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Parental Legal Culpability in Youth Offending

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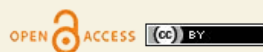
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Keywords

parental culpability, parental sanctions, juvenile delinquency

Abstract

When youth commit crimes, their parents may be held legally responsible for their actions. Parental legal culpability laws were developed to ensure justice for victims of crime but also deter juvenile delinquency. However, it is unclear if parental culpability has these desired effects or if it instead contributes to disparities that already exist in the justice system. This review provides a psychological perspective on parental legal culpability, highlighting the different types of offenses that parents may be held responsible for, including vicarious tort liability, status offenses, and criminal responsibility. Given the significant public discourse around certain types of crime, we also include focused discussions about parental culpability for youth violence and cybercrimes. We then consider the unintended consequences that may arise as a result of parental sanctions, from exacerbating racial and ethnic inequalities to imposing financial burdens that may put families at risk for further justice involvement. Finally, we discuss challenges to the efficacy of parental culpability laws, with recommendations for areas of continued research.

INTRODUCTION

On November 30, 2021, 15-year-old Ethan Crumbley opened fire on his classmates in Oxford Township, Michigan. Using a semiautomatic handgun, he killed four students and injured seven others, all within the space of five minutes. As sometimes happens in cases of extreme violence, Ethan was charged as an adult for his crimes. Acknowledging that he knowingly and deliberately killed his classmates, he pleaded guilty to all charges, including multiple counts of first-degree murder and terrorism. There is no dispute about the guilt of Ethan Crumbley as the perpetrator of the Oxford High School shooting, either from his own perspective or the view of the judicial system.

However, this is not the end of the case. Despite his guilty plea, there is an open question surrounding the legal culpability of Ethan's parents. The son committed the shooting, but his father purchased the gun for him as a gift just four days prior to the event. His mother is accused of being absent as a parent, and when Ethan began hearing voices and hallucinating, neither parent considered therapy or psychiatric help. Guns were left unlocked in the house, and calls from the school about concerning behavior were ignored by both parents. Although their son was charged as an adult and legally took responsibility for his crimes, for the first time in history, criminal charges were also brought against the parents of a school shooter.

In the United States, parents are widely understood to have legal responsibility for their children. Parents are legally required to provide for their child's basic needs, such as food and shelter, financial support, and supervision, until their children reach the age of majority. They also wield decision-making power, such as providing consent for medical treatment or deciding where to enroll their child in school. Along with these responsibilities, however, parents often bear legal culpability for their child's delinquent behavior. For instance, in all 50 states, parents have civil liability for their children—they are held financially responsible if their child engages in willful property damage, and parents can face fines or even jail time if their child is truant from school. Parents may also be subject to vicarious liability if their child intentionally injures another person, guided by the notion that they failed to effectively supervise their child or otherwise neglected their parenting responsibilities. Although it is rare, parents in some states may also have criminal liability for their child's actions, as previously noted in the Crumbley school shooting case. Although the juvenile justice system was initially created under the guiding principle of *parens patriae*, allowing the system to step in as a guardian for delinquent youth who otherwise lack parental support, parents are nonetheless found to be legally culpable for a wide range of juvenile offending behaviors.

Developmental scientists often consider factors that make youth more vulnerable to—and less culpable for—criminal behavior, including their relationships with their parents (see review by Fagan & Benedini 2019), but there are far fewer examinations of parental legal culpability for youth offending. This is perhaps not surprising, given that different states often have vastly different parental culpability laws. Importantly, though, there are also inconsistencies in how charges against parents are pursued, which may be linked to social and economic disparities among the families of children who are at risk for delinquency. Single-parent households, for example, may have fewer resources to effectively supervise children (Cookston 1999, Kroese et al. 2021), whereas communities of color are frequently subjected to excessively high levels of police surveillance (Dragomir & Tadros 2020). When parents in these situations are held legally accountable, the accompanying financial burdens and potential time away from work (e.g., to attend their child's legal proceedings) may only serve to exacerbate conditions that are linked to delinquency in the first place, such as poverty (Zych et al. 2021). Despite this, parents play an undeniably important role in the development of juvenile delinquency, and their knowledge of both their child's behavior

and the expectations of the legal system can impact youths' likelihood of desisting from crime. It is thus critical to understand how parental legal culpability might contribute to youth rehabilitative efforts and whether there are ways to balance the need for justice with the need to support the rehabilitation of system-impacted youth.

