blame. The killer is described as "evil," "unhinged," "a monster," with no thought given to what such events reveal about the society from which such individuals come. Nothing is ever served through such an approach.

After all, this "individual" explanation has not prevented any of the 230 plus school shootings that have taken place in the 21 years since the shooting at Columbine High School. Mass shooting deaths in US schools have been carried out with ever greater frequency over this period, and yet nothing ever changes in the way the official establishment responds to such horrific events.

After the February 2018 school shooting at Marjory Stoneman Douglas High School in Parkland, Florida, hundreds of thousands of young people demonstrated to demand not only restrictions on gun sales, but also a change to the deeply distressed society that gives rise to such events. But the ruling class did nothing, the protests dissipated and the shootings continued.

The Oakland County prosecutor charged the Crumbley parents because they "could have stopped" this crime. But who else "could have stopped" this and the countless other shootings that have ruined the lives of thousands of people in the past two decades? What about the politicians who have waged permanent war over this same period, poisoning the society with jingoism and the nonstop idealization of military violence? What about the fascistic gun lobby? What about those responsible for decades of cuts to education and mental health programs that make it so that troubled children can carry out such horrific acts?

The public is fully justified in demanding answers to questions about how it was possible for Ethan Crumbley to carry out a terrifying mass shooting at Oxford High School, especially when there were warning signs that he was psychologically disturbed and, apparently, he could have been stopped by removing him from the school earlier that day. But the fact is that the prosecution of Crumbley's parents by the Oakland County judicial system—with the support of the corporate media—will set a dangerous legal precedent. The state will be empowered. Children will be jailed for criminal threats without due process, many will be unfairly expelled, and the social ills that produce so many broken people will persist, paving the way for the next horror story.

The capitalist state proposes, as it always does, that the solution lies in putting more people in prison, bringing in more police, expanding the powers of prosecutors. But prosecuting the Crumbley parents for Ethan Crumbley's horrific crime will not stop the next school shootings. Such measures deflect the anger of the public away from the real source of the school shootings and instead attempts to direct it against individuals for what are social problems.

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