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**Department of Criminal Justice Services
Commonwealth of Virginia**

**Violent Crime and Worker's Safety
in Virginia Convenience Stores**

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**U.S. Department of Justice
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**Report
to
The Virginia State Crime Commission
on
Violent Crime and Worker's Safety
in Virginia Convenience Stores**



**Department of Criminal Justice Services
Virginia Crime Prevention Center**

December, 1991

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This study is the result of the interest, experiences and efforts of innumerable individuals. Since many of these experiences involved great personal tragedy, we dedicate it to the victims of the violent crimes discussed later, and to those who live with the personal losses that resulted from them.

We are especially indebted to the local law enforcement agencies that responded to our survey. Although a voluntary effort, their overwhelming response to our request, often requiring tedious manual searching of files, is an indication of the seriousness with which they view the problem of violent crimes at convenience stores. A special thanks to the Virginia Beach Police Department for sharing the prototype of our survey collection instrument.

Taking the risk of omitting many that assisted us, we would like to specifically thank:

Convenience Store Safety Committee

Ms. Nancy Venable-Corruthers
Ms. Jean Berrier

Elected Officials

The Honorable Owen Pickett
The Honorable Elmon Gray
The Honorable George Heilig, Jr.

Gainesville, Florida Police Department

Chief Wayland Clifton, Jr.
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Department of Labor and Industry
Industrial Commission
 Crime Victims' Compensation Division
 Workers' Compensation Division

INTRODUCTION

There has been rising concern nationally that members of certain occupational groups suffer an increased risk of being victims of violent crime while on the job. This concern about violent crime in the workplace has also surfaced in Virginia.

During 1989, Delegate George Heilig, Jr. of Norfolk brought to the attention of the Commission the risks encountered by individuals such as convenience store clerks. As a result of his interest, Commission staff met in Virginia Beach with Ms. Nancy Venable and her sister, Ms. Jean Berrier, whose father had been murdered while working at night as a convenience store clerk in South Carolina. After considering the information gathered at this meeting, Senator Elmon Gray invited the sisters to address the Commission at its December 19, 1989, meeting in Richmond.

At that meeting Ms. Berrier and Ms. Venable, representing the Convenience Store Safety Committee, urged the Commission to investigate ways to reduce the risk of harm from violent crime to those persons who earn their living as convenience store clerks. This same theme has been repeatedly raised by editorials in The Virginian-Pilot and The Ledger-Star. Congressman Owen Pickett has also addressed this concern with the National Institute for Occupational Safety and Health which is studying homicide in the workplace.

While the Commission was interested in this important issue, existing work obligations prevented it from undertaking a legislative study in 1990. In an April 24, 1990, letter to the Department of Criminal Justice Services (DCJS), Senator Gray referred to Section VIII (B) of the Commission's 1989 Annual Report and requested that the Virginia Crime Prevention Center (VCPC) within DCJS begin collecting information during 1990 on the scope of the problem in Virginia. It was also requested that these preliminary data be presented to the Commission for review.

On December 11, 1990, a Preliminary Report was presented to the Commission. At that time it was noted that the convenience store industry was conducting a three-part national study that would be completed in November 1991. Desiring to benefit from the industry's study, the Commission requested that DCJS continue with its Virginia study and incorporate the findings of the industry's study with a report to the Commission in December 1991.

NATURE AND SCOPE OF VIOLENT CRIME IN THE WORKPLACE

Worker Safety And Public Policy

In order to preserve domestic tranquility, government has a long standing history of intervening when the "public good" is threatened. Prime examples of this are the regulations and resulting procedures that are associated with the area of public health. Routine inoculations, water quality testing, proper sewage treatment and food preparation inspections are all examples of government regulated interventions that have contributed immensely to the health and well-being of our citizens. An additional dividend to this orientation is that, not only are citizens healthier, but primary preventions are more cost effective than reacting to an epidemic.

Lessons learned in the public health arena about primary and secondary interventions have slowly moved into the arena of public safety. Two of the most extensive examples of the transference of this approach into public safety are building codes and fire codes. Changes in the way we approach traffic engineering, as well as the introduction of seat belt legislation, are also examples of this preventive approach.

Research On Crime And Worker Safety

In 1984, former Surgeon General C. Everett Koop stated:

Violence in American public life is every bit a public health issue for me and my successors in this century as smallpox, tuberculosis, and syphilis were for my predecessors in the last two centuries. Violence in American public and private life has indeed assumed proportions of an epidemic.

Koop's statement signaled an expanded focus for the Centers for Disease Control (CDC) and the National Institute for Occupational Safety and Health (NIOSH) from their historical epidemiological concerns of health and safety, to include the traditional public safety issue of violence. Efforts at CDC have concentrated on violence of all types, with a particular focus on homicides.

In keeping with its mission, the work done at NIOSH has focused on homicides in the workplace. Because of their unique training and perspective, these organizations can contribute invaluable data for consideration in the formation of public policy related to crime.

Recent research has concentrated on the crime incidence experienced by specific industries, occupational groups and at risk populations. To explore this issue, NIOSH established the National Traumatic Occupational Fatality (NTOF) data base.

The NTOF data base contains 6,955 work-related homicides for the years 1980 through 1988. For that nine year period, homicide was the third leading cause of occupational death (Jenkins, 1992). Homicide accounted for 12 percent of all occupational deaths and was only superseded by motor vehicle related deaths (23%) and machine related deaths (13%). A prior NTOF study for the years 1980 -1985, identified homicide as the leading cause of death for women in the workplace (Bell, 1990 & 1991).

Focusing on industrial divisions, NIOSH found that the Retail Trade classification had the highest number of work-related homicides. Retail Trade accounted for 36 percent of all work-related homicides, while the Services and Public Administration classifications accounted for 17 percent and 11 percent, respectively.

Rates per 100,000 workers in each industrial classification were also calculated to control for the differences in work force size between the industries. It was found that the average rate of work related homicide for all industries was .83 per 100,000 workers. However, once work force size was controlled for, Retail Trade and Public Administration tied for the highest rate of 1.70 work related homicides per 100,000 workers. The explanation for Public Administration being a high risk industry is due to law enforcement being included in this classification and police officers murdered on the job being counted in this calculation.

Additional research has focused on occupational groups at risk. Such work has indicated that taxi cab drivers, convenience store clerks and delivery truck drivers carrying receipt cash are the occupational groups with the highest likelihood of being murdered on the job (Davis, 1987; Davis et al., 1987; Hales et al., 1988; Kraus, 1987).

These ground-breaking findings identifying at risk occupational groups, including convenience store clerks, led NIOSH to invite a selected group of researchers to participate in a July 1990, focus group in Washington, D.C., entitled "Laying a Foundation for a National Strategy to Prevent Workplace Homicides." A staff member from the Virginia Crime Prevention Center participated in this group at the request of Congressman Owen Pickett.

The strategy developed at this meeting will soon be released by NIOSH, and is expected to call for the establishment of more complete data bases, increased surveillance of at risk occupational groups and more detailed evaluations of prevention strategies. All of these developments point to the special risks encountered by some industries, especially the convenience store industry.

THE CONVENIENCE STORE INDUSTRY NATIONALLY AND IN VIRGINIA

The convenience store has evolved over the years from the familiar "Mom & Pop" store into a multimillion dollar, nationwide industry which provides a diverse range of goods and services. However, the actual definition of a convenience store has become a bit problematic as the industry has expanded into other retail markets such as gasoline sales. This definition has become even more clouded as the role of the traditional gas station has been expanded to include the retail sales of a host of grocery items, including beer and wine.

Although no one definition seems to provide the perfect description of what is, and what is not, a convenience store, there are two very useful definitions available. The Virginia State Police Uniform Crime Reporting Manual defines a convenience store as ". . .the neighborhood store that specializes in the sale of consumable items, is easily accessible, and generally has extended hours of operation." The National Association of Convenience Stores defines convenience stores as "Retail stores that sell gasoline, fast foods, soft drinks, dairy products, beer, cigarettes, publications, grocery items, snacks, and non-food items and are usually open 7 days per week for longer hours than conventional supermarkets."

The convenience store industry consists of both independently owned and operated stores, and large chain store operations. Southland / 7-11, with 791 stores, is the largest chain operating in Virginia. Overall, there are 106 convenience store chains (two or more stores) operating an estimated 2,520 stores in Virginia as of December 1989, which was the end of the data collection period for this study.

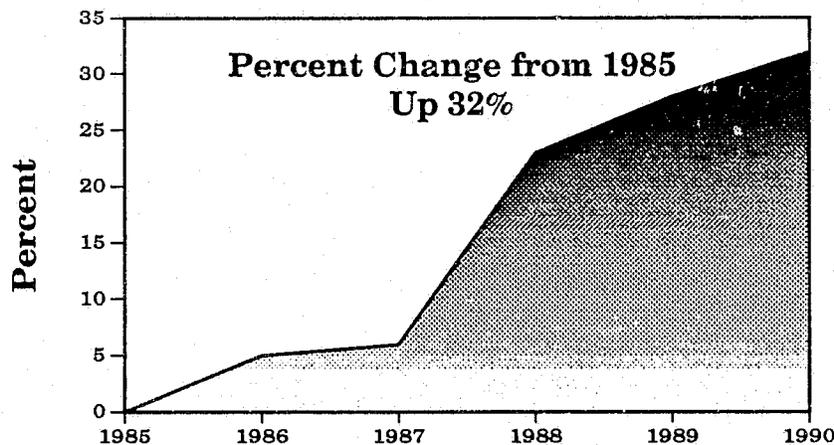
NATURE AND SCOPE OF VIOLENT CRIME AT CONVENIENCE STORES

National Indicators

While the effort to make the neighborhood store more convenient to its customers has been quite successful, it has also had some negative consequences. The advent of the modern convenience store has also created a distinctive category of crime. This fact was recognized in the Uniform Crime Reports: Crime in the United States, when the FBI originally used "Chain Store" as one of the seven categories to describe the location where robberies occur. In 1978 the FBI substituted the term "Convenience Store" for the pre-existing crime location category of "Chain Store."

