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# A TRIBUTE TO A VIEW I HAVE OPPOSED

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I am as strong a gun-control advocate as can be found among the criminologists in this country. If I were Mustapha Mond of *Brave New World,* I would eliminate all guns from the civilian population and maybe even from the police. I hate guns—ugly, nasty instruments designed to kill people.

My reading of the articles in this Symposium has been enlightening even though I have been reading research on guns and violence for over a quarter of a century, ever since the Eisenhower Commission on the Causes and Prevention of Violence, when I enlisted Franklin Zimring to be a Task Force director of Volume Seven, "Firearms and Violence in American Life."

I have found Alfred Blumstein's paper thoroughly useful in many ways. He has done us a service in bringing together the variables of youth, drugs and guns in a way no one else has provided. He deserves the applause of our community of scholars. I also commend Philip Cook, Stephanie Molliconi and Thomas Cole for a thorough study about regulating gun markets. Their policy claims are most realistic. As a gun-control advocate, I am pleased to add their research to my advocacy.

What troubles me is the article by Gary Kleck and Marc Gertz. The reason I am troubled is that they have provided an almost clear-cut case of methodologically sound research in support of something I have theoretically opposed for years, namely, the use of a gun in defense against a criminal perpetrator. Maybe Franklin Zimring and Philip Cook can help me find fault with the Kleck and Gertz research, but for now, I have to admit my admiration for the care and caution expressed in this article and this research.

Can it be true that about two million instances occur each year in which a gun was used as a defensive measure against crime? It is hard to believe. Yet, it is hard to challenge the data collected. We do not have contrary evidence. The National Crime Victim Survey does not directly contravene this latest survey, nor do the Mauser and Hart studies. There is a research literature on robbery that focuses some on victims and on the three major variables with which I dealt: (1)

intimidation or threats; (2) victim response, including resistance; (3) degrees of victim injury. Normandeau's[1] study in Philadelphia, the works of Conklin,[2] Skogan,[3] Hindelang,[4] and Cook[5] have dealt with intimidation and the presence of weapons. Amir,[6] Chappel and James,[7] Brodsky[8] and Marques[9] have dealt with rape and victim resistance, as have Conklin and Block[10] and Hindelang[11] for robbery. My reference to these authors and their works is meant to convey not only their visibility but also the pioneer quality of their contributions to victimology.

From the 1958 Philadelphia birth cohort study, we located 1027 offenses classified as robbery. It is this subset of all face-to-face offenses that I wish to summarize here. Of these 1,027 robberies, 82% (842) involved a stranger relationship between victim and offender, not an unexpected proportion for this kind of crime. The interactions in which the victim was not a stranger to the offender were rarely among intimates such as friends or acquaintances, and none of these reported robberies involved family members.

Not all of the 1,027 offenses classified as robberies were completed acts; that is, 258, or one quarter, are listed as attempted, or incompleted acts of robbery. An incompleted robbery is one in which face-to-face confrontation occurred, one in which there was at least one form of intimidation, and maybe even an interaction in which the victim was injured, but no money or other property was stolen. In short, the theft was thwarted for one reason or another.

We hypothesized that if a victim resists in some manner, there may be a greater likelihood of an uncompleted robbery. We had enough cases of resistance to permit us to test this hypothesis, for in

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1 Andre Normandeau, Trends and Patterns in Crimes of Robbery (1968) (unpublished doctoral dissertation, University of Pennsylvania).

2 JOHN E. CONKLIN, ROBBERY AND THE CRIMINAL JUSTICE SYSTEM 236-84 (1972).

3 WESLEY SKOGAN, SAMPLE SURVEYS OF VICTIMS OF CRIME (1976).

4 MICHAEL J. HINDELANG ET AL., VICTIMS OF PERSONAL CRIMES: AN EMPIRICAL FOUNDATION FOR A THEORY OF PERSONAL VICTIMIZATION 80-82 (1978).

5 Phillip J. Cook, *The Role of Firearms in Violent Crimes: An Interpretative Review of the Literature, with Some New Findings and Suggestions for Further Research, in* CRIMINAL VIOLENCE 236, 246-264 (Marvin E. Wolfgang & Neil A. Weiner eds., 1982).

6 MENAHEM AMIR, PATTERNS IN FORCIBLE RAPE 229-79 (1971).

7 DUNCAN CHAPPEL & J. JAMES, *Victim Selection and Apprehension From the Rapist's Perspective: A Preliminary Investigation,* INTERNATIONAL SYMPOSIUM ON VICTIMOLOGY (1976).

8 Stanley L. Brodsky, *Prevention of Rape: Deterrence by the Potential Victim, in* SEXUAL ASSAULT: THE VICTIM AND THE RAPIST (Stanley L. Brodsky & Marcia J. Walker eds., 1976).

9 Janice K. Marques, *Effects of Victim Resistance Strategies on the Sexual Arousal and Attitudes of Violent Rapists, in* VIOLENT BEHAVIOR 138-173 (1981).

