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Parental Responsibility for Juvenile Delinquency

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NOTES AND COMMENTS

Parental Responsibility for Juvenile Delinquency

The problem of juvenile delinquency has many facets, but a growing concern on the part of the public in the more easily observed and property-destroying proclivities of certain delinquents is beginning to break through in the form of a variety of statutes designed to impose a degree of parental responsibility for the anti-social aspects of juvenile conduct. It could be said that violence of the type in question, although grave in nature, has often been over-emphasized to the point where the more subtle psychological, sociological, economic and moral features thereof have become obscured. In fact, many explanations in the form of "cause and effect" relationships have been evolved. The question remains, however, whether legislation on the subject would provide an answer or would serve as an answer at all.

In that respect, the public concern is at least two-fold in character, being first directed at providing an effective civil remedy by which the injured party may pursue those deemed by the public to be responsible, or at least partly responsible, for the juvenile delinquent's anti-social acts; and, in the second place, with the prevention of further misconduct by utilizing judicially imposed penalties, under proceedings initiated by public officials, to stimulate parents to discharge parental obligations. It would be easy to say that juvenile delinquency is manifestly on the increase; that it has been aggravated by the growth of intensely populated areas, and that, with the disappearance of simple pleasures and an over-worship of things material, there has been a weakening of the community's collective conscience. It would seem too late, at this point, to expect a return to an idyllic past, if one ever existed except in imagination.

It could, for that matter, also be pointed out that, in earlier times, the waif, the widow, the unsung and the unwanted were largely ignored by society, unless perchance they violated the then harsh provisions of the criminal code. As direct fining and imprisonment of the juvenile delinquent appears to have done little more in the main than deepen the anti-social outlook, the question is posed as to whether or not it would be wise to make parents vicariously responsible for the conduct of their offspring in the hope that this would awaken dormant forces for social good and regenerate an ameliorating area of control within the home.

Before that question can be answered, it might be well to take a brief look at the law and at any legislation adopted to date. Under the common

law, the existence of a parental relationship was not alone a sufficient basis for placing liability upon the parent for the torts of the child for a master-servant, agency or similar relationship had to be shown in the event the parent had not expressed some form of condonation with respect to the child's act.[1] There has, however, been a trend in the case holdings tending to expand parental liability either because of an exercise of a degree of control over the child or because of a parent's knowledge, or imputed knowledge of a type chargeable to any reasonably prudent person, concerning the vicious or mischievous propensities of the child to do acts which would be injurious to the persons or property of others.[2] In addition, liability has been founded on the act of a parent in providing potentially harmful and dangerous instruments, particularly so where the same have been supplied to minor children who were either incapable or inexperienced in the handling of such instruments.[3]

Certain of the jurisdictions so holding have differed over the extent to which trends of this nature are to be carried, as may be seen from a

[1] Winfrey v. Austin, 260 Ala. 439, 71 So. (2d) 15 (1954); Johnston v. Orlando, 131 Cal. App. (2d) 705, 281 P. (2d) 357 (1955); Hice v. Pullum, 130 Colo. 302, 275 P. (2d) 193 (1954); Cerchio v. Mullins, 33 Dela. (3 W.W.Harr.) 245, 138 A. 277 (1937); Hubert v. Harpe, 181 Ga. 322, 182 S. E. 167 (1935); Normington v. Neely, 58 Ida. 134, 70 P. (2d) 396 (1937); White v. Seitz, 342 Ill. 266, 174 N. E. 371 (1931), reversing 258 Ill. App. 318 (1930); Paulin v. Howser, 63 Ill. 312 (1872); Teagarden v. McLaughlin, 86 Ind. 476, 44 Am. Rep. 332 (1882); Jolly v. Doolittle, 169 Iowa 658, 149 N. W. 890 (1914); Forsythe v. Rexroat, 234 Ky. 173, 27 S. W. (2d) 695 (1930); Kerrigan v. Carroll, 168 Md. 682, 179 A. 53 (1935); Smith v. Jordan, 211 Mass. 269, 97 N. E. 761 (1912); Kunda v. Briarcombe Farm Co., 149 Minn. 206, 183 N. W. 134 (1921); Howell v. Norton, 134 Miss. 616, 99 So. 440 (1924); Murphy v. Loeffler, 327 Mo. 1244, 39 S. W. (2d) 550 (1931); Clawson v. Schroeder, 63 Mont. 488, 208 P. 924 (1933); Evers v. Krouse, 70 N. J. L. 653, 58 A. 181, 66 L. R. A. 592 (1904); Staple v. Bruns, 218 N. C. 780, 11 S. E. (2d) 460 (1940); Jamar v. Brightwell, 162 Okla. 124, 19 P. (2d) 368 (1933); Miller v. Semler, 137 Ore. 610, 2 P. (2d) 233 (1931), rehearing den. 3 P. (2d) 987 (1931); Miller v. Pettigrew, 10 S. W. (2d) 168 (Tex. Civ. App., 1938); Nixon v. Rowland, 192 Va. 47, 63 S. E. (2d) 757 (1951); Muggleston v. Glaittli, — Utah —, 258 P. (2d) 438 (1953).