However, as Figure 1 illustrates, during the last six years there has been a steady increase of convenience store robberies in the United States. This 32 percent increase in robberies nationally, has led to renewed concerns about the occurrence of all violent crimes at convenience stores. These concerns have been expressed by citizens, private industry, and government at the local, state and federal levels. Some law enforcement officials have characterized their concerns a bit more wryly by referring to convenience stores as "Stop & Robs" or "the Poor Man's ATM."

Figure 1
United States Robbery of Convenience Stores



Source: *FBI, Uniform Crime Repts: Crime in the United States, 1989 and 1990.*

Research On Violent Crimes At Convenience Stores

Concern over the convenience store as a specific and identifiable crime target has been raised by law enforcement, as well as industry officials and independent researchers. A brief summary of the major studies is provided.

Crow and Bull

The pioneering study in this area was conducted by Crow and Bull (1975). They developed a scale that ranked attractiveness of a store for robbery from the viewpoint of robbers. This scale was administered to former robbers to measure the relative weight each factor had in the robber's decision to rob, or not rob a store. Stores ranked as being more attractive targets to robbers were found to have been victimized more.

A robbery prevention strategy was developed incorporating those factors that robbers rated as detracting from target attractiveness. This strategy included: posting of "low cash-on-hand" signs, increased lighting levels, removal of obstructions reducing visibility into and around the store, use of security devices such as mirrors, reduction of the accessibility of escape routes, and encouraging activity in and outside the store.

These strategies were implemented in 60 experimental stores and tested against a control group of 60 stores. The experimental group of stores with the new crime prevention measures experienced an 18% reduction in robberies during an eight month period.

Scott, Crow and Erickson

In a continuation of the earlier study, Scott, Crow and Erickson (1985) interviewed an additional 181 robbers serving sentences in prisons in four states. The robbers were asked to rate on a scale from 1 (very important) to 5 (least important), eleven factors that might deter them from choosing a store as an attractive target.

Based on the robbers' ratings, the researchers concluded: cash handling was the most effective preventive measure, two clerks on duty would not be a deterrent, and that the sex of the clerk was not a factor. This study has been criticized because the robbers interviewed were of all types; not just convenience store robbers and, that some of the wording of the questions seemed to be phrased in a manner that would evoke macho responses on "how tough" the robbers were.

Swanson

Employing the robber interview methodology, Swanson (1986) interviewed 65 inmates in four Florida prisons. The inmates interviewed were specifically chosen because they were all serving sentences for robberies of convenience stores. Thus, other types of robbers were not mixed in with the study sample.

Swanson provided the robbers with lists of store characteristics. They were directed to rank the five most appealing and the five least appealing characteristics that affected their decision to rob or not rob a store.

The characteristics the convenience store robbers ranked as least and most appealing were:

- Least Appealing Store Characteristics To Robbers

1. Many customers;
2. Heavy traffic flow in front of store;
3. Two clerks;
4. A back room;
5. Male clerk;
6. One-way mirror;
7. Limited escape route;
8. Alarms;
9. Clear visibility into the store; and
10. Stores that sell gas.

- Most Appealing Store Characteristics To Robbers

1. Remote area;
2. Only one clerk on duty;
3. No customers;
4. Easy access/getaway;
5. Lots of cash;
6. Female clerk;
7. No back room;
8. Obstructed windows;
9. Type of safe; and
10. No alarm.

From these rank orderings by robbers of target appeal characteristics, Swanson constructed a master list of store characteristics. When this list of 32 characteristics was correlated with three years of robbery data for a sample of stores in Gainesville, Florida, he found five factors to have a statistically significant effect. The five store characteristics in the order of their strength are:

1. Only one clerk on duty (higher robbery rate);
2. Visible cameras (lower robbery rate);
3. 24 hour stores near by (lower robbery rate);
4. Type of safe (lower robbery rate); and
5. Hours of business (restricted hours lower rate).

City of Gainesville

The City of Gainesville (1988) used Swanson's study to draft a set of ordinances requiring security measures at convenience stores. Details of these ordinances will be discussed in the next section of this study.

After the adoption of these ordinances, Gainesville reports the following changes in the patterns of convenience store robberies for the three years after the base year of 1986:

- A reduction from 61 robberies in 1986 to 16 in 1989; a 73.7% reduction.
- Robberies occurring between 8:00 p.m. and 4:00 a.m. down from 39 in 1986 to 3 in 1989.
- Eighteen serious injuries requiring at least hospitalization for the three years prior to the adoption of the ordinances; none after.
- Robberies of stores with two clerks on duty down from 9 out of 61 robberies in 1986, to 3 out of 16 robberies in 1989.

An assessment of the Gainesville findings sponsored by the National Association of Convenience Stores (NACS) is critical of the city's conclusions that the reduction in robberies is due to the adoption of ordinances requiring security measures (Wilson, 1990). The conclusions are criticized as being faulty interpretations of causal factors. The NACS assessment credits drops in robbery rates in Gainesville to: the arrest of three robbers in December 1986, changes in the base number of stores and displacement of crime to other targets.

Hunter

As his doctoral dissertation at Florida State University's School of Criminology, Hunter (1988) studied convenience store robberies in a sample of 110 stores across Florida for a two year period. He found that the most consistent variable associated with a store's likelihood of being robbed was the availability of an escape route that was concealed. Hunter also found positive deterrent effects for the presence of gas pumps, amount of vehicular traffic, increasing the number of clerks, hours of operation, and locating the cashier in the center of the store.

National Association of Convenience Stores

It was noted in the Introduction of this report that the Crime Prevention Center study was continued for another year so that we would have the benefit of the National Association of Convenience Stores (1991) study. NACS completed its three-part study in November.

The three parts of the NACS study are: A National Survey of Convenience Store Crime and Security, Convenience Store Homicide and Rape, and An Assessment of Robbery Deterrence Measures at Convenience Stores: Multiple Clerk Staffing, Central Station Based Interactive Television and Bullet-Resistant Barriers.

The national survey involved a mail survey to the association's 1,256 members. A total of 1,204 usable questionnaires produced an average response of 60% of its members for the years of 1989 and 1990. These members reported an annual average of 35,856 stores, or 51% of the stores in the United States.

Analysis of the responses to the survey produced the following findings:

- Robberies were concentrated in roughly 21% of the stores for both years;
- For the two year period, roughly 14% of the stores had one robbery and 7% had two or more robberies;
- Robbery rates, per 1,000 stores, of 317 for 1989, and 312 for 1990 were reported;
- Actual convenience store homicides reported were 33 in 1989 (1.05 per 1,000 stores) and 49 in 1990 (1.37 per 1,000 stores). Actual reported rates were used to project homicides in convenience stores nationally. It was projected that 77 homicides occurred in convenience stores nationally in 1989 and 99 in 1990.
- Actual convenience store sexual assaults reported were 64 in 1989 (2.12 per 1,000 stores) and 76 in 1990 (2.50 per 1,000 stores). Actual reported rates were used to project sexual assaults in convenience stores nationally. It was projected that 135 sexual assaults occurred in convenience stores nationally in 1989 and 167 in 1990.

The part of the study concentrating on homicide and rape was to be an in-depth analysis of these crimes. A response was received from over 600 of the NACS member companies. Fifty-eight of the companies reported 79 homicides and 72 rapes for both years.

Analysis of the 79 homicides reported found:

- Less than \$50 was taken in half the robbery/homicides;
- There was no indication of robbery in one third of the cases;
- 65 % occurred at night; and
- Handguns were used in 71% of the cases.

Analysis of the 72 rapes reported found:

- Two-thirds of the rapes did not involve robbery; and
- 89% of them occurred at night.

The deterrence measures study:

...surveyed 3,393 convenience stores operated by 12 companies to determine the robbery reduction effect, if any, of multiple clerks on duty during the third shift (11:00 P.M. to 7:00 a.m), closed circuit interactive television and bullet resistant barriers in those stores where adequate data were available to enable such an assessment.

It is important to note that these measures are only able to be analyzed for their effect on robbery rates since, despite the analysis of 3,393 stores, one homicide and zero sexual assaults were reported for the study's six and one-half year time frame.

The study found:

- Not enough data to assess bullet resistant barriers;
- High quality color monitor systems in 81 stores produced a 53% robbery reduction for the one year data were available;
- Data on reductions associated with closed circuit interactive television (CCITV) were promising, but inconclusive; and
- Two clerks on duty does seem to have an effect on reducing the robbery rate for stores that have experienced multiple robberies.

The great utility of the NACS study is its attempt to calculate projected national rates for robberies, homicides, sexual assaults, and other crimes of violence.

The finding that two-thirds of the rapes investigated in detail were non-robbery related was startling. It indicates that there are two distinct populations of offenders that are stalking convenience stores. This finding supports anecdotal descriptions of sex offenders that target Virginia convenience stores with lone female clerks working late night and early morning hours.

Other than the above two findings, the report available for review was disappointing. It is particularly disappointing because of the unprecedented scope and nature of resources that were available. The NACS report should have made an important contribution to the field of prevention. Instead it leaves more questions than it answers.

The most astonishing part of the study was the deterrence measures assessment. As stated in the quotation above, a sample of 3,393 stores was followed for six and one-half years. In that period the sample produced one homicide and zero sexual assaults.

Using the 1989 rates produced in the NACS study for homicide (1.05) and rape (2.12) per 1,000 stores, it would be expected to statistically experience 23 homicides and 46 rapes for this number of stores and covering that length of time. Since only one homicide and zero rapes surfaced in the sample, it can be concluded that either a sample of stores was studied that did not have a crime problem, or the crime prevention measures being studied were effective at heroic levels.