This review provides a psychological perspective on parental legal culpability, highlighting the different types of offenses that parents may be held responsible for. In addition to discussing the broad categories of culpability, we include focused discussions about youth violence and firearm use and the ever-evolving landscape of cybercrimes. We also give consideration to the unintended consequences that may arise as a result of parental sanctions and how they may exacerbate disparities that already exist in the justice system. Finally, we discuss whether parental legal culpability can be harnessed to not only acknowledge responsibility for the crime but also support youth in desisting from offending behavior.

PARENTAL LEGAL CULPABILITY

Although parents are generally aware of their legal obligation to provide for their children, they may not always consider their legal liability for their child's actions. In addition to being responsible for supervising and successfully guiding youth toward adulthood, laws have been created to establish parents' legal culpability for their children's mistakes—namely, when their child engages in offending behavior. This is frequently exercised in civil cases (DiFonzo 2001), also known as vicarious tort liability cases, in which a parent is held financially responsible for the actions of a child that result in property damage or physical harm. These laws are sometimes difficult to impose, given that intent or negligence must be proven. However, states like Hawaii have long held parents civilly responsible for damages caused by their children, dating at least as far back as 1846 (Geis & Binder 1990). Quite common, on the other hand, is the imposition of parental culpability for status offenses. These offenses hold unique legal standing, as youth and parents are both implicated in otherwise noncriminal behaviors due solely to youth's status as a minor (e.g., truancy, curfew violations, drinking alcohol prior to age 21). Virtually all states have status offenses and property damage restitution laws that hold parents accountable for the actions of their children, but, more recently, parental culpability laws have also expanded to include criminal responsibility for youths' behavior. In other words, in rare cases when youth engage in serious forms of delinquent behavior, parents themselves may be charged with a crime (DiFonzo 2001). The first law holding parents criminally responsible for contributing to the delinquency of their children was passed in 1903 in Colorado (Buss & Gulasekaram 2002), but the difficulty of meeting the requisite legal thresholds, such as proving willful intent or gross negligence on the part of the parent, has resulted in very few instances of parents receiving criminal charges. Nonetheless, parental legal culpability largely falls into three categories: vicarious liability, which assumes financial responsibility on the part of the caregiver for damages caused by children; status offenses, for behaviors that are illegal only due to a child's minor status; and criminal responsibility, when youth commit serious, and usually violent, crimes. We briefly discuss each in turn below.

Vicarious Tort Liability

Vicarious tort liability encompasses legal sanctions imposed against a third party when their actions, or inactions (e.g., negligence), may have led to another person's offense. If, for example, a minor causes a car accident, parents can be held responsible for any resulting damages to the victim's vehicle and, in some states, personal injuries that may have resulted from the crash. A historic example of a vicarious liability case occurred in 1889, when a father, William Sharpe, was informed by his sons of their intent to “duck” their teacher (submerge him in a nearly frozen body

of water). Despite Sharpe's early protests, he later told his sons that he would be willing to pay potential damage costs if his sons went through with their plan, which ultimately rendered him vicariously responsible. When his sons did in fact assault their teacher, Sharpe was considered an indirect contributor to the commission of the crime (*Sharpe v. Williams* 1889). However, instances like these that involve somewhat clear accounts of negligence or willful intent are rare, with vicarious liability most often being pursued because of children's inability to pay for damages they may have caused (DiFonzo 2001).

Because of the broad set of behaviors that vicarious liability covers, parental legal culpability cases frequently fall into this category. Over the past century, applications of these statutes have expanded beyond property damage and personal injury to include more contemporary issues such as bullying or the commission of cybercrime (Gardini 2022, Najafi et al. 2019). Parents may also be held vicariously responsible for serving alcohol to minors in instances where juveniles obtain parents' legally purchased alcohol and, unbeknownst to the parents, serve alcohol to their underage friends (Reesman 1990). Notably, this specifically addresses liability for providing alcohol to minors, whereas underage alcohol consumption is addressed under status offenses.

