

**ARMED ROBBER CHARACTERISTICS & CRIME PATTERNS VS JUDICIAL RESPONSE**

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A research population of 113 armed robbery convicts held at Oklahoma State Penitentiary during 1982 were interviewed to determine variables that influence robbery planning and the robber's experience in criminal court. It was assumed that the age of the offender at the time of the robbery, the criminal history of the robber, and his professed attitudes would influence both the degree of prior planning and the judicial disposition of the case.

The 1982 Federal Bureau of Investigation Uniform Crime Report shows that robbery accounts for only 4 percent of the total 1982 crime index, and that it increased 5 percent over the year 1981. There has also been an increase in robbery by very young offenders, according to arrest statistics. In 1981, 29 percent were under 18; in 1982, 34 percent were under 18. Of the robbery offenders, 60 percent were black. The offense was concentrated mainly in urban areas. The 1976 National Crime Survey shows that only 53 percent of all robberies were reported to police (McCaghy 1980), and only 24 percent of all robberies were cleared by an arrest. The great majority of robbery offenders successfully committed the crime without any punitive consequences.

Previous research shows that robbers are a highly diverse group. The offense pattern varies from simple street muggings to carefully executed assaults on a bank. Most offenses, however, are spontaneous and opportunistic with little prior planning and no weapons (Feeney, Weir 1979). Conklin (1972) identified four common patterns: 1) a drug-related pattern; 2) an alcoholic pattern; 3) the professional heist; and 4) the opportunist pattern. The professional robber is described as a competent lawbreaker who gains large sums of money, works with a team, and rarely uses actual force (Gibbons 1973). Robbers tend to be characterized as persons who have skill in managing people under stress. They are self-confident, but lack the technical skills of the safe-cracker or burglar. Some robbers require a high level of tension and anxiety, while others try to calm everyone after the initial confrontation (DeBaun 1950). One study of

criminal careers showed that mature armed robbers had been incarcerated half of their career span, and had graduated from youthful theft and burglary to armed robbery (Petersilia et al 1977). The general pattern with increasing age is an increase in the severity of offenses, a decrease in use of crime partners, and a lowering frequency of offenses.

There is consensus in the professional literature that the majority of robberies are unplanned. This assumption may be valid, because all the studies cited are based on convict groups which are by no means representative of robbers in general, since most are never apprehended, and hence, are not available for study. The present study deals with a group of offenders who were successfully identified by police, convicted in a court proceeding, and processed into the penitentiary for an extended stay. However, one would expect that age and criminal history might explain some differences in offense behavior and planning.

**OFFENDER CHARACTERISTICS AND CRIME PATTERN**

The 113 convicted offenders were held in the maximum security state penitentiary. Other cases in the state prison system which were reclassified to serve sentence in reformatories, work camps, or pre-release centers were excluded due to lack of access. Also excluded were death-row offenders involved in robbery-homicide. The data indicate that robbery is a young man's offense. Those under 18 years of age at the time of the robbery, and certified to stand trial as adults were 14 percent of the sample. These were presumably more serious cases in which the juvenile court declined jurisdiction. There were probably others under 18 years of age in the juvenile justice system, classified simply as delinquents. The age distribution is shown in Table 1. Blacks constituted 38 percent, which on a population basis shows an overrepresentation by a factor of 5. Only 18 percent were married; 87 percent lived in urban areas, and 11 percent were homeless; 2 percent were from rural areas; 6 percent were street

sleepers; 3 percent were shelter residents.

In employment status, 55 percent were fully employed at the time of the robbery; 14 percent were living by crime alone; and the remaining 31 percent were on an entitlement program such as welfare or unemployment insurance. Admitted problem drinkers make up 11 percent of the sample; 59 percent were drug abusers. During the robbery, 19 percent claimed to be under the influence of alcohol, and 33 percent claimed to be under the influence of drugs. The great majority, 82 percent, had juvenile and adult criminal histories which had led to multiple incarcerations. Previous offenses included mostly property offences plus a few cases of drug charges and assault charges, and one sexual offense. This is a rather typical pattern of theft and burglary.

Convenience stores were the prime target for this group of robbers: 83 percent robbed a convenience store or a drug store, and 9 percent entered a financial institution. Most were looking for money, and 11 percent were hoping to obtain drugs. The amount obtained was usually small — often only \$20 or \$30, but 87 percent used firearms in the robbery. There were a few street muggers armed with a knife or no weapon at all. Three robbers were shot down by storekeepers; four were surprised by a routine police check of the premises. The others said that they left enough clues for the police to find them.

A disguise such as a mask or wig was used by 37 percent, mainly very young offenders. The more experienced robber did not bother to disguise himself. Partners were involved in the robbery with 69 percent of the offenders, who were typically aged from 15 to 25 years. In 47 percent of the cases where a partner was used, the partner was a known ex-convict, and sometimes was the instigator of the robbery. Younger robbers are much more likely to cross racial lines in the choice of target; older and recidivist offenders tend to rob members of their own race. (Table 2)

As to planning the robbery, 72 percent of the offenders did no planning at all. The more typical robber habitually carries a firearm, notices a storekeeper alone, and robs the store on impulse. A few thought about committing the robbery for a several hours, or consulted a friend about it. They did not reconnoiter the intended robbery site in any way

**TABLE 1: YEARS' SENTENCE LENGTH BY ROBBER CATEGORY**

Variable	Years	N
All robbers	18	113
Plea		
Guilty	16	79
Not guilty	26	34
Type of defense		
Public defender	19	75
Private attorney	21	37
Self defended	150	1
Criminal history		
First offender	13	30
Recidivist	18	55
Habitual	25	27
Age		
Under 18	25	16
19-24	16	59
25-30	21	25
31 and over	27	13
Race		
White	18	62
Black	18	43
Hispanic, Indian	22	8
Antisocial level		
Low	20	42
Medium	15	59
High	12	12

or think about escape routes. They had little or no prior information about what they might gain. Contrary to expectation, the most experienced robbers did not plan the robbery in any way.