[2] Independently of the "family car" doctrine, not here considered, a parent has been held liable in Ryley v. Lafferty, 45 F. (2d) 641 (1930); Ellis v. D'Angelo, 116 Cal. App. (2d) 310, 253 P. (2d) 675 (1953); Zuckerberg v. Munzer, 277 App. Div. 1061, 100 N. Y. S. (2d) 910 (1950), affirming 197 Misc. 791, 95 N. Y. S. (2d) 856 (1950); Gossett v. Van Egmond, 176 Ore. 134, 155 P. (2d) 304 (1945); Condel v. Savo, 350 Pa. 350, 39 A. (2d) 51, 155 A. L. R. 81 (1944); Moody v. Clark, 266 S. W. (2d) 907 (Tex. Civ App., 1954); Norton v. Payne, 154 Wash, 241, 281 P. 991 (1929). But see contra: Martin v. Barrett, 120 Cal. App. (2d) 265, 261 P. (2d) 551 (1953); Gissen v. Goodwill, — Fla. —, 80 So. (2d) 701 (1955); Staruck v. Otsego County, 285 App. Div. 476, 138 N. Y. S. (2d) 385 (1955), where a county, acting *in loco parentis*, was held not liable; and Littenberg v. McNamara, 136 N. Y. S. (2d) 178 (1954).

[3] Dickens v. Barnham, 69 Colo. 349, 194 P. 356 (1920), a high-powered rifle; Parman v. Lemmon, 119 Kan. 323, 244 P. 227, 44 A. L. R. 1500 (1925), a shot-gun; Souza v. Irome, 219 Mass. 273, 106 N. E. 998 (1914), a shot-gun; Dinger v. Burnham, 360 Mo. 465, 228 S. W. (2d) 696 (1950), a truck; Johnson v. Glidden, 11 S. D. 237, 76 N. W. 933, 74 Am. St. Rep. 795 (1898), a shot-gun; Mazzoechi v. Sheay, 126 W. Va. 490, 29 S. E. (2d) 12 (1944), an air rifle.

comparison of some of the cases. In the North Carolina case of *Bowen* v. *Newborn*,[4] for example, the court held that the immoral advice given to a minor son by his father did not amount to a consent or ratification of the particular immoral act which the minor had there perpetrated upon the plaintiff. Where, however, the parent could be said to be in closer proximity to the delinquent act, as in the Wisconsin case of *Statz* v. *Pohl*,[5] the parent might be held to be civilly liable for the child's conduct because the parent might then be considered as impliedly giving a consent or ratification.

It must also be noted that the cases concerned with vicious, malicious or other abnormal propensities of children show further refinements with respect to the extent of control and the degree of imputable foreseeable knowledge the parent either had or should have had in relation to the child's act. It has been said, in that connection, that reasonable care by the parent to control the minor would be necessary if the parent had knowledge of the child's abnormal propensities which would be likely to be dangerous to others,[6] and that the failure to exercise reasonable control in such a situation would be enough to make the parent liable.[7] But cases of this nature can be distinguished from those holdings abovementioned in that there is a difference between an alleged failure to exercise what could be deemed to be the proper degree of parental control over a strong but normal propensity on the one hand, even though such propensity be one capable of being exercised in an anti-social manner, and a case wherein there is a showing of actual knowledge of, and probable condonation for, truly abnormal propensities which lead to delinquency on the part of the minor.