Status Offenses

Status offenses are behaviors that come before the court due to an individual's status as a minor that would not otherwise be illegal (Mallett 2016). This includes offenses such as truancy, running away from home, promiscuity, underage drinking, and curfew violations. These offenses, although not criminal in nature, have long been believed to increase the risk of future delinquency and criminal offending behavior (Elliott 1994, Huizinga et al. 1995). The processing of status offense cases through the juvenile justice system in some instances may impose court mandates that, if violated, push youth deeper into justice system involvement (Arthur & Waugh 2008).

When children are determined to be delinquent and are charged with status offenses, parents are automatically involved (Brank et al. 2005). With nearly 100,000 status offense petitions filed nationwide annually (Puzzanchera et al. 2022), researchers have documented the varying nature of legal responses to status offending, which range from rehabilitative interventions to more punitive measures (Mallett 2016). No matter the degree of severity, such laws hold potential legal consequences for both the youth and their parents. For example, in Ohio, statutes state that the inability of parents to respond to their youth's status offending can result in criminal charges being levied against the parent (Mallett 2016). These punitive sanctions are thought to improve youth compliance with court authorities. Other jurisdictions have pursued more supportive measures. In Oklahoma, for example, legal culpability has been ascribed to parents while also ensuring these parents are provided with parenting support, financially or educationally (Heilbrunn 2007).

Youth at the greatest risk of being charged with status offenses are those coming from households and communities of lower socioeconomic means, given the prevalence of concentrated neighborhood disadvantage and reduced parental emotional or financial resources (Heilbrunn 2007). Indeed, factors such as limited parental supervision and living in a single-parent household are associated with increased risk of status offending and subsequent delinquency (Heilbrunn 2007). Despite the legal discourse about the theoretical utility of such juvenile justice practices, empirical data demonstrating the effects of statutes aiming to implicate parents in their youths' noncriminal behaviors have been scarce.

Criminal Responsibility

Although legally possible, criminal charges are rarely pursued against parents of offending juveniles. However, such charges can be mounted when parental intent or gross negligence

appears evident in cases where juveniles' actions result in the death or grave bodily injury of another person (Lockwood 2000). Despite elevated societal concerns about youth violence that arose in the late twentieth century (DeLisi et al. 2007), violent offenses compose a minority of cases that come before juvenile and criminal courts, making up less than 10% of youth arrests in the United States (Puzzanchera 2022). Beyond the relative rarity of serious youth violence, parental criminal culpability has been still more rare. In fact, as recently as 2000, there had been no instances of parents being criminally convicted for serious acts of violence, such as murder, committed by their children (Lockwood 2000).

The limited application of parental criminal culpability can be attributed to both the challenges of defining a child's ability to act independently of their parents and the high threshold required to prove intent or negligence on the part of the parent as a third party (Eccles et al. 1991, Lockwood 2000). Furthermore, because vicarious tort liability includes the injury, and in some states, death, of another person, it is very uncommon for parents to bear criminal responsibility for their child's actions. Cases like the school shooting committed by Ethan Crumbley are rare instances in which the combination of extreme criminal behavior and potentially extreme negligence may warrant criminal charges against a parent.

SPECIAL CONTEXTS OF PARENTAL LEGAL CULPABILITY

Violence and Crimes Involving Firearms

Of all crimes that youth might engage in, parents may face the greatest scrutiny when their child engages in violence (Farrington 2010, Steinberg 2000). As previously noted, violent crime among youth is relatively rare in the United States, accounting for a small minority of offenses (Ambrey et al. 2014, Morgan & Thompson 2022). Nonetheless, because of the devastating human cost associated with even a single instance of violence, it is critical to address legal accountability when youth commit acts of physical harm. In response to increases in mass shootings perpetrated by minors over the past decade (Duwe 2020), policymakers have actively considered the influence of youths' home environments on their potential to engage in violence; namely, whether parents are able to control a child's aggressive tendencies and whether parents have (directly or indirectly) facilitated juveniles' access to guns and other weapons (Kaufman et al. 2022). These discussions have prompted general considerations about parents' legal responsibility to prevent their child from engaging in violence.

