

A Shooter's Parents Were Convicted of Manslaughter. What Happens Next?

The prosecution of James and Jennifer Crumbley could affect the courts and parenting in the wake of the worst school shooting in Michigan history.

By Jacey Fortin

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When the prosecutor Karen McDonald decided to press criminal charges against the parents of the teenager who carried out the deadliest school shooting in Michigan's history, even some members of her own staff expressed doubts, fearing the case was too ambitious to win.

"It seemed a huge reach to try to hold the parents responsible," said Linda C. Fentiman, a professor emerita at Pace University who is an expert in health law and criminal law. "This was new legal territory."

But in the end, prosecutors were able to convince two separate juries that they had met their burden of proof. The parents, Jennifer and James Crumbley, were both found guilty on four counts of involuntary manslaughter — one for each of the students who had been shot to death by their son at Oxford High School on Nov. 30, 2021.

Now the question is whether the cases will affect the legal terrain around criminal law, parental responsibility and gun legislation.

Mark D. Chutkow, a lawyer and former federal prosecutor in Michigan, said that the unique circumstances in this trial made it unlikely that the country would see a barrage of similar cases in which parents are tried for crimes committed by their children.

Still, he added, more prosecutors might be likely to try Ms. McDonald's approach. "They've got a playbook to look at," he said. "And they can try to apply it, even in cases with maybe less compelling factors."

Mr. Crumbley, 47, was found guilty on Thursday, and Ms. Crumbley, 45, was convicted last month. Sentencing for both is scheduled for April, and each parent faces a maximum of 15 years in prison. Their son, Ethan, pleaded guilty to 24 charges, including first-degree murder, and was sentenced last year to life in prison without the possibility of parole.

In the trials of both parents, prosecutors focused in part on the Crumbleys' failure to take Ethan out of school after he made a violent drawing on the morning of the shooting that included a written plea for help. They also emphasized Ethan's access to a handgun that Mr. Crumbley had purchased.

At the time of the shooting, Michigan had not passed legislation requiring that firearms stored in the presence of minors be unloaded and locked up. (Michigan lawmakers passed legislation requiring that last year.) In order to hold a shooter's parents criminally responsible, prosecutors in Oakland County had to find another way.

They landed on involuntary manslaughter charges, which made the Crumbleys' cases extremely daunting for prosecutors: They had to draw a line of causation all the way from the parents' actions — or inaction — to the deaths of four high school students.



At Jennifer Crumbley's trial, lawyers pored over her communications with her son, including months of text messages, and tried to paint her as a distant and negligent mother. Pool photo by Mandi Wright

“Until this time, there’s been hesitancy to use that type of statute” on a shooting case like this, said Matthew Schneider, a former United States attorney who is a partner at the law firm Honigman LLP in Michigan. “But now people will be more willing to use it.”

The verdicts against the Crumbleys can still be appealed, and the lasting ramifications of the trial could hinge on what happens. If the verdicts are overturned, the cases could be seen as less consequential or even become a tool for defense lawyers.

But if they are upheld, they could serve as a blueprint for prosecutors, especially in states without gun storage safety laws. According to the Giffords Law Center to Prevent Gun Violence, 26 states have laws calling for guns to be safely secured in storage, either at all times or wherever a minor is likely to be present.

The trials could also have a psychological effect on families across the country.

Because of the outsize publicity, Professor Fentiman said, “it should put lots of parents on notice that they can be held criminally responsible if they give their child access to firearms.”

To some extent, the impact of the Crumbleys' cases may depend on how courts and the public read the behavior of the parents — a harried couple doing their best or egregiously negligent?

Defense lawyers for both parents argued that they had no idea their son was capable of such violence.

“We have maintained since Nov. 30, 2021, that James did not know that his son could or would harm anyone or that he had obtained the means to do so,” Mariell Lehman, Mr. Crumbley's lawyer, said in a statement after the trial.

But according to some experts, the parents seemed to miss so many red flags that the prosecutors' success could be hard to replicate in other cases.



In the trial of James Crumbley, much of the testimony focused on his son's access to a firearm. Bill Pugliano/Getty Images

“I don't see this as revolutionary, practically or legally,” said Steve Dulan, a lawyer and professor who is on the board of the Michigan Coalition for Responsible Gun Owners. “It really is just a sad, strange case.”

To Erin Davis, the director of litigation at the gun control group Brady United, a minor's easy access to a gun was critical in this case.

“I think prevention is a really important message that comes out of it this,” she said. “Safe storage is the pillar of responsible gun ownership.”

That message is likely to reverberate with parents, regardless of what happens with an appeal, said Mr. Schneider, the former U.S. attorney.

“I have guns in my house,” he said. “And I’ve always kept them locked. But now I’m absolutely certain they’re locked. There’s no room for error anymore.”

Jacey Fortin covers a wide range of subjects for the National desk of The Times, including extreme weather, court cases and state politics all across the country. More about Jacey Fortin