Despite this, other jurisdictions have held that, for purpose of parental liability, there must be an "habitual, intentional and specific wrongful act" against others, plus the parent's failure to take precautions to guard against such acts.[8] It was on this basis that the Florida court, in *Gissen* v. *Goodwill*,[9] held that parents who were aware of the vicious propensity because of prior conduct on the child's part could not be held liable for the particular act done, even though they had failed to restrain the child as to the known course of conduct, because the act complained of was unrelated to any of the earlier acts committed by the child. It would

[4] 218 N. C. 423, 11 S. E. (2d) 372 (1940).

[5] 266 Wis. 23, 62 N. W. (2d) 556 (1954). The act there complained of had been committed in the presence of the parent, who made no effort to restrain the child.

[6] Sawyer v. Kelly, 194 Okla. 516, 153 P. (2d) 97 (1941); Gossett v. Van Egmond, 176 Ore. 134, 155 P. (2d) 304 (1945).

[7] Condel v. Savo, 350 Pa. 350, 29 A. (2d) 51, 155 A. L. R. 81 (1944).

[8] Martin v. Barrett, 120 Cal. App. (2d) 265, 261 P. (2d) 551 (1953).

[9] — Fla. —, 80 So. (2d) 701 (1955).

appear, therefore, that courts might be inclined to determine the blameworthiness of the parents by first ascertaining whether or not the element of habitualness on the part of the delinquent with respect to the particular abnormal act is present, and then by determining whether or not the parent had knowledge of the habitual quality thereof.

Much the same rationale has been followed in the dangerous instrumentality cases, for it has generally been held that the parent is not liable if it can be shown that no reasonably prudent person could have foreseen that such an instrument would prove to be dangerous in the hands of a minor.[10] Liability has also been denied where the facts showed that the minor had had adequate experience in the handling of the particular dangerous instrument,[11] and there was no negligence, knowledge, nor lack of reasonable control on the part of the parent.[12]

Just as there has been a general expansion in common-law doctrines, so the civil law has shifted to some degree. The civil law generally imposed liability upon the father and, after his decease, the mother, for the torts of their minor children, unless the child's act could not have been prevented by the parent,[13] which liability could extend, to the same degree, to teachers and others who had control over the child. While the Louisiana civil code follows the French code as to many of its principles, it should be noted that the saving exception has been omitted therefrom.[14] As a consequence, in *Johnson* v. *Butterworth*,[15] the court interpreted it to be the intent of the Louisiana legislature, by this omission, to place the economic responsibility for the child's tort upon the parent so as to make this liability into an absolute one, all of which was contrary to those exceptions or defenses which had been upheld in previous cases.[16] Fortunately for the parent, this view has been softened by some later Louisiana

[10] See Bateman v. Crim, 34 A. (2d) 257 (D.C., 1943), as to a football used in a public street; Warner v. Barbin, 12 La. App. 640, 125 So. 766 (1930), for a case involving a slingshot; Klop v. Vanden Bros., 263 Mich. 27, 248 N. W. 538 (1933), where the weapon was a golf club; and Highson v. Creech, 17 Tenn. App. 573, 69 S. W. (2d) 249 (1933), concerning a toy air-gun.

[11] Rautbord v. Ehmann, 190 F. (2d) 533 (1951), a speed-boat case; Palm v. Ivorson, 117 Ill. App. 535 (1905), where the harmful instrument was a shot-gun; and Harris v. Cameron, 81 Wis. 239, 51 N. W. 437 (1892), a B.B. gun situation.

[12] Chaddock v. Plummer, 88 Mich. 225, 50 N. W. 135, 14 L. R. A. 675 (1891); Clorine v. Addison, 182 Minn. 310, 234 N. W. 295 (1931); Knopf v. Muntz, 121 N. Y. S. (2d) 422 (1952); Napiearlski v. Pickering, 273 App. Div. 456, 106 N. Y. S. (2d) 28 (1951); Steinberg v. Cauchois, 249 App. Div. 518, 293 N. Y. S. 147 (1937); White v. Page, — Ohio App. —, 105 N. E. (2d) 652 (1953); Highsaw v. Creech, 17 Tenn. App. 573, 69 S. W. (2d) 250 (1933).

[13] Code Civil, France, Art. 1384; Quebec Civil Code, Art. 1054.

[14] West La. Stat. Ann., Civil Code, 1952, Vol. 9, Tit. 5, Art. 2318.