Courts have established precedence addressing parents' duty to be knowledgeable in instances where their children demonstrate violent tendencies (Lockwood 2000). One such example is the case of *Parsons v. Smithey* (1973). The parents of a 14-year-old boy, Michael Smithey, were sued for failing to prevent their son from violently attacking a neighbor, Ruth Parsons, and her two daughters. In this case, Michael broke into the Parsons' home and used a hammer and knife to assault Ruth and her children. Prior to this case, Michael had been previously arrested for arson and had other previous offenses, including attacking another woman, following a fellow student home, and assaulting classmates in school. As such, prosecutors argued that his parents had prior knowledge that their son was dangerous and that insufficient effort was made to control their son's behaviors. Despite the court's initial refusal to allow records of previous offenses as evidence, the Arizona Supreme Court ultimately decided that the acts of prior violence were relevant enough to establish parental knowledge of potential danger and thus were evidence of the Smithey parents' negligence and failure to control their son. Although they were ultimately not found criminally responsible, the parents of Michael Smithey were required to provide financial compensation to the victims (*Parsons v. Smithey* 1973).

Despite declines in youth violent offending overall, specific increases in mass shootings committed by adolescents have reinvigorated public discourse about parental responsibility in instances of youth gun violence. Parents have been established as relevant for not only controlling a child's potentially violent tendencies but also promoting the use of firearms. For example, the presence of guns in the home increases the likelihood of gun carrying among adolescents (Keil et al. 2020), and parental disengagement during early childhood has been found to be predictive of gun carrying in adolescence (Beardslee et al. 2019). Lack of parental monitoring has also been linked to increased likelihood of firearm injury (Kaufman et al. 2022). Parental culpability for youth gun violence is most often addressed with access prevention policies, with parents having a legal duty to prevent their children from obtaining weapons. Children's access protection (CAP) laws, or safe-storage laws, require adults to store their firearms in a such way that children are not, either intentionally or unintentionally, able to gain access to a gun, in an effort to reduce the risk of gun-related homicide and injury (McClurg 1999). These statutes appear to be effective, with decreased rates of youth firearm mortalities in states that utilize CAP policies (Chammas et al. 2023).

Importantly, although parental attitudes and behaviors may contribute to youths' decision to carry or use firearms, it is often difficult to disentangle parenting from other ecological factors, especially considering the increasing significance of peers as youth move through adolescence (Wang et al. 2007). Factors beyond parenting, such as delinquent peer association and exposure to neighborhood crime, are also impactful for gun carrying, particularly among Black male youth (Beardslee et al. 2018). Considering the physical and emotional harms that result from violent offending, it is important for researchers and policymakers to continue exploring factors that include, but also extend beyond, the role of parent involvement in youth violence as well as how culpability laws might impact these associations. Peers, violence exposure, state poverty, and firearm dealer density also influence violent offending (Beardslee et al. 2018, Price & Khubchandani 2022) and may provide promising legal or policy avenues to prevent violent behavior in addition to promoting parental responsibility for children's behaviors. To date, an optimal solution to reducing youth firearm violence remains complex, highlighting the need for more research to fully understand the impact of policy and the role of parents in violent offenses.

Cybercrimes and Sexting

Cybercrimes, defined most broadly as crimes that happen on the Internet (Wall 2007), include activities such as cyberbullying, illegal sales of drugs or stolen goods via online black markets, and specifically computer-based activities such as hacking (Bae 2017, Brochado et al. 2017, Pyrooz et al. 2015). Given that online activity has broadly diffused into everyday life, it is unsurprising that involvement in virtual criminal activity among juveniles is somewhat common. For instance, a cross-national meta-analysis found that between 3% and 39% of adolescents report engaging in cyberbullying behaviors (Brochado et al. 2017). Even when considering offenses usually attributed to adults, such as hacking, the typical age of onset is usually during adolescence (Holt 2007, Steinmetz 2015). Among youth involved in gang activity, the online sale of drugs and stolen goods is reported at a significantly greater rate compared to non-gang-involved youth (Pyrooz et al. 2015). As opportunities for involvement in criminal behavior migrate to online spaces, the influence of parents on youth behavior remains nonetheless important.