10 RICHARD BLOCK, *Victim-Offender Dynamics in Violent Crime,* 72 J. CRIM. L. & CRIMINOLOGY 743, 748-750 (1981).

11 HINDELANG ET AL., *supra* note 4.

404, or 40% of the offenses, some kind of victim resistance was present. But whether a victim resists a threat of robbery is partly a function of the character of the intimidation. Of the 166 offenses in which the offender threatened the victim with a knife, only 30% of the victims resisted either orally, by physical force or by displaying their own weapon. This 30% is the lowest amount of resistance compared to other types of intimidation—including use of a blunt instrument (a beer bottle, stick, rock, etc.), a handgun, physical force, restraint, threatening gestures, or simply oral threats. Victims seem to fear knives most, for seven out of ten times when a knife was part of the drama of intimidation, as it was in 126 cases, the victim displayed no resistance. There was more resistance to a gun threat, 40%; and victims resisted most to intimidation with a blunt instrument, 52%.

Perhaps robbers are more successful in completing the offense and stealing something of value when they display a weapon—any of the weapons mentioned earlier: gun, knife, blunt instrument? No, the success rate is unaffected by the presence of a weapon. As a matter of fact, when the offender used a weapon to threaten, 72% were successful robberies and, when no weapon was used, 76% were completed. Again, no significant difference.

Robbery victims are sometimes physically injured. Among our cases, most were not: 70% (704) were unharmed; 20% (205) suffered only minor harm, such as a shove, a blow, or a fall that did not require the attention of a doctor; 9% (91) were injured to the extent that a physician's care was needed, but these victims were then immediately discharged; and 2% (26) were hospitalized for treatment of their injuries. A statistically significant relationship exists among these degrees of harm relative to completed and uncompleted robberies. Among completed acts, 72% of the victims had no injuries; among uncompleted acts, only 57% enjoyed no injuries. As the gravity of the degree of harm increases from minor harm, to treated and discharged, to hospitalization, the ratio of uncompleted over completed robberies also increases. A victim of an attempted robbery is much more likely to be assaulted than a victim of a completed robbery. If either victim is physically injured, the attempted-robbery victim will twice as likely require medical attention or will be hospitalized.

As we might now expect, because resistance is significantly related to unsuccessful robberies, and because the presence and degree of physical injury are also related to unsuccessful robberies, resistance should be related to being injured, and indeed it is. Among those cases in which there was no resistance (623), nearly three quarters (74%, 462) suffered no physical harm; but among the 404 robberies in which the victim resisted the offender, only 60% (242) had no inju-

ries. This is a statistically significant difference.

We are not yet able, in this step of our analysis, to examine the triangular interaction between (1) resistance, or a lack of it, (2) this type of intimidation, and (3) degree of physical harm or its absence. We have noted that there are more victims who acquiesce or offer no resistance (623) than there are victims who resist (404). We have also found that being harmed is significantly related to resistance. We can now see that it is resistance and not the instrument of the intimidating threat that promotes more and higher levels of injury. For example, the least life-threatening form of intimidation is oral; when *only* oral threats are used initially in the robbery, few persons will be harmed. Among the 112 non-resisters, only one victim was later medically treated and only two received minor shoves, while 97% were unharmed. In contrast, among the ninety-five resisters whose initial threat was *only* oral, eleven were hospitalized or medically treated and twenty had minor harm. When a gun was the instrument of intimidation, only 5% of the non-resisters but three times (16%) as many resisters were seriously hurt. Unfortunately, I did not have information about the use of a gun to resist the robbery.

Nonetheless, the methodological soundness of the current Kleck and Gertz study is clear. I cannot further debate it.

There is no one part of the early section of their paper with which I disagree. These authors argue against the mutual offensive behavior of offender and victim in homicide cases. They then refer to robbery, burglary and lesser assault cases. They cite me relative to homicide.

Robbery and burglary are quite different offenses from homicide. Robbery and burglary commonly involve stranger relationships between offender and victim. Not so with homicide, although stranger and unknown relationships, according to the *Uniform Crime Reports*, have greatly increased over the past thirty years.

Still, many homicides have victims who are demographically like their offenders. My victim-precipitated homicide thesis is not diminished by any contemporary homicide research.

Defensive gun usage, as reported in the current study by Kleck and Gertz, includes mostly robbery and burglary, in which offenses there is little "mutual combat" compared to homicides.

My *Patterns in Criminal Homicide* stands as solidly viable with respect to the offender-victim drama, the prior record of victims, and the victim-precipitated model, as indicated in studies in Chicago by Blocks, in Alberta by Silverman, in Montreal by Normandeau and many other places.

The Kleck and Gertz study impresses me for the caution the authors exercise and the elaborate nuances they examine methodologically. I do not like their conclusions that having a gun can be useful, but I cannot fault their methodology. They have tried earnestly to meet all objections in advance and have done exceedingly well.