[15] 152 So. 166 (1934).

[16] See Warner v. Barbin, 12 La. App. 640, 125 So. 766 (1930); Toca v. Rojas, 152 La. 317, 93 So. 108 (1922).

cases, particularly by the holding in *Phillips* v. *D'Amico*,[17] wherein it has been pointed out that, while the statute does not contain the word "fault" or the word "negligence," either the father or the child had to be at fault or be negligent before liability could be imposed. It would thus appear that the trend under the civil law, as reflected in Louisiana and elsewhere,[18] is to shy away from a form of absolute liability upon the part of the parent and to seek some middle ground closer to the modern common-law cases.

As the experience under the judicially declared law on the subject has not been particularly favorable to persons harmed by the acts of minors, a few of the American states have taken legislative action to resolve the problem of parental responsibility for juvenile delinquency. Certain of these states have done little more than codify their version of the common-law theory of parental non-liability,[19] with some special legislation which could make the parent liable in particular areas.[20] In three states, to-wit: Louisiana, Nebraska, and most recently in Michigan, the legislative measures purport to hold parents responsible generally for the minor's torts, but the absoluteness of the liability so created has been averted either by case law, as in Louisiana,[21] by the fixing of a maximum penalty amount, as in Michigan,[22] or by limiting the liability of the parent to cases of property damage only.[23] The bulk of the legislation dealing with parental civil liability, however, covers special subjects in more or less related fields such as fence-breaking,[24] injury done by dogs or other animals owned or herded by the minor child,[25] damage to and loss of school or library books,[26]

17 21 So. (2d) 748 (La. App., 1945). See also the Louisiana Appellate Court holdings in Jackson v. Ratliff, 84 So. (2d) 103 (1956); Simmons v. Sorenson, 71 So. (2d) 377 (1954); La Rue v. Sorenson, 59 So. (2d) 226 (1950); and Jackson Cookie Co. v. Burke, 45 So. (2d) 226 (1950).

18 Sigouin v. Bissonette, [1955] Que. S. C. 265, 1955 Can. Abr. 682; Duchesne v. Patronage Roc Amadour, [1955] R. L. 526, 1955 Can. Abr. 683.

19 Ga. Code Ann. 1935, Tit. 105, § 105-108; West Okla. Stat. Ann. 1941, Tit. 10, Ch. 1, § 20, which statute was construed in the case of Stumpf v. Montgomery, 101 Okla. 257, 226 P. 65, 32 A. L. R. 1490 (1924); S. D. Code 1939, Tit. 14, § 14.0309.

20 Compare S. D. Code 1939, Tit. 15, § 15.3009, with the provision cited in note 19, ante.

21 See cases cited in note 17, ante, interpreting and applying West La. Stat. Ann., Civil Code, 1952, Tit. 5, Art. 2318.

22 Callaghan Mich. Stat. Ann., 1955 Supp., Ch. 266, § 27.1408(1)-(2), prescribes a maximum of $300.

23 Neb. Rev. Stat. 1943, as reissued in 1952, Vol. 3, Ch. 43, § 43-801, refers to damage done to real and personal property. See also the Michigan statute cited in note 22, ante.

24 N. M. Stat. Ann. 1953, Ch. 47, § 9.

25 Conn. Rev. Stat. 1949, Ch. 151, § 3404; Mass. Ann. Laws 1949, Ch. 140, § 155; N. M. Stat. Ann. 1953, Ch. 47, § 10.

26 Fla. Stat. Ann. 1941, Tit. 15, § 233.47; Neb. Rev. Stat. 1943, as reissued in 1950, Vol. 5, Ch. 79, § 79-4, and § 121, which serve to make the pupil responsible for damaged or lost books but which, when coupled with the general parent liability law, would make the parent likewise liable; and N. M. Stat. Ann. 1953, Ch. 73, § 9.

damage to school buildings and property[27] or to other forms of public and private property,[28] and for the payment of judgments rendered against the minor child.[29]