Strong parental attachment and appropriate parental supervision may decrease a child's likelihood of engaging in cybercrimes (Bae 2017), an effect that may vary based on parenting styles (Oyemndu & Gilbert 2020). For example, children with permissive parents (high levels of parental warmth but low expectations for the child and minimal discipline) or uninvolved parents (low levels of parental warmth and low expectations and discipline) (Darling 1999) report

greater engagement in Internet crimes than children with authoritarian or authoritative parents, whose parenting styles are characterized by higher expectations for the child and more discipline (Oyemndu & Gilbert 2020). In other words, when parents set clear expectations for the behavior of their children, the children may be less likely to engage in risky behavior online.

Although in theory, parents may be held responsible for their child's cybercrimes, in practice, parental legal culpability has rarely been enforced. For example, parents may be held responsible under vicarious or criminal liability laws when their child engages in traditional bullying; however, to date, no parents have been charged with cyberbullying on behalf of their children. This may be because it is more difficult to identify signs of cyberbullying and victimization, with the anonymity of bullies afforded by the Internet and no physical signs of abuse on victims (Peebles 2014, Sticca & Perren 2013). Likewise, parents may be culpable for their child's cybercrimes such as hacking, with at least one instance of parents paying penalties for the actions of their teenage sons against a long-distance phone company (*Thrifty-Tel v. Bezenek* 1996), but this also appears to be rare. Critics of the lack of parental culpability for cybercrimes argue that these situations are no different than violent offenses; if a parent is culpable for providing access to a weapon that is used for a crime, they should also be charged for providing access to a phone or computer that is used for a crime (Lee & Lee 2014).

Parental culpability in a specific class of youth Internet behavior, sexting, may be pursued more frequently. Despite the normative nature of sexual exploration during adolescence, sexting, which includes virtually sending and/or receiving sexually explicit images, can have legal implications for both youth and their parents (Thomas & Cauffman 2014). Individuals who send or receive nude images of underage youth on electronic devices may be charged with the creation, distribution, or possession of child pornography, even when all parties involved are themselves underage (e.g., two teens sexting with each other). The legal consequences of underage sexting often arise when sexual images are distributed without consent (Wolak et al. 2018), but these laws may also be applied in situations where images are shared consensually (e.g., *State v. Canal* 2009).

Sexting behaviors are fairly common, with approximately 1 in 7 adolescents sending sexting messages and nearly 1 in 4 receiving such messages (Madigan et al. 2018). Parents appear to influence whether teens actively engage in sexting, both by knowing the type of technologies to which their children have access and through parental monitoring (O'Keeffe & Clarke-Pearson 2011). For example, Lee and colleagues (2020) found that parental monitoring decreased the likelihood of sexting for girls but not necessarily for boys. Sexting behaviors also appear to be more common among youth who pay their own phone bills compared to those whose cost is covered by their parents (Lenhart et al. 2010). This is perhaps when parental culpability is most easily identifiable. When parents pay for their child's phone, they can be held financially responsible when their children send sext messages (Day 2010). On top of the perceived lack of monitoring of their children, parents may be legally seen as people who own devices that contain child pornography.

In addition to the serious risks involved with sexting, such as the potential for convictions related to child pornography, researchers have found sexting to be associated with other risky behaviors like increased bullying, substance use, and delinquency (Valido et al. 2020). Beyond traditional deviant behavior, sexting has also been associated with increased rates of problematic online experiences like cyberbullying and cybervictimization (Silverman 2021). Researchers who have explored concepts like digital drift, or the characteristics of the Internet that lead children to engage in delinquent behavior, suggest that one factor contributing to adolescents' deviant behaviors online is the absence of traditional sources of authority that would otherwise promote boundaries to youth engagement in delinquent behaviors (Goldsmith & Wall 2022). Although much is known about the effects of parental supervision and parental knowledge on deviance outside of virtual environments, the inherently limited authority within cyberspaces may call

into question the potential efficacy of parental responsibility laws in deterring youth engagement in sexting and other cybercrimes (Goldsmith & Wall 2022, Valido et al. 2020). Given the rapidly changing nature of virtual landscapes, greater emphasis may be needed on increasing parent knowledge and informing parents' abilities to educate and monitor their children's virtual behaviors.

