

'Home Alone': A Christmas crime story | The Avvo NakedLaw Blog

Friday, December 11 2015, 10:56 AM

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□ Dec 11, 2015 By [Gemma Alexander](#)



Home Alone, the hugely successful John Hughes movie starring a young Macaulay Culkin, turns 25 years old this holiday season. It was the [top grossing movie of 1990](#) and remained in theaters for over three months. Many people consider *Home Alone* a Midwestern family Christmas classic, but the truth is much darker. It's really a cautionary tale, a Chicago crime thriller in which no one is innocent.

The following is a rundown of the many, many crimes contained in the film, listed here in the hopes that your holiday plans might steer clear of such unlawful debauchery.

A bad beginning

In the context of Illinois state law, the movie opens with several crimes. A pizza delivery boy, in a clear case of *reckless driving*, screeches up the driveway and slams into a lawn jockey, knocking it off its pedestal in a minor form of *vandalism*. He is let inside the house by a man *impersonating an officer* in what is clearly an act of *residential burglary*.

A criminal environment

Older children in the family inform the main character, eight-year-old Kevin, that the next door neighbor has committed mass murder. This is later revealed to be *slander* and an early clue to the disreputable nature of Kevin's family. A general sense of disorder and disrespect for authority pervades the household. For example, Uncle Frank cheats Kevin's father out of the price of dinner.

The story turns violent when a disagreement about pizza escalates and Kevin commits *assault* against his older brother. As a minor, his lack of control and cognitive development might excuse his crime, but our suspicions of a troubled family life are immediately aroused again when his mother locks him in the attic overnight. Although the attic is a comfortable space, locking a child of eight in a room overnight is *potentially illegal*. The movie demonstrates that this kind of behavior, even if not prosecutable, can create a dangerous situation in the event of burglary or rushed trips to the airport.

Like the family, the neighborhood where Kevin lives appears respectable, but is in fact a hive of illegal activity. It is the home territory of the Wet Bandits, professional purveyors of *burglary*, whose calling card is *vandalism* (e.g., leaving the taps running to flood their victim's houses). As professionals, they are almost certainly in *possession of burglary tools*.

Crimes against children

Kevin is the victim of numerous crimes. In their rush to flee the country, Kevin's family leaves him behind. He does not know where they are, how to contact them, or when or whether they will return. During the next three days he is alone, apparently the victim of *child abandonment*. Because his parents did not knowingly leave him behind, they may be innocent of abandonment; however, no provisions have been made for Kevin's welfare and during their three day absence, he does not have proper parental care or guardianship, making a case for *child neglect*. With a suspected murderer living next door and criminals roaming the neighborhood, *child endangerment* is added to the charges.

In addition to crimes against his family, the Wet Bandits also commit numerous crimes directed at Kevin. They begin by *stalking* him, spying on his actions at home, and following him down the street in what is probably a *stolen vehicle*. When they finally enter his home, knowing that the boy is inside, they commit *criminal trespass* and *home invasion*. During the break-in they repeatedly threaten Kevin verbally. In most states, *emotional abuse* is a crime, evidenced, among other things, by aggressive behavior in the child, which Kevin clearly demonstrates throughout the remainder of the film. The criminals threaten him with a crowbar—*assault*—and repeatedly put him into situations that could result in injury or death, which leads to more *child endangerment*. When they finally catch Kevin at the neighbor's house, they hang him on the wall and bite his finger, which is

[assault and battery](#), as well as [child abuse](#).

Juvenile Delinquency

Despite brief periods when he attempts to follow the straight and narrow path, such as doing laundry and combing his hair, Kevin pretty much falls into a life of crime. He begins with [theft](#), taking the cash from his brother's piggy bank and releasing his brother's pet spider. (Although the definition of exotic animals in Illinois does not include arachnids, both the possession and release of a tarantula is often illegal in other jurisdictions.)

He then [jaywalks](#) to the store, where he [shoplifts](#) a toothbrush. He mimics the sound of machine gun fire using [illegal fireworks](#), which he is not licensed to operate. He then ups the ante by committing [aggravated assault](#) when he shoots both burglars with an air gun.

In the second half of the movie, Kevin booby-traps his house. In Illinois, the law on [criminal fortification](#) assumes the fortification is related to drug activity. Naturally, Kevin would claim self-defense as his motive, but setting booby traps for the purpose of protecting property is also illegal, as demonstrated in the case of [People v. Ceballos](#) in California.

The instances of household items used as weapons in *Home Alone* are too numerous to list, but include iced stairs, broken glass ornaments, a clothing iron, nails, a blowtorch, and a spider. The fact that these objects are not designed as weapons only illustrates the boy's criminal genius for new forms of *assault and battery*.

Throughout its runtime, the film subverts traditional holiday movie themes of safety and celebration by glorifying reckless behavior, lawlessness, and destruction. Truly, *Home Alone* is one of the most chilling crime movies ever to hit the box office.

Image courtesy of mode.com

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