Few cases exist throwing light on the operation or effectiveness of such statutes, possibly because few such cases would be carried beyond the trial stage, but the recent South Dakota case entitled *Lambro Independent Consolidated School District No. 20* v. *Cawthorne*[30] reveals some of the problems thereunder. The school district there concerned attempted to charge the parents with liability for an alleged intentional and substantial damage done to a school building at midnight by one of the students.[31] Noting that the statute relied on created an exception to the general doctrine as to parental non-liability,[32] hence should be strictly construed, and particularly made parental liability dependent upon the "complaint of the teacher," the court said the damage had to be committed at a time when the teacher was present and able to acquire actual, or at least constructive, knowledge of the happening. As the child was not under the immediate or constructive supervision of the teacher at the time the destruction occurred, the parents were absolved from liability. The court was able to reach that result on the ground the statute, which had been in existence since 1893 without any substantial change,[33] had been modelled on an earlier California statute,[34] which model had later been changed so as to make the liability of the parent hinge not upon the complaint of the teacher but upon the act of the minor child.[35] It should be noted, therefore, that in certain of the jurisdictions liability will depend on the fact that the complaint is originated by a specifically authorized person[36] whereas

27 Ariz. Code Ann. 1939, Ch. 54, § 504; Ark. Stat. Ann. 1947, Ch. 19, § 80-1903, which makes the tort-feasor liable but, when coupled with ibid., Ch. 41, §§ 4230-4, would also make the parent liable for damage to a school house or the like; West Cal. Stat. Ann., Educ. Code, 1955, Ch. 1, § 16074; Maine Rev. Stat. 1954, Ch. 41, § 233; Miss. Code Ann., 1954 Supp., Ch. 5, §6216-04, superseding § 6221 of the 1942 Code; Mont. Rev. Code Ann. 1947, Tit. § 75-2801; West N. J. Stat. Ann. 1937, §18:14-51; Ore. Rev. Stat. 1955, § 336-170; S. D. Code 1939, §15.3009.

28 Ark. Stat. Ann. 1947, Ch. 41, §§ 4230-4; Vernon Mo. Stat. Ann. 1949, Vol. 3, Ch. 8, § 160.

29 N. H. Rev. Stat. Ann. 1955, § 592.17.

30 — S. D. —, 73 N. W. (2d) 337 (1955).

31 The action was based on S. D. Code 1939, § 15.3009, which states that "any pupil, who cuts, defaces, or otherwise injures any schoolhouse, apparatus, or outbuilding thereof, is liable to any suspension or expulsion; and, on complaint of the teacher to any member of the school board, the parents or guardians of such pupil shall be liable for all damage."

32 S. D. Code 1939, § 14.0309, states: "Neither parent nor child is answerable, as such, for the act of the other."

33 The only alteration had been made by S. D. Laws, 1955, Ch. 41, § 19, which changed the word "pupil" to "student" and omitted the word "any" in the phrase "liable to any suspension or expulsion."

34 Cal. Laws 1873-4, Ch. 543, § 66, p. 112.

35 West Cal. Stat. Ann., Educ. Code, 1955, Ch. 1, § 16074.

36 In Arizona, by "trustees;" in Arkansas, by a "teacher or other person having control;" in Maine, by an "attendance officer;" in Montana, by a "Teacher or any Trustee;" and in Oregon, by a "teacher."

other jurisdictions either avoid this technicality altogether[37] or specifically extend relief to private persons, partnerships, corporations or associations whose property may have been damaged.[38]

Reports of the successful results attained under the Michigan statute in reducing property damage by juvenile delinquents[39] have no doubt inspired other jurisdictions to contemplate similar action. New York recently attempted to so legislate, fixing a vicarious liability upon the parent to the extent of $250, but it is understood the bill was vetoed[40] because of the substantial opposition voiced by several social and legal organizations[41] who seem to have believed that the measure would not only interfere with a rehabilitative program already in progress but would also produce a further degenerative effect upon the strain already existing in the familial relationships of juvenile delinquents.[42] The legal associations voicing objection relied on the point that the language of the bill was vague and in need of clarification, since it might be judicially interpreted so as to release the negligent, condoning, or ratifying parent from an already established common-law liability.[43]

37 See, for example, Miss. Code Ann., 1954 Supp. § 6216-04; West N. J. Stat. Ann. 1937, § 18:14-51.

38 Mich. Stat. Ann. 1955, Cum. Supp., §27.1408(1), as amended by Pub. Acts, 1955, No. 48.

39 An article by Howard Whitman, entitled "Michigan Puts it Up to the Parents," printed in the November, 1955, issue of Family Circle, was reprinted in The Reader's Digest, March, 1956, at p. 161. It states: "In . . . Detroit, cases of malicious destruction of property dropped from 244 the year before the Parental Responsibility Act to 192 the year thereafter . . . Adjacent Lincoln Park reports a decrease in vandalism of about 50 percent . . . In Battle Creek vandalism cases fell 55 percent, and in Pontiac 41 percent."