The average prison sentence for the offense of armed robbery is 18 years, with a range from 2 to 150 years. The longest sentence was imposed on a very young offender who elected to conduct his own jury trial defense, in lieu of a regular attorney. Most of the robbery victims offered no resistance during the robbery, and only 5 percent of these offenders inflicted any physical harm on their victims. The robbers had no prior contingency plans in case the victim should resist, and simply chose to act according to circumstances. There was also no pre-arranged assignment of tasks between the robber and his accomplice. (Table 2)

**THE ROLE OF AGE IN PLANNING**

We hypothesized that the age of the offender

at the time of the robbery might have an influence on the various planning dimensions, because the older and more experienced man should be more careful and wiser than teenage offenders. But the differences in age are slight, as shown in Table 2A. The tables are composites of separate interview schedule questions. To be brief, we have extracted responses that are of importance to the study. Some percentage differences are based on small frequencies and should be regarded with caution. The gamma values are also in some doubt since they are derived from extended tabulations of questions with several response options. The youngest offenders are less likely to plan the robbery, but they do discuss it and carry it out with an accomplice. Older offenders often act alone. There is a slight difference in perceived risk of apprehension. Offenders in their 20's more often believe that the risk of getting caught is high; they are less likely to want to share proceeds with an accomplice; they may use a knife or a gun in the robbery; and older offenders more often used a stolen car, or stolen license plates. Younger offenders almost always used a gun.

Offenders aged 19 to 24 are most likely to use one or more partners, which they usually

recognize as ex-convicts, and older offenders more likely commit the offense in a familiar neighborhood, not far from where they live.

There is an interesting relation between the offender's age at the time of the robbery and his criminal maturity and professed antisocial attitudes, as shown in Table 3. Age groups are divided in three criminal maturity categories: 1) first offender with no prior detention or incarceration; 2) intermittent recidivists with an occasional juvenile arrest, training school stay, and up to two adult prison sentences; 3) the habitual criminal, first arrested before age 18, with three or more instances of juvenile detention, and three or more adult prison sentences. We applied a simple point scoring system. In criminal maturity, 27 percent were first offenders, 49 percent were recidivists, and 24 percent were habitual criminals. But there was

no significant relation between criminal maturity and age ( $\text{Chi}^2 = 11.3$ ;  $\text{df} = 6$ ;  $p = .15$ ).

There is a negative relation between age at the time of robbery and the robber's antisocial attitudes (Table 2C). Antisocial attitudes are measured on a 20-point scale of responses to 20 statements. We used 12 statements previously used to derive prisoner role types

**TABLE 2: AGE, CRIMINALITY & ATTITUDE BY ROBBERY PLANNING VARIABLES (Percent)**

Planning Variables	A. Robbery Time Age					B. Criminal Maturity*				C. Antisocial Attitudes			
	15	17	25	31	Gamma	Low	Med	High	Gamma	Low	Med	High	Gamma
Unplanned robbery	88	59	64	69	.05	53	64	82	.26	64	63	91	-.08
Talked to accomplice	81	59	52	23	.44	47	64	52	.00	52	64	36	-.05
Reconnoitered site	19	15	20	8	.16	20	16	11	.18	12	20	9	-.05
Gave accomplice task	19	25	24	15	.15	17	35	7	-.06	17	31	9	-.14
Knew risk was high	13	22	24	0	-.07	20	20	15	-.19	19	12	55	.11
Ignorant of gain	63	64	68	77	-.40	67	64	74	-.07	71	64	64	-.08
Rewarded finger man	44	22	24	0	.63	17	29	15	-.65	19	27	18	-.42
Provided for gun	44	59	56	46	-.11	63	53	48	.28	55	56	55	-.08
Gun used in robbery	94	75	80	62	-.22	80	80	67	-.43	74	81	73	.27
Disguise used	31	36	28	31	.07	37	31	30	.15	31	34	36	-.12
Had stolen car/license	13	17	32	23	.28	13	31	7	.12	19	22	18	-.10
Used accomplice(s)	81	75	56	54	-.03	70	73	59	.03	64	73	73	.17
Partner was ex-convict	38	24	48	23	-.19	30	38	19	.35	33	31	27	.23
Robbed a store	94	75	60	92	.04	77	80	67	-.39	81	75	73	-.13
Victim race different	63	32	32	15	-.34	43	31	30	-.19	19	41	64	.55
<b>Total N</b>	<b>16</b>	<b>59</b>	<b>25</b>	<b>13</b>	<b>113</b>	<b>30</b>	<b>55</b>	<b>27</b>	<b>112</b>	<b>42</b>	<b>59</b>	<b>11</b>	<b>112</b>

\*Criminal maturity code: Low = First offender; Med = Recidivist; High