Regulation Of Convenience Store Security

Prior discussion has focused on research that has been conducted at the local, state and national levels on violent crime at convenience stores. This research, coupled with the field experience of law enforcement officials, has led to the enactment of local ordinances and state laws regulating security measures at convenience stores.

The City of Gainesville, Florida probably has the best known, and most often cited, local ordinance (Gainesville, 1988). Similar ordinances have been passed by at least ten other Florida cities or counties. Passed in 1986 and 1987, Gainesville's ordinances require:

- An unobstructed view of the cash register;
- Sales area visible from the street;
- Posting of "\$50 or less" signs;
- No more than \$50 cash readily available to employees;
- Maintenance of a drop-safe or time release safe;
- Posting of "non-accessible safe" signs;
- Security lighting standards for parking lots;
- Installation of a security video camera;
- Robbery prevention training for evening workers; and
- Requirement that two employees be on duty if a store is open between the hours of 8:00 p.m. and 4:00 a.m.

In 1990 the State of Florida passed legislation entitled the "Convenience Store Security Act." The application of this law is selective and its use is triggered by a violent crime at a store. State law requires that local governments that experience a death, serious injury, or sexual battery during the commission of a theft or robbery at a convenience store open between the hours of 10:00 p.m. and 5:00 a.m., shall adopt within 90 days, an ordinance mandating the following security measures:

- Silent alarm directed to local law enforcement;
- Security camera video system;
- Drop-safe or cash management device;
- Security lighting standards for parking lot;
- Posting of "\$50 or less" signs;
- An unobstructed view of the cash register area;
- Prohibits window tinting;
- Installation of height markers at store entrance;
- Robbery prevention training program for employees; and
- Establishment of a cash management policy to limit cash on hand from 9:00 p.m. to 6:00 a.m.

The general security measures listed above are endorsed by the National Association of Convenience Stores and are policy for many convenience store chains in the industry. However, implementation of these measures is voluntary and employment of these basic security measures is not universal.

The State of Washington has also passed legislation requiring security measures similar to those required by Florida. However, Washington requires all convenience stores to comply.

Also included in the 1990 Florida "Convenience Store Security Act" was a section authorizing the Attorney General "... to conduct a study to examine the safety and security requirements for at-risk businesses." This study was completed in January 1991, and led to the following conclusions:

After hearing hours of testimony and examining all available data on the subject of at-risk businesses and crime, this office has concluded that convenience stores often pose an unnecessarily unsafe condition, placing both employees and shoppers in needless jeopardy and exacting a largely immeasurable cost to our society. We have further concluded that the legislation already enacted by the Florida Legislature is effective as a good first step and that additional legislation is vital (State of Florida, 1991).

As a result of this study and its conclusions, the report called for additional security measures to augment the 1990 legislation. The additional measures identified, offered convenience stores one of the following five options.

- A. Provide at least two clerks on duty between the hours of 10:00 p.m. and 6:00 a.m.;
- B. Install bullet resistant safety enclosures for use by clerks working between the hours of 10:00 p.m. and 6 :00 a.m.;
- C. Provide a security guard on the premises during the hours of 10:00 p.m. and 6:00 a.m.;
- D. Lock the store between the hours of 10:00 p.m. and 6:00 a.m., and only conduct business by means of a pass-through-window; or
- E. Close the business between the hours of 10:00 p.m. and 6:00 a.m.

The above recommendations from the Attorney General's study have been incorporated into proposed legislation for the coming session of the Florida Legislature.

The convenience store industry has been bitterly opposed to regulations that require security measures, especially those requiring two clerks in the late evening and early morning hours. In arguing this point, one industry document concluded that security requirements for banks were a failure because of a large increase in bank robberies (Crow and Erickson,1989). The document stated :

In contrast is the experience of the banking industry. That industry has security standards mandated by the Bank Protection Law of 1968. ... Government regulation of security standards did not work for the banking industry. There is no reason to believe that regulation would work for the convenience store industry.

The analysis above focuses only on the crime of robbery. In dollars, comparatively little is lost during convenience store robberies. However, much is lost through physical assaults on clerks and customers.

The NACS study discussed earlier estimated that for the period 1989 & 1990, there were 46,246 convenience store robberies and 176 murders committed during robberies in convenience stores. This equates to a rate of 3.81 homicides per 1,000 robberies in convenience stores.

For the years 1986, 1987, 1989 and 1990 (1988 not available), the FBI reported 26,278 bank robberies and 19 homicides committed during those robberies. Those homicides included: thirteen bank employees, one customer, two guards, and three unspecified individuals. This equates to a rate of .72 homicides per 1,000 robberies of banks. The convenience store homicide rate exceeds that of banks by 429 percent.

If murders of only bank employees are considered, the rate drops to .495 homicides per 1,000 robberies of banks. The convenience store homicide rate would then exceed the bank employee homicide rate by 670 percent. It would seem as far as human life is concerned, the Bank Protection Law is an unqualified success. This analysis does not even address the issue of sexual assault, which is particularly problematic to convenience stores, but is not known to be a problem to the banking industry.

The thought of regulations for security reasons may seem distasteful at first glance. However, it has already been an issue in Virginia. The 1990 Session of the Virginia General Assembly amended Section 59.1-21.11., Code of Virginia, to read that gasoline station dealers with a franchise "...shall not be required to keep his retail outlet open for business for more than sixteen consecutive hours per day, nor more than six days per week.

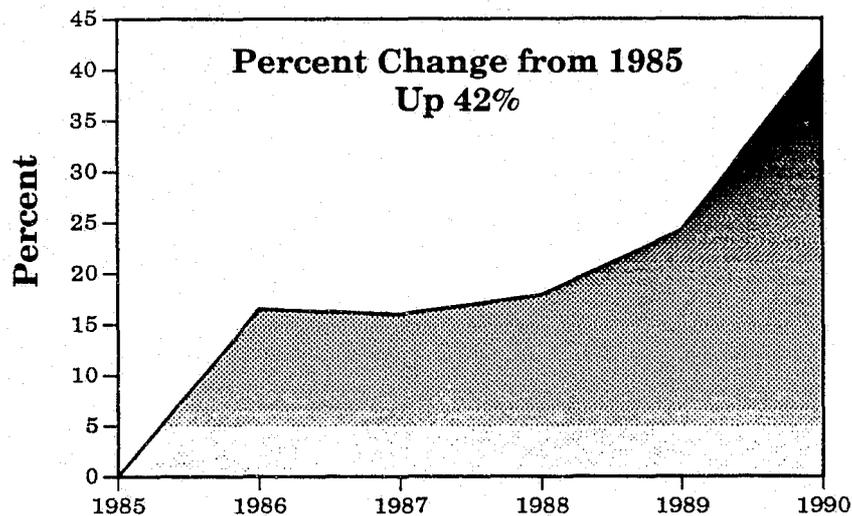
The option to not be required to be open for more than sixteen consecutive hours was sought by independent station owners who sought relief from refiner franchise agreements that required twenty-four operations. The most often stated reason for seeking this relief, was the fear of robbery associated and experienced with late night operations.

Virginia Indicators Of Convenience Stores Being At Risk Businesses

As was the case nationally, there has been a parallel growth of convenience store robberies in Virginia. As Figure 2 illustrates, there has been a 42 percent increase in convenience store robberies reported between 1985 and 1990. Actually, it is likely that this number is under-reported because of police officers responding to robberies of gasoline retailers that operate convenience stores and reporting it officially as a "gasoline station" robbery.

This increase in robberies is particularly important because extensive research has indicated that one homicide occurs for each 100 robberies involving a firearm (Zimring, 1986). The implication of this ratio becomes clear when one inspects the National Traumatic Occupational Fatality data base collected by NIOSH. For the period 1980-1988, the NTOF data disclose that while 17 Virginia law enforcement officers were victims of homicide in the line of duty, 45 retail trade workers in Virginia were work related homicide victims during the same period.

Figure 2
Virginia Convenience Store Robbery



Source: Adapted from Virginia State Police, *Crime in Virginia, 1989 and 1990*.

Public Concern In Virginia

The resurgence of serious crime in the Commonwealth has been accompanied by growing public concern. Existence of a grass roots citizen group like the Convenience Store Safety Committee underscore this growing concern. Public sentiment about violent crime in the workplace has also been reflected by local media coverage.

In Hampton Roads, for example, The Virginian-Pilot and The Ledger Star newspapers have addressed the issue of violent convenience store crime in at least seven editorials since December 1987 (see Appendix for full text). This, of course, is in addition to their regular reporting of such crimes.

The strongly-worded editorials repeatedly call for more stringent crime prevention measures to protect the safety of convenience store clerks. They urge public policy-makers to respond to the violence:

Monday, December 28, 1987

"We continue to tolerate exposing lone clerks to attack by assorted thugs and loonies, primarily during the wee hours. How many more men and women must be maimed, raped, or murdered while working the graveyard shift before convenience-store owners erect defenses adopted by more and more all-day, all-night gasoline stations?...If convenience store owners insist on keeping their stores open at night without putting at least two clerks on duty or adding architectural defenses to protect their clerks against robbers, rapists, and murderers, perhaps city councils should step in.

"Or do we - all of us here in the land of the very free - agree that a murder here and a rape there and a maiming over yonder are acceptable routine commercial costs?"

Wednesday, March 30, 1988

Yes, some criminals are so crazy, drugged, suicidal or mentally deficient that they will stick up convenience stores and supermarkets despite the presence of several other people. But compelling statistical evidence and criminologists' in-depth interviews with robbers and other criminals confirm that *fewer* - far fewer - convenience store robberies, rapes, maimings, and murders are committed when two clerks are included in the mix of robbery deterrents...The challenge of convenience store robberies is not strictly one for police, courts and corrections. Yes, robberies, rapes and murders are a law-enforcement challenge. But they are also a *public health* challenge, as is any work place bristling with occupational hazards. Until local, state and federal governments ordain reasonable steps to shield workers at high risk of being attacked by predators, the toll of victims will continue rising."