40 See New York Assembly Bill No. 627, Pr. 632 of Jan. 16, 1956, which declared: "A parent, guardian or other person having legal custody of an infant sixteen years of age or under who wilfully, maliciously or unlawfully destroys or injures any real or personal property of another, is liable in a civil action for damages for such injury done, provided no recovery may be had in such action against such parent, guardian or other person in excess of two hundred and fifty dollars." See press release as to veto dated March 20, 1956, and Time Magazine, Vol. LXVII, No. 14, p. 23 (April 2, 1956), which reports that Governor Harriman ruefully concluded the bill would "give to troublesome delinquents a weapon against their parents which they would not hesitate to use."

41 Among those opposed were the Chairman of the Temporary Commission on Youth and Delinquency; the Chairman of the State Youth Commission; the New York City Bar Association; the New York State Bar Association; the Jewish Child Care Council; the United Parents Association; the New York City Council of Churches; and the Citizens Commission for Children of New York City.

42 This view was expressed in a letter to the author, dated April 18, 1956, from Bruce F. Meservy, Director of Public Relations, New York State Youth Commission. See also Hon. J. W. Polier, Justice of the Domestic Relations Court, in Public Affairs Pamphlet No. 232, entitled "Back to What Woodshed?"', as issued by the City of New York Child Study Association under date of March 2, 1954.

43 See New York State Bar Association Report No. 25, by Commission on State Legislation for 1956, and Bulletin No. 5 of the Association of the Bar of the City of New York, Commission on State Legislation, February 27, 1956, pp. 273-5.

It could also be said that there has been a growing voice in Illinois with respect to the need for a measure of this nature.[44] A growing awareness of the ever-present problem of juvenile delinquency, made sharper by an expected near-term increase in the size of the youthful population,[45] has caused the Chicago Youth Commission to delve into the problem. After some study and research, it has formulated some ideas regarding remedial and preventive measures and it now recommends that bills designed to fix a measure of parental responsibility be introduced in the state legislature.[46]

It is not possible, at this time, to predict in what form these bills will be cast, nor what objections may be made thereto, but it should be remembered that not all of society's norms can be codified, much less be judicially enforced. There are wide areas of environmental and social conditioning which must be left to organized as well as to unorganized non-governmental media for social control. Further, in a free society, it is an open question as to just how far government should go in invading the home, and whether or not the losses would be greater than the gains. Sociologists, psychologists, welfare agencies, bar associations and legislative committees have very little compiled material and few well formulated cases from which to evolve an opinion. If Illinois is to adopt a legislative remedy, the program should be one to be embarked upon with extreme care and not be blindly fashioned from the few existing experiments fabricated to date. The fundamental question is one which requires careful consideration. If it can be resolved, all right-minded people would want to bring the benefit of its solution to the aid of juvenile delinquents to the end their plight might be alleviated. But the prevention of, or restitution for, monetary losses should be secondary; the building of good citizens is, and should be, the prime objective.

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[44] The Chicago Sunday Tribune, April 15, 1956, Part 1, p. 9, reports that the "Kiwanis Club of Austin has urged the Illinois legislature to enact laws to make parents liable for civil damage up to $300 for vandalism committed by children under 18 years of age." John Meegan, Superintendent of the Chicago Parental School, testifying before the Chicago Youth Commission, has said that if "acts of vandalism are committed, property is destroyed, and parents are made to realize what has been done—in a tangible, financial way—they will see to it that more authority is exerted and more supervision given the youngsters of today." See 1955 Report, Chicago Youth Commission, p. 10.

[45] The 1955 Report of the Chicago Youth Commission, at p. 4, estimates that "the number of children between the ages of five and 19 will have increased to 993,071 in 1960 over 811,736 in 1955."

[46] Ibid., p. 39, sets forth a recommendation that "proposed legislation be introduced in the Illinois General Assembly to fix parental responsibility for financial losses incurred through destruction of public or private property by children. This measure, it is believed, will discourage teen-age vandalism."