UNINTENDED CONSEQUENCES OF PARENTAL CULPABILITY

Despite the justice system's intention to restore justice and steer youth toward more prosocial behaviors, parental legal culpability may produce unintended consequences, both for parents and the youth in their care. Although increased enforcement of parent responsibility statutes was prompted by increases in juvenile crime in the mid-1990s (Graham 1999), scientists have only recently begun to explore whether the implementation of these laws is effective in encouraging increased parental supervision and ultimately deterring the criminal activity of youth (Brank & Scott 2014, Harris 2006). Although research is limited, some evidence suggests that these laws have little effect on reducing juvenile delinquency but instead contribute to the deterioration of parent-child connections, which are known to promote desistance (Geis & Binder 1990, Goldson & Jamieson 2002). These laws have also been linked to increases in depression, sleeping difficulties, and aggressive behavior by diminishing financial and emotional resources in the homes of already disparately disenfranchised individuals (Laskin 2000, Myers et al. 1999). Furthermore, parental responsibility laws may perpetuate and amplify existing racial/ethnic and economic disparities for justice-involved families.

Exacerbating Racial/Ethnic Inequality

Racial and ethnic inequality is woven into the fabric of the juvenile justice system, and there is some evidence that parental responsibility statutes may have the unintended consequence of exacerbating those extant disparities. For example, parental responsibility laws may disproportionately burden single mothers of color, who are more likely to experience poverty and live in low-income areas that are more heavily policed (Heitzeg 2015). Low-socioeconomic-status neighborhoods that primarily comprise racial or ethnic minorities experience heightened police surveillance, which increases the likelihood that youth will experience formal police contact (Cobbina-Dungy & Jones-Brown 2023). Correspondingly, justice system involvement is most common among youth who reside in communities with high levels of police supervision, and these youth often come from single-mother households that lack supportive resources (Heitzeg 2015, Kamalu & Onyeozili 2018). As such, risks of system involvement and burdens of parental culpability may be heightened for single mothers of color who are often pathologized as deviant to begin with (Seccombe et al. 1998).

Although they may not always cross the threshold of legal responsibility, children's misdeeds in educational settings are often attributed to parental failings (Dmitrieva et al. 2004). Attempts to address these issues often burden parents who already experience disadvantage. School interventions may require parental engagement in disciplinary classes during work hours, and the imposition of additional costs associated with childcare for other children and shortened work schedules may burden parents who are already stretched thin (Dunning-Lozano 2022). This practice also disproportionately affects families of color. Minority parents are more likely to be held responsible for children's misbehavior than White parents, given that Black and Latino students are more likely to face punishment in school compared to their White counterparts, despite engaging in similar behaviors (Dunning-Lozano 2022). When parents are required to take time out of their day to address these concerns, this puts additional stress on the time and financial resources available to

families of at-risk youth, which may paradoxically increase the likelihood of offending behavior and juvenile justice system contact (Laskin 2000, Gatti et al. 2009).

Financial Burden

The financial and legal consequences of imposing sanctions on parents may create additional sources of strain on the family, exacerbating circumstances that contribute to juvenile delinquency (Arthur 2009). For instance, in an effort to reduce gang violence, legislation like California's Street Terrorism Enforcement and Prevention Act [Calif. Stat. § 186.20 (1988)] levies financial penalties against parents for failing to supervise their children. A lack of parental supervision has indeed been linked to increased likelihood that youth will join gangs (Lahey et al. 1999), but this law fails to consider that gang members are significantly more likely to come from single-parent homes (Esbensen & Winfree 1998). Single parents are more likely to work long hours or have multiple jobs to financially support their family, resulting in a reduced ability to supervise their children (Van Hofwegen 2009). Despite reporting positive relationships with their children, which are protective against delinquency, single mothers also report an inability to provide adequate supervision due to their absence from the home because they are working (Rodriguez-Almendarez 2013, Wardle 2007). In these cases, financial penalties may only serve to further increase financial burdens on the parent, which in turn reduces their opportunities to engage in monitoring activities that might better prevent their child's gang involvement. Furthermore, allocating resources to financial penalties may preclude parents from buying necessities or from financially engaging in upwardly mobile goals (e.g., providing extra educational opportunities, enrichment activities, or preventative healthcare) (Campos-Bui et al. 2017).