Tuesday, July 31, 1990

Swift countermeasures would be taken if chief executive officers of major companies were robbed, raped and blown away as often as lone night clerks in convenience stores. But the fate of low-wage retail employees working the graveyard shift seemingly concerns few people...Certainly it isn't of compelling concern to those convenience-store executives who fail to assign two night clerks per store or to arrange for lone clerks to serve late-night and early morning customers from behind bulletproof glass....The statistics on convenience store robberies, rapes and homicides make sickening reading, especially because they would be much lower if the convenience-store industry (like the oil industry, which posts more and more filling-station clerks in bulletproof booths) extended itself to save employees' lives. Because only a fraction of the industry does, legislation or regulation is the indicated remedy."

Tuesday, October 2, 1990

"But action is needed *now*. Too many retail workers are robbed, raped, maimed and murdered. Punishing those who rob, rape, maim and murder them is essential, but punishing criminals takes place after crimes are committed. Sensible protective measures - crime-prevention steps - are also essential.

"Maybe the Virginia Housing and Community Development Agency could look into the problem, too. Maybe the state building code should be amended to require bulletproof-glass shields for isolated night clerks in small motels, convenience and ice-cream stores and the like. Fire-safety equipment, materials and architectural features must be incorporated into buildings. Why not appropriate crime-prevention features, too? Surely more retail workers are robbed, maimed, raped and murdered on the job than are injured and killed by workplace fires."

Wednesday, December 12, 1990

"It's past time for governmental action to protect convenience store clerks...The convenience store industry is sponsoring a national study. But Virginia needs its own - and lifesaving legislation quickly thereafter...The list of victims lengthens too fast. Decency demands a societal response. Soon."

Tuesday, March 26, 1991

"Demands for crime-prevention steps in convenience stores are spreading. Florida seems to be on the verge of mandating them. Virginia is studying the issue. So is the federal government; the Occupational Safety and Health Administration may act...Effective governmental action is overdue. The convenience store industry doesn't want it. But the casualties pile up. The taxpayers pay through the nose. and the clerks pay in blood and tears and fear."

The Victim's Perspective On Convenience Store Crime In Virginia

The statistics presented in this report reflect the level of criminal activity and the types of crimes associated with convenience stores; however, numbers don't tell the entire story.

The reality of convenience store crime is that it touches the lives of individuals who must then live with the impact of those crimes. Sometimes the story is found in an offense report. At other times, it is reported by the media or reflected in court testimony.

While all these crimes begin as acts of desperation, many end in tragedy. For example:

- During a robbery attempt at a convenience store in Northern Virginia, two men entered the store at 2:00 a.m. To get the clerk's attention, they began knocking items off the shelves. When the clerk attempted to call the police, the suspects pulled the phone off the wall.
- At a second convenience store in Northern Virginia, a clerk was at the store room door at 4:15 a.m. when the suspect tapped her on the shoulder. She turned to find the suspect pointing a full size, single barrel shotgun at her. His face was covered with a black silk scarf. He gave the victim a paper bag and motioned to the counter. The victim put the money in the bag. As the suspect turned to flee, he looked at the clerk and said, "Gotta make a living." He got \$12.00.
- At 12:50 a.m., a clerk was closing a store in a small town in south central Virginia. Four men jumped the victim. Their take was \$3.50.

- In southwestern Virginia, a clerk was working at 12:41 a.m. when a suspect walked in with a firearm. When the clerk, who was understandably nervous, couldn't get the money out of the register, the suspect threatened to kill her. Then he picked up the register and fled on foot.
- On the Eastern Shore, a lone female clerk was working. At 2:55 a.m., a suspect entered the store, not to rob it, but rather to rape the clerk.
- In the Hampton Roads area, another lone female clerk was working at a convenience store just after midnight. She, too, was raped and sodomized. Again these were crimes of sexual predation. They were not committed in conjunction with a robbery.
- In Richmond, again in the very early hours of the morning, a female clerk was working alone in a convenience store. A suspect entered the store, waited for a customer to leave, then shot the clerk in the face before taking money from the register.

There are countless other stories associated with the convenience store crimes which took place during the 1988-89 time period of this study. Unfortunately, such crimes continue to occur:

- In Norfolk, a clerk was working one night when a suspect came into the store, pulled a sawed-off shotgun from his jacket, and shot the clerk in the face at point blank range, killing him. The murder was part of the week-long spree of murder and robbery conducted by three men early last year.
- On the night of September 25, 1990, in suburban Fairfax, a 23 year-old Afghan refugee was found shot to death in the convenience store where he worked the night shift. The victim was a former Afghan rebel who fought Soviet soldiers for eight years. He had come to this country seeking peace and security for his family.
- In early March, 1991, a female clerk was working the graveyard shift in a Hanover County convenience store. About 3:00 a.m., the assailant entered the store, walked up behind her, and stuck a .22 into her back. He forced her to drive her truck to a secluded area of Henrico County. He told her he had AIDS, then raped and sodomized her. When he finished, he made her wipe down her truck to remove his fingerprints, then tied her to a tree. Throughout the ordeal, the assailant continually threatened to kill the clerk. When he was arrested, it was learned that he was a convicted rapist on parole just three days when he spotted the 34 year-old mother working alone in the convenience store.

These profiles support the data which suggests that those clerks, especially female clerks, who work alone during the night-time hours are at a much greater risk of violent crime and associated activity, than are clerks who work in pairs or who work during daylight hours.

Virginia Crime Prevention Center Survey

In order to determine the scope of the convenience store crime problem, the Virginia Crime Prevention Center surveyed 250 police departments and sheriffs' offices throughout the Commonwealth. These law enforcement agencies were asked to provide information on homicides, abductions, sexual assaults, malicious woundings, robberies and attempted robberies at convenience stores in their jurisdictions for the years 1988 and 1989. For purposes of this study, gasoline retailers (Chevron, Exxon, Texaco, etc.) with stores licensed to sell beer and wine were defined as convenience stores. The results of this survey reveal the extent of these violent crimes in the Commonwealth.

Of the 113 localities that responded to the survey, 65 reported a total of 995 violent events during 1988 and 1989. As used here, one violent event at a store (site victimization) could involve multiple crimes. As an example, one event could involve a robbery, an abduction and a rape. Thus, the 995 violent events reported involved a total of 1,020 separate violent crimes for the categories requested. Many departments voluntarily reported additional crimes such as indecent exposure and non-robbery related assaults on clerks. However, while those crimes are related to the issue of worker safety, they are not reported here because they were not uniformly submitted by all agencies.

The 1,020 violent crimes reported included:

- 6 Homicides
- 4 Abductions
- 6 Rapes
- 7 Other Sexual Assaults
- 12 Malicious Woundings
- 923 Robberies
- 62 Attempted Robberies

The 923 robberies and 62 attempted robberies reported to the DCJS survey represent 85 percent of the convenience store robberies and attempted robberies reported to the Virginia State Police for the purposes of compiling the FBI's Uniform Crime Report. The attainment of this high percentage of Virginia's convenience store robbery incidence for this two year period assures that the survey results include the preponderance of jurisdictions that are affected by violent crimes at convenience stores.

As the newspaper editorials indicate, suspects did not go into convenience stores empty-handed (Figure 3):

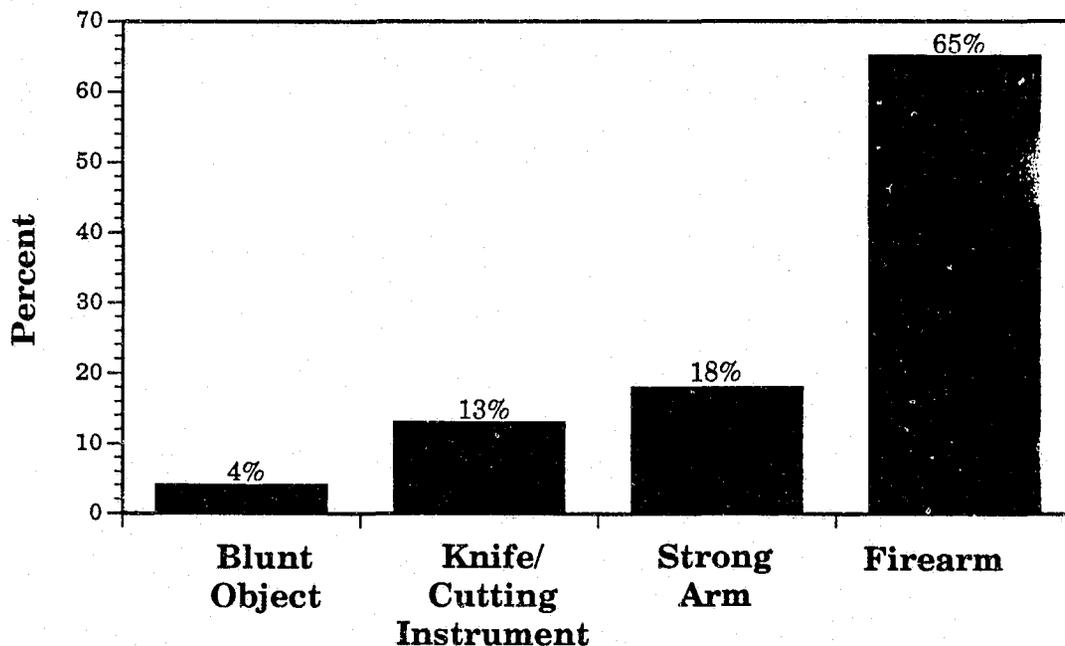
4% involved the use of a blunt/hitting object;

13% involved a knife or other cutting instrument;

18% were strong-arm robberies; and

65% of the events involved the use or threat of a firearm.

Figure 3
**Weapon Used in Violent Crimes Occurring at
Virginia Convenience Stores
1988 and 1989**



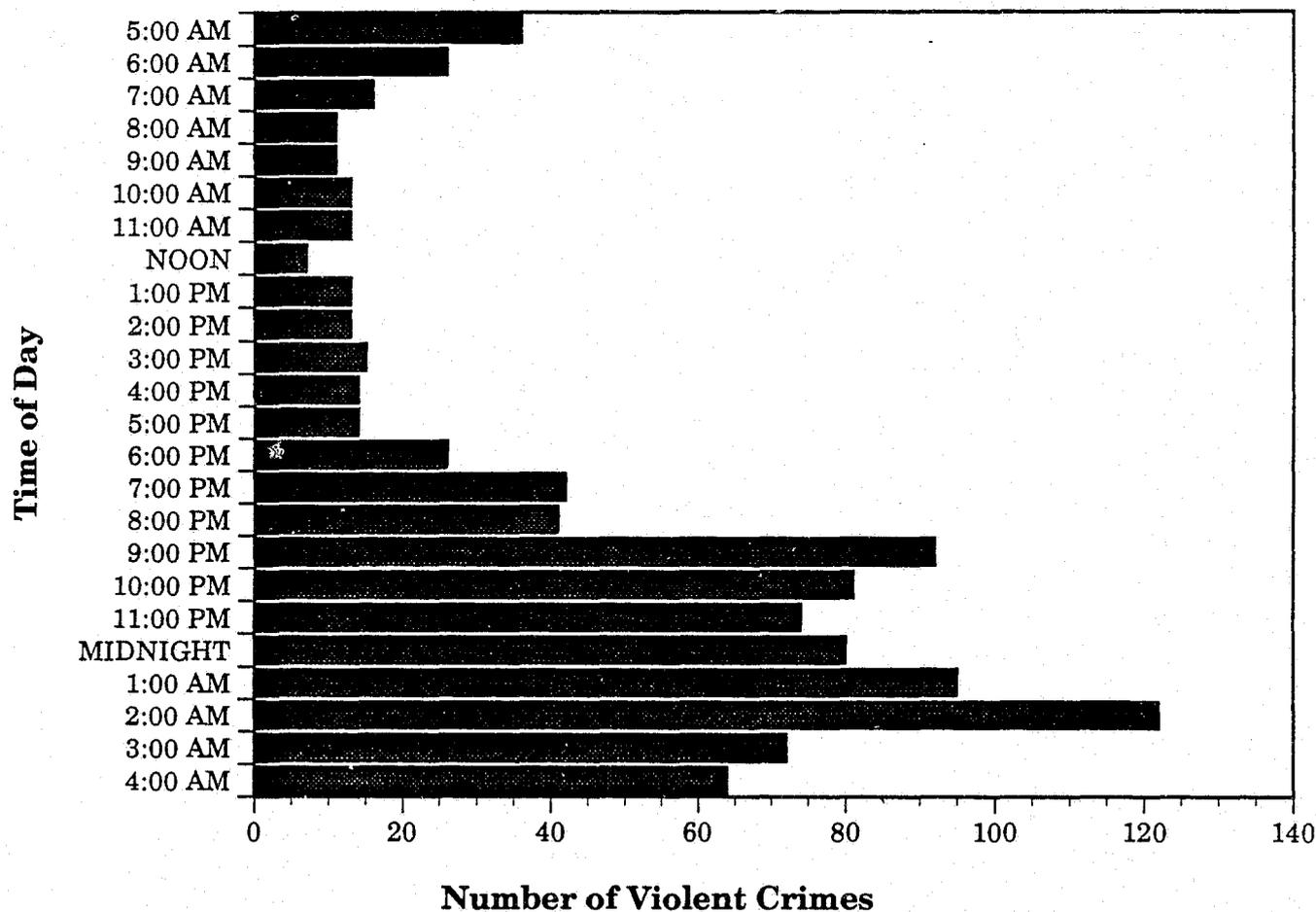
Source: *Virginia Department of Criminal Justice Services, Crime Prevention Center Survey of Law Enforcement Agencies. N = 113 Localities.*

It is interesting to note that only 37 percent of all robberies statewide involve a firearm. Yet, in convenience store robberies, the rate jumps to 65 percent.

In these robberies, the overwhelming weapon of choice was a handgun. Of the 995 violent events reported, 323 (32%) involved the use of a handgun.

Much research has focused on the time of day convenience stores are at risk. Figure 4 provides a distribution of violent crimes by the hour of day they were reported to local police agencies.

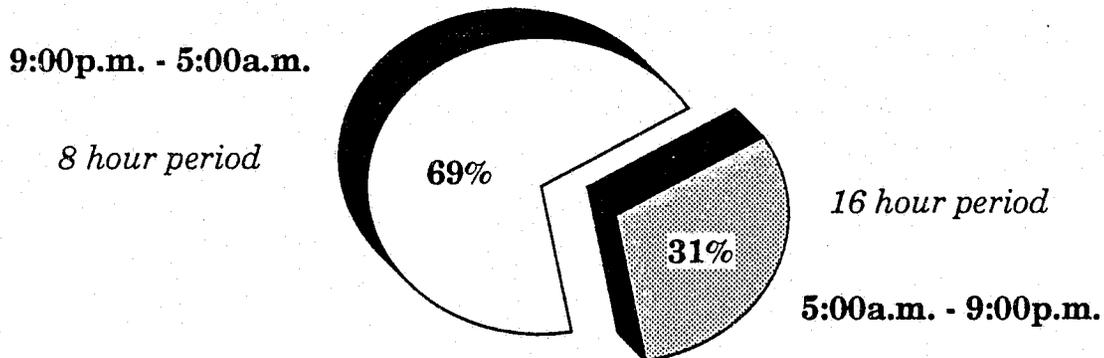
Figure 4
**Hour of the Day Violent Crimes Took Place
 at Virginia Convenience Stores**



Source: Virginia Department of Criminal Justice Services, Crime Prevention Center Survey of Law Enforcement Agencies. N = 113 Localities.

Most often, the convenience store clerk faced that assailant alone and at night. A total of 700 of the crimes occurred during the eight hour period between 9:00 p.m. and 5:00 a.m. (Figure 5). Eighty-eight percent of all the crimes took place while a single clerk was on duty. Nearly two-thirds (63%) of those lone clerks were female and there were no customers in the store.

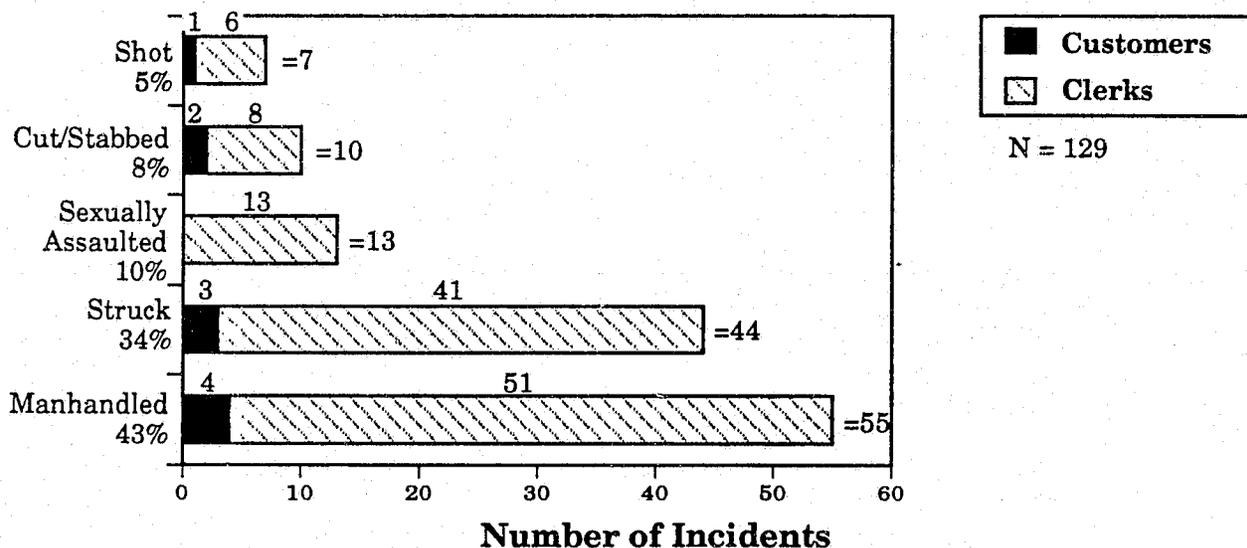
Figure 5
Time of the Day Violent Crimes Took Place at
Virginia Convenience Stores
1988 and 1989



Source: Virginia Department of Criminal Justice Services, Crime Prevention Center Survey of Law Enforcement Agencies. N = 113 Localities.

An important dimension of a crime is the introduction of physical force. Information on physical force was available for 693 of the violent events. While 82 percent of these events involved a threat of violence, 18 percent actually escalated into some form of physical violence. Figure 6 illustrates the incidence of physical force experienced by customers (8%) and clerks (92%) at convenience stores. Seventy-three percent of the physical force occurred during the eight hour period between 9:00 p.m. and 5:00 a.m.