In addition to financial penalties, other parental legal sanctions may have economic consequences. Parents could have their driver's licenses revoked, which can reduce opportunities to get to work or childcare or purchase necessities (Feierman et al. 2016). In the most extreme cases, parents may face eviction from public housing (Warner & Cannon 2004) or even incarceration, which may lead to greater risk of childhood homelessness and increased reliance on public assistance (Wakefield & Wildeman 2018). These financial and legal consequences further harm, rather than repair, the home environment, perpetuate stigma and prejudice against minoritized families (Cavanagh et al. 2019), and thus create additional risks for youth offending and diminishing public safety.

When holding youth accountable for their crimes, the justice system can most effectively reduce recidivism by addressing the multitude of ecological risks and protective factors that may be present in youths' lives, and it is without question that parents are an influential factor in the development or prevention of juvenile delinquency (Cavanagh 2022, Farrington 2010). Parental culpability laws may indeed be created with youth desistance in mind, to encourage greater supervision by parents, or to discourage youth from committing crimes in the first place. However, with a lack of empirical studies on the deterrence effect of parental sanctions, research has not yet established whether parental sanctions are effective at preventing or reducing crime.

CONCLUSION

When youth commit crimes, the goal of the justice system is to provide both justice for victims and rehabilitative efforts that prevent youth from engaging in future delinquent behavior. Parental legal culpability may address the former concern by providing financial compensation for victims or drawing parents' attention to problem behavior, which ideally leads to effective disciplinary action. However, it is unclear whether parental sanctions impact the latter concern, with no

comprehensive empirical studies evaluating whether parental legal culpability reduces juvenile delinquency. There are three challenges to the efficacy of parental legal culpability efforts.

First, parental responsibility laws cannot have their intended deterrent impact if parents are not aware of the laws. Although no research has been done on parents' legal knowledge of parental responsibility laws specifically, there is research to suggest that parents—particularly those from minoritized backgrounds—know little about their rights and responsibilities in the juvenile justice system after their child has been arrested (Cavanagh & Cauffman 2017, Warner & Cleary 2022). This is true even for parents whose children have been arrested multiple times and thus have experience with the juvenile justice system (Cavanagh et al. 2020). Thus, in the absence of education about parental responsibility laws, it is unlikely that their deterrent impact can be realized, particularly among minoritized families.

Second, although parental monitoring does deter juvenile delinquency, it is not clear that sanctions designed to encourage parents to monitor their children achieve that goal. There is evidence that parental monitoring behaviors and knowledge increase for youth who have been arrested more than once, suggesting that parents adjust their monitoring behavior as a response to justice system involvement (Cavanagh et al. 2022). However, it remains unknown whether sanctioning parents produces an additional benefit to monitoring beyond actions parents may already be taking in response to their child's arrest. Furthermore, parents may want to engage in more monitoring behavior but are unable to do so because of a lack of time or other resources. In these cases, facing additional legal sanctions neither addresses the root cause of the original poor monitoring nor provides an environment in which monitoring can improve in the future.

Third, sanctions may not be as effective as supportive measures. Rather than face punitive sanctions, juvenile justice system contact may provide an opportunity for practitioners to work with parents to improve their parenting skills. Furthermore, sanctions exacerbate the financial and racial/ethnic disparities that already plague the juvenile justice system. To remain true to its rehabilitative goal, the juvenile justice system may be better served by strengthening support systems for historically disadvantaged communities. However, in the absence of direct research on the impact of parental responsibility laws on parents' and youths' behavior, policy recommendations are difficult. Further research is needed to direct best practices for community safety.

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