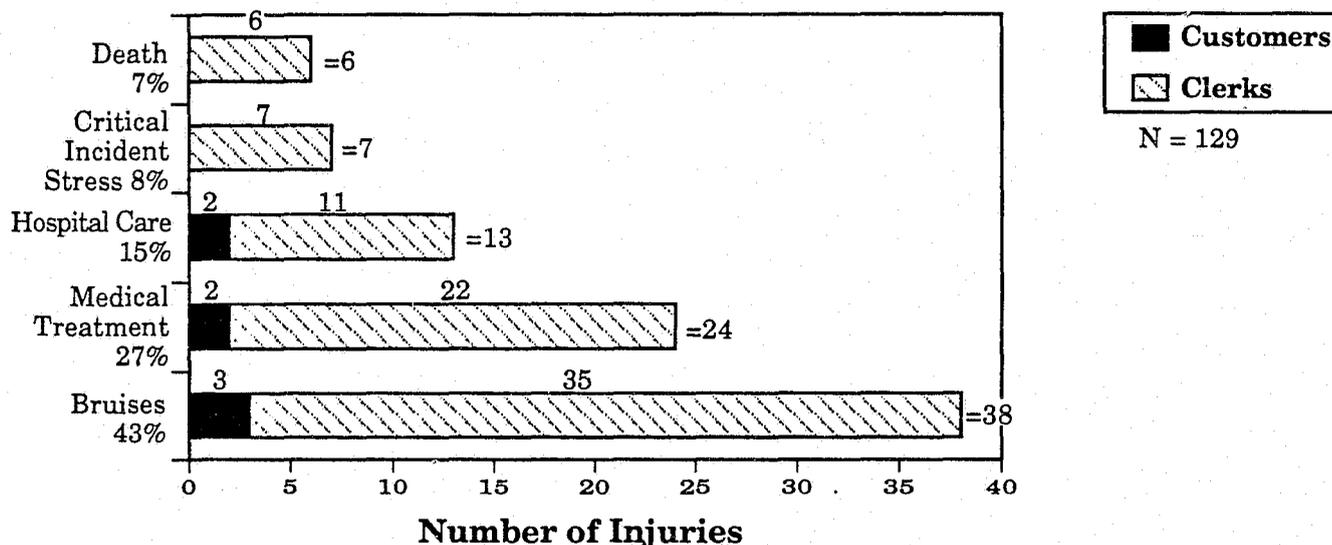
Figure 6
Type of Physical Force Reported by Convenience Store
Customers and Clerks During Violent Events
1988 and 1989



Source: Virginia Department of Criminal Justice Services, Crime Prevention Center Survey of Law Enforcement Agencies. N = 113 Localities.

Injuries to clerks were not unusual, and in some cases, customers were also injured. Injuries were experienced in nearly 11 percent of the 825 events where injury information was provided. The injuries received by customers (8%) and clerks (92%) during these events resulted in the distribution of injury severity illustrated in Figure 7. Over 71 percent of these injuries occurred during the eight hour period between 9:00 p.m. and 5:00 a.m.

Figure 7
**Severity of Injuries Reported by Convenience Store
 Customers and Clerks During Violent Events
 1988 and 1989**



Source: Virginia Department of Criminal Justice Services, Crime Prevention Center Survey of Law Enforcement Agencies. N = 113 Localities.

Violence at convenience stores was not limited to large metropolitan areas. Homicides occurred not only in Newport News, Norfolk and Henrico County, but in Albemarle County and Augusta County as well. Rapes took place in Chesapeake, Newport News and Petersburg, but they were also reported in Harrisonburg, Carroll County and Northampton County.

All of this activity generally netted the suspects very small amounts of cash. Of the stores successfully robbed, the average amount stolen was \$ 167. However, 41 percent had less than \$ 50 stolen, 63 percent had less than \$ 100 stolen, and 94 percent had less than \$ 500 stolen. Only 2 percent of the robberies involved \$1,000 or more; with \$ 4150 being the largest amount reported stolen.

State Compensation Programs In Virginia

The Virginia Industrial Commission provided access to two sets of data for this study. It was thought that review of the Virginia Workers' Compensation claims and the Virginia Crime Victims' Compensation claims would be useful. Analysis of these claims support the argument that convenience store workers are at an increased risk of injury due to criminal assault.

For the period January 1983 through August 1990, 66 claims were submitted for Virginia Workers' Compensation by all Virginia workers for injuries received at work that resulted from a criminal act (Thomas,1992). For the shorter period of January 1983 through November 1986, 25 claims were submitted for Virginia Crime Victims' Compensation.

Of the 91 claims submitted to both programs by all Virginia workers, a total of 44 (48%) were submitted by convenience/ grocery store employees. Of those 44 claims submitted, one was for a homicide, 13 for rapes and the remaining 30 claims were for other forms of injuries. The 13 claims related to rape accounted for 62 percent of rape-related claims submitted for all Virginia workers. It is expected that the full incidence of work-related sexual assault is not accounted for here, because sexual assault is notoriously under reported in workers' compensation files (Seligman et al, 1987).

The discussion above describes the submission of claims to Virginia's two compensation programs in rather analytical terms. However, the results of submitting a claim do not always produce the most satisfactory of outcomes. Concerned over how victims are treated once they are victimized, an anecdotal case was described by one Virginia attorney. He wrote to us about his client, "...a devout Roman Catholic who was raped and impregnated by an intruder in her place of employment, a convenience store. Her life was shattered; she received \$ 600 (exclusive remedy) from Workers' Compensation."

CONCLUSIONS AND RECOMMENDATIONS

This study found that convenience stores are the site of a sizeable number of violent crimes, both nationally, and in Virginia. During the period 1985 through 1990, robberies of convenience stores increased 32 percent nationally, and 42 percent in Virginia.

A cultural indicator of the pervasiveness of the perception of convenience stores being crime prone, is that they have been the topic of a popular children's animated television show. Two segments of "The Simpsons" have addressed the topic of convenience store robbery. In one, the owner of a store shows a new clerk his bullet wound scars and states, "They should be worn as a badge of courage."

The increase in robberies at convenience stores is particularly troubling because research has demonstrated that every 100 robberies involving a firearm, results in one homicide. A survey of Virginia localities supports the ratio cited in the research.

Additional research indicates that taxi cab drivers and convenience store workers have the greatest risk of becoming a homicide victim in the workplace, of all occupational groups in the United States. These risks appear disproportionately high for women. Since Virginia does not have the large numbers of taxi cabs that many states do, it would seem that convenience stores are the most likely source of workplace homicides.

Some of the recommendations being made in this study call for legislation that would address security measures statewide. There is already precedent in Virginia for this approach as a means to achieve personal safety for citizens. The right of a gasoline station owner to close his station at night because of his fear of crime has been discussed. Patron security in motels and a landlord's responsibility to provide security for tenants are also presently in the Code of Virginia. Under the authority of House Joint Resolution 64, the Crime Commission made a recommendation that security measures for new multi-family housing be included as part of the Uniform Statewide Building Code. These security measures were adopted.

The risk of a convenience store worker in Virginia becoming a victim of violent crime while at work is a serious and compelling issue. Bold action is needed to stem the growth of crime that is overpowering Virginia's law enforcement agencies, jails, courts and prisons. The prevention measures outlined in the following recommendations will be a major step in stemming this mushrooming threat to the Commonwealth's domestic tranquility.

CONCLUSION:

Obtaining details about the occurrence of violent crimes at Virginia's convenience stores was very difficult, and in the end, not totally complete. The Crime Prevention Center survey sent to local law enforcement agencies asked for information about crimes that some could not provide, and others could provide only after investing a fair amount of time manually searching files.

Crime analysis at the state level is an activity that is very important for criminal justice policy development. Meaningful and timely crime analysis at the state level will only be possible if a centralized and automated offense data base with sufficient detail is established.

The FBI is in the process of redesigning its Uniform Crime Reporting (UCR) system with an Incident Based Reporting (IBR) system. The new system would have made this study easier, faster, and more complete.

RECOMMENDATION:

- 1. Implementation of the Incident Based Reporting system by the Virginia Department of State Police and the Department of Criminal Justice Services should be a top priority to enhance criminal justice policy development.**

CONCLUSION:

Convenience store clerks are at risk from what appears to be two distinct criminal motivations. All clerks are at risk from the motive of economic gain through robbery. Female clerks are at additional risk from offender's personal pathology that manifests itself in sexual assault. Many important prevention measures have been developed from studies that have concentrated on individuals that have specialized in certain crimes.

RECOMMENDATION:

- 2. That a study of offenders convicted of committing violent crimes in Virginia convenience stores be conducted by the Virginia Crime Prevention Center.**

CONCLUSION:

Research indicates that there are two identifiable populations of convenience stores; those experiencing low rates of victimization and those experiencing high rates of victimization. High victimization stores are easy to identify. However, it is much more difficult to predict when a site that has been in the low victimization category might move into the high victimization category.

The cross-over from a low to high victimization site could be caused by many changes that affect the growth of new crime patterns. Such changes include: mobility of criminals (just passing through), economic decline of a neighborhood, increased unemployment, increased drug use, rapid population growth, and what would appear to be a general societal devaluation of human life. Since all of these conditions are to be found in one part of Virginia or another, the Virginia solution to violent crimes associated with convenience stores is envisioned as requiring two parts. The first part of the solution includes primary prevention measures designed for lower risk stores. This approach is much like fire prevention measures in fire codes being required at all sites for a particular class of structure.

RECOMMENDATION:

3. **Mandate a minimum set of security requirements for all convenience stores in Virginia.**

In effect, this would require the basic security measures the industry already endorses. It could be accomplished by enabling legislation authorizing the Department of Criminal Justice Services to regulate and monitor compliance in conjunction with local law enforcement agencies.

These minimum security requirements would include:

Recommended Minimum Security Requirements

- A. Install height markers at store entrances;
- B. Posting of "\$50 or Less" signs;
- C. Prohibit window tinting;
- D. Insure an unobstructed view of the cash register from the street (where possible without retrofit).

- E. Maintain acceptable security lighting for parking lots;
- F. Install a drop-safe, time-release safe, or other acceptable cash management device;
- G. Post "Safe Not Accessible To Employees" signs,
- H. Establish a cash management policy to limit cash on hand; and
- I. Require robbery prevention training for employees.

CONCLUSION:

All research, including research conducted by the convenience store industry, has established that the best predictor of a future robbery at a particular site is the history of past robbery. The latest National Association of Convenience Stores' study confirmed that there are high risk stores that suffer repeat victimizations.

Therefore, the second part of the solution to violent crimes associated with convenience stores is aimed at those stores that have actually been the site of a violent crime.

RECOMMENDATION:

- 4. Mandate a set of enhanced security measures for those convenience stores where a violent crime has occurred.**

Violent crime would be defined as homicide, abduction, malicious wounding, sexual assault, robbery, or attempted robbery. This recommendation could be accomplished through the same enabling legislation suggested in Recommendation 3. The enhanced security measures would include:

Enhanced Security Measures

- A. Install a video surveillance system or maintain a silent alarm system linked to the local law enforcement agency.

Enhanced Security Measures. (continued)

B. Select one of the following five options:

1. Provide at least two clerks on duty between the hours of 9:00 p.m. and 5:00 a.m.;
2. Install bullet-resistant safety enclosures for use by clerks working between the hours of 9:00 p.m. and 5:00 a.m.;
3. Provide a security guard on the premises during the hours of 9:00 p.m. and 5:00 a.m.;
4. Lock the store between the hours of 9:00 p.m. and 5:00 a.m., and conduct business by means of a pass-through window; or
5. Close the business between the hours of 9:00 p.m. and 5:00 a.m.

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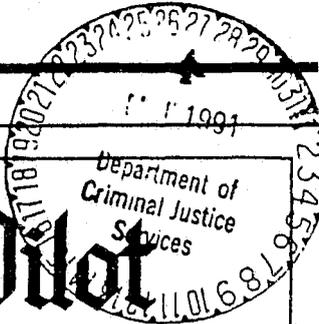
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APPENDICES



The Virginian-Pilot

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CONVENIENCE-STORE CRIME

Taxpayers pay, too

A 28-year-old Virginia Beach resident pleaded guilty last week to abducting, robbing, raping and sodomizing a convenience-store clerk at knifepoint in the Beach last July. He could be sentenced in May to four life terms in prison.

Two or more life terms assure 20 years behind bars before parole is even considered. Housing an inmate in Virginia's prisons costs an average \$17,225 a year. Even assuming that cost stays the same for the next 20 years, state taxpayers will pay at least \$344,500 to feed, shelter and guard Brian Keith Hensley — the Virginia Beach robber-rapist — for two decades. He might well be denied parole the first few times around, and that would raise the cost further. The bill would be boosted higher by any schooling the inmate received. When police, prosecutorial and court costs are thrown in, the tab is yet stiffer.

Expense is *not* an argument against locking up menaces to society. But it is an argument for mandating sensible crime-prevention measures to protect clerks — night clerks especially — in convenience stores, small motels, ice-cream stores and the like, and taxicab drivers. Predators see these workers as easy pickings.

What can be done to reduce convenience-store crime? Two clerks on duty, two-way communication systems (triggered by a small device worn by clerks), surveillance cameras, bulletproof shields — these things diminish the risks to retail workers who are demonstrably vulnerable to criminals. They should be required by government, just as fire-safety measures are, and for the same purpose: to lessen human suffering.

Responding to a General Assembly request, the state Department of Criminal Justice Services' Crime Prevention Center is studying violent crimes committed against convenience-store workers. The researchers counted more than 2,500 chain (two or more outlets) convenience stores in the state in 1989; the number doubtless is higher today. They also report that the 61 localities responding to a statewide survey recorded 698 serious convenience-store crimes in 1988 and 1989: 3 murders, 3 abductions and 1 attempted abduction, 6 rapes and 6 other sexual assaults, 4 malicious woundings, 15 assaults, 645 robberies and 42 attempted robberies.

Think about that. Convenience stores are prime criminal targets — so prime that the FBI now tabulates convenience-store crime statistics separately. Robberies of convenience stores nationwide increased by 28 percent between 1985 and 1989. Most of these robberies netted little money. But the cost in clerks' lives and well-being was much too high. For example, 29 of the 322 murderers — 1 out of every 11 — on Florida's death row in 1990 had killed convenience-store clerks.

Demands for crime-prevention steps in convenience stores are spreading. Florida seems to be on the verge of mandating them. Virginia is studying the issue. So is the federal government; the Occupational Safety and Health Administration may act.

Effective governmental action is overdue. The convenience-store industry doesn't want it. But the casualties pile up. The taxpayers pay through the nose. And the clerks pay in blood and tears and fear.

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CONVENIENCE-STORE CRIME

Virginia is not spared

It's past time for governmental action to protect convenience-store clerks.

A preliminary report on criminal violence against convenience-store clerks, presented yesterday to the State Crime Commission, recommended a "complete study of the criminal victimization of convenience-store workers and possible crime-prevention measures" to protect them. The preliminary report persuaded the Crime Commission to bless continued study.

Workplace-homicide studies in Texas and California show convenience-store clerks and similarly situated retail workers to be in as much danger as police. The statistics culled by the Virginia Department of Criminal Justice Services' Crime Prevention Center indicate a similar pattern in the Old Dominion: Forty-one retail-trade workers were murdered in Virginia between 1980 and 1985, compared with 19 law-enforcement officers.

Convenience-store robberies in the United States were up 28 percent at the end of 1989 over January 1985; in Virginia, 24 percent. Such robberies constituted 5.7 percent of all U.S. robberies in 1985, 6.3 percent in 1989.

Police speak ironically of convenience stores as "Stop & Robs." The Virginia Crime Prevention Center's *partial* survey of convenience-store robberies in 1988 and 1989 in the state turned up 645 robberies, 12 attempted robberies, 3 murders and 1 attempted murder, 4 malicious woundings, 3 abductions and 1 attempted abduction and 6 rapes and 6 other sexual assaults.

A large portion of these crimes could have been prevented if more night-shift clerks had been behind bulletproof shields or had worked in pairs and under the gaze of surveillance cameras.

Cash losses aren't the issue. Conve-

nience-store robbers net few dollars. Protecting clerks is the issue, just as protecting miners, meatpackers and other industrial workers is the rationale for existing workplace-safety laws.

Some legislators at long last are addressing convenience-store crime:

Florida now requires cities and localities to mandate specific crime-prevention measures following crime-related death, serious injury or sexual assault at convenience stores within their jurisdictions.

Norfolk Del. George H. Heilig Jr. called the Virginia State Crime Commission's attention to convenience-store crime, leading to the current report.

Rep. Owen B. Pickett, who represents Norfolk and Virginia Beach in Congress, has taken up convenience-store crime with the U.S. Occupational Health and Safety Administration. At Congressman Pickett's request, Jay Malcan of the state Crime Prevention Center staff last summer joined other researchers at Washington, D.C., to talk about "a national strategy to prevent workplace homicides." A study of homicide in selected occupational groups is contemplated.

The convenience-store industry is sponsoring a national study. But Virginia needs its own — and lifesaving legislation quickly thereafter. The toll of maimed, raped and murdered clerks is sickeningly high. A Virginia lawyer told the Crime Prevention Center of "a devout Roman Catholic, who was raped and impregnated by an intruder" while at work in a convenience store. Last week a gunman was convicted of murdering and robbing a former Afghan guerrilla working in a Fairfax convenience store to support his family.

The list of victims lengthens too fast. Decency demands a societal response. Soon.

CRIME

Endangered clerks

Two men robbed a Super 8 Motel in Portsmouth of something over \$100 on a recent evening, threatening the lone clerk on duty with a knife. Police said they wore stocking masks but that their descriptions matched those of gunmen who robbed a nearby Family Dollar store a few nights before, raping a clerk and getting away with more than \$1,000.

The frightened motel clerk wasn't harmed, fortunately, unlike the raped department-store clerk and a lone female night clerk murdered last spring at the Ocean Island Motel in Virginia Beach in the course of a robbery that netted her killers a few hundred dollars.

Last week a Norfolk judge sentenced a 22-year-old to concurrent 80-year prison terms for the rape, robbery and abduction of another lone retail worker — a pregnant ice-cream-store clerk — last November.

Nighttime crimes against vulnerable retail workers take place with sickening frequency in Hampton Roads — and all across America.

When will the public — churches, civic leagues, neighborhood anti-crime groups, feminists, civil-rights advocates, unions, *anyone* — demand greater protection for such workers, including cab drivers, who are at demonstrable risk of attack because they stand between predators and modest sums of cash? Many lives could be saved by requiring businesses remaining open at night to arrange for clerks to deal with customers through bulletproof glass, the way drive-in tellers and clerks at more and more all-night filling stations do.

That city councils refuse to act is scan-

dalous. The Virginia General Assembly may act in time; the State Crime Commission is looking into the peril faced by convenience-store night clerks around the state. The U.S. Occupational Safety and Health Administration may act.

But action is needed *now*. Too many retail workers are robbed, raped, maimed and murdered. Punishing those who rob, rape, maim and murder them is essential, but punishing criminals takes place *after* crimes are committed. Sensible protective measures — crime-prevention steps — are also essential.

Maybe the Virginia Housing and Community Development Agency could look into the problem, too. Maybe the state building code should be amended to require bulletproof-glass shields for isolated night clerks in small motels, convenience and ice-cream stores and the like. Fire-safety equipment, materials and architectural features must be incorporated into buildings. Why not appropriate crime-prevention features too? Surely more retail workers are robbed, maimed, raped and murdered on the job than are injured and killed by workplace fires.

Taking all risk out of life is impossible. But reasonable steps to reduce risk to the lives, limbs, bodily integrity and peace of mind of retail workers, many of whom work for minimum wage, is surely not too much to ask. Will *somebody* in government — starting with Hampton Roads city councils — do what simple decency demands be done to protect retail workers that bloody experience proves are at high risk of criminal attack?

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CONVENIENCE-STORE CRIME

Robberies, rapes, murders

Swift countermeasures would be taken if chief executive officers of major companies were robbed, raped and blown away as often as lone night clerks in convenience stores. But the fate of low-wage retail employees working the graveyard shift seemingly concerns few people.

Certainly it isn't of compelling concern to those convenience-store executives who fail to assign two night clerks per store or to arrange for lone clerks to serve late-night and early-morning customers from behind bulletproof glass.

And clearly it doesn't greatly trouble Hampton Roads city councils, which could mandate simple, effective steps to check nighttime robberies of convenience stores, as well as motels and ice cream stores.

Indeed, society at large is indifferent to the demonstrable vulnerability of night retail workers; indifferent to the statistical certainty that thousands each year will be threatened with death if they don't hand over the pittance in the till, and that hundreds of these will be raped, maimed, murdered.

Thus, the knife-armed barbarian who robbed a Virginia Beach convenience store about 4:30 a.m. Sunday and then abducted and raped the lone clerk committed all-too-predictable crimes in an all-too-predictable setting.

So did the knife-armed barbarians who robbed three 7-Eleven stores in Ports-

mouth within days late last month, taking cash and cigarettes in each place.

A caring society would demand protection for lone retail workers, as it once demanded protection for coal miners.

Advocates for the poor should lobby lawmakers for protections for these workers. So should feminists. And minority-rights groups. But none do.

Perhaps Richmond or Washington (or both) will address this public-health/workplace-safety challenge, since nearly all local governments, which ought to rise to it, look the other way.

At the urging of Norfolk Del. George H. Heilig Jr., the Virginia State Crime Commission is scrutinizing the perils faced by convenience-store clerks. Jay Malcan of the Virginia Department of Criminal Justice Services — the man who is directing the two-year crime-commission study — participated in a National Institute of Occupational Safety and Health workshop that recently explored clerks' risks. That the state was represented is attributable in part to Virginia 2nd District Rep. Owen B. Pickett's interest in the issue.

The statistics on convenience-store robberies, rapes and homicides make sickening reading, especially because they would be much lower if the convenience-store industry (like the oil industry, which posts more and more filling-station clerks in bulletproof booths) extended itself to save employees' lives. Because only a fraction of the industry does, legislation or regulation is the indicated remedy.

CONVENIENCE-STORE CRIME

Another raped clerk

Another lone clerk was raped on the job last week, around midnight as she was closing the convenience-store where she was employed. That specific crime would have been unlikely to have been committed — or unlikely to have been successful if attempted — if two clerks had been on duty.

Southland Corporation, owner of the 7-Eleven store on Battlefield Boulevard in Chesapeake where the rape took place, has in recent months put two clerks on duty in its Hampton Roads stores between midnight and 6 a.m. That doubling of personnel on the that shift was decreed following the murder of the manager of a Tinee Giant convenience store in Norfolk and two brutal attacks on 7-Eleven clerks on the Peninsula, where one victim, beaten beyond recognition, was slain and the other survived despite being raped, shot and left for dead. The rape at the Battlefield Boulevard store suggests that two clerks on duty throughout the day is a necessary step.

The two-clerk policy in Hampton Roads is at variance with Southland's official stance that no statistics or research exists to indicate that two clerks deter robbers. Perhaps two clerks in themselves would not deter crime, but the two-clerk practice in combination with other security measures reduces convenience-store robberies elsewhere.

Yes, some criminals are so crazy, drugged, suicidal or mentally deficient that they will stick up convenience stores and supermarkets despite the presence of several other people. But compelling statistical evidence and criminologists' in-depth interviews with robbers and other criminals confirm that *fewer* — far fewer — convenience-store robberies, rapes, maim-

ings and murders are committed when two clerks are included in the mix of robbery deterrents.

Responding to the problem more than a year ago, Gainesville, Fla., mandated a slew of anti-robbery stratagems for convenience stores. These included two clerks on duty between dusk and dawn, surveillance cameras, clear windows, lighted parking lots and secure on-premises safes to hold most of the stores' cash. A dramatic drop in convenience-store robberies followed. Best of all, no harm came to clerks or customers.

A local Convenience Store Safety Committee has been pleading with Hampton Roads city councils to follow Gainesville's example. We have repeatedly urged that lone clerks on duty at night be protected by bulletproof glass and serve customers through push-pull steel drawers. That the epidemic of killing, maiming, raping and robbing of convenience-store clerks rolls on in Hampton Roads with no effective response from makers of public policy is dismaying.

The challenge of convenience-store robberies is not strictly one for police, courts and corrections. Yes, robberies, rapes and murders are a law-enforcement challenge. But they are also a *public-health* challenge, as is any work place bristling with occupational hazards. Until local, state and federal governments ordain reasonable steps to shield workers at high risk of being attacked by predators, the toll of victims will continue rising.

Does this putatively civilized society countenance doing nothing? Are we supposed to agree that a rape here and a murder there and a maiming over yonder is a wholly acceptable cost of commerce in this land of the free? We think not.

CONVENIENCE STORES

Murdered clerks

Two convenience-store clerks were murdered late at night, on the same night, last week — one at a Tinee Giant in Norfolk, the other at a 7-Eleven in Newport News. Robberies, rapes, maimings and murders of convenience-store clerks are such a common occurrence that some seasoned journalists treat the crimes as ho-hum news. The *Virginian-Pilot* and *The Ledger-Star* published its report on the two slayings under a one-column headline on an inside page of the local-news section.

But precisely because violent and potentially violent crimes at convenience stores in Hampton Roads are almost-routine happenings, they should receive widespread attention. They constitute a challenge that ought to trouble every city and county legislative body and law-enforcement agency in the region. Convenience stores that stay open throughout the night are all-too-inviting criminal targets.

Convenience-store clerks working late-night and early-morning hours run a high risk of being held up at gunpoint or knife-point by loonies, drunks, drug addicts and delinquents. Threatening a life with a weapon is in itself a barbaric act that merits strongest condemnation by society and severe punishment. Anyone pointing a gun at anyone else is in a position to do anything he chooses to do. Which is why lone convenience-store clerks, who are unarmed, are raped and maimed and murdered with sickening frequency.

Communities must recognize that the

job of convenience-store clerk during the graveyard shift is one of the most hazardous occupations around. And it is far more hazardous than it need be. As we have suggested repeatedly, convenience-store clerks could be protected far better than they are by locking the stores' doors between, say, 11 p.m. and 6 a.m., and dealing with customers during that time in much the same way that many all-night filling stations now do: Clerks behind bulletproof glass would conduct sales transactions through push-pull drawers, serving customers who would remain on the outside of the stores. That would enable the clerks to move freely and safely inside the stores, pulling merchandise, restocking shelves, tidying.

If convenience-store operators won't protect clerks against criminals, city councils and boards of supervisors should mandate protective measures in order to hold down crime rates — convenience-store robberies constituted one-fifth of all robberies of commercial establishments in Norfolk in 1986, for example.

Indeed, local communities should move far more vigorously to *prevent* crime by adopting readily available crime-prevention stratagems. Police departments have in the past decade improved their statistical tracking of crime, as well as their analysis of such statistics. These statistics are the raw data that could suggest appropriate ways to deprive criminal predators of easy targets. Cities are less safe than they would be if *preventing* crime were higher on the public agenda.



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CONVENIENCE-STORE CRIME

Clerks at risk

More dangerous than the job of policeman is the job of convenience-store clerk during the late-evening and early-morning hours.

That convenience-store clerks are more likely to be robbed, raped, maimed and murdered than just about any other group of workers ought to arouse Americans to demand protection for them.

But it doesn't. We continue to tolerate exposing lone clerks to attack by assorted thugs and loonies, primarily during the wee hours.

How many more men and women must be maimed, raped or murdered while working the graveyard shift before convenience-store owners erect defenses adopted by more and more all-day, all-night gasoline stations? When will convenience-store personnel be shielded by bullet-proof glass, rendering them invulnerable to attack but permitting them to accommodate walk-up/drive-up business?

Item: A clerk at a 7-Eleven store in Newport News was abducted at gunpoint at 2:45 a.m. Dec. 19 by a man who brutally beat her, raped her and then shot her in the head. She survived, lying in her own blood in near-freezing weather, to be found six hours later by a search party. Information provided by the victim led police to arrest a suspect.

Item: Also on Dec. 19, at 3:10 a.m., a customer who was drinking coffee at the Tinee Giant in the 1200 block of Granby Street in Norfolk, followed a clerk into the back office, threatened to shoot her and took money from a desk drawer. The clerk was not harmed physically, but she easily could have been.

Item: At 9:30 p.m. Dec. 16, two gunmen robbed a Junior Market in the 400 block of Newtown Road in Virginia Beach. The clerk was not hurt.

Item: At 1:30 a.m. Nov. 30, a masked robber, armed with a handgun, entered

the 7-Eleven on the U.S. Route 58 Bypass at Courtland and demanded that the clerk hand over the \$5 to \$8 in the cash register. The clerk was not hurt, but the potential for harm was again present.

Item: On Dec. 16, David Earl Dodd was sentenced to 14 years in prison and 12 months in jail for robbing a Texaco Easy-Go convenience store on Shore Drive at Northampton Boulevard in Virginia Beach. He threatened a clerk with a handgun, which he fired inside the store, and took cash before fleeing the scene. The clerk was not harmed.

Upward of 50,000 convenience stores dot the United States, and perhaps 50,000 convenience-store robberies are committed annually. Convenience stores are not only convenient to the public, they are also much too convenient to the not very bright criminally inclined, who see them as easy targets.

Convenience-store robberies are a cliché. The crime was treated humorously in a recent film, "Raising Arizona." But what was hilarious in the movie is anything but funny in real life where real people risk their lives, bodily integrity and peace of mind to earn modest pay by working nights, usually because they need the work and the hours suit their schedule.

Street crime being as prevalent as it is, most Americans are potential targets for robbers. But some Americans are conspicuously more at risk than others. If convenience-store owners insist on keeping their stores open at night without putting at least two clerks on duty or adding architectural defenses to protect their clerks against robbers, rapists and murderers, perhaps city councils should step in.

Or do we — all of us here in this land of the very free — agree that a murder here and a rape there and a maiming over yonder are acceptable routine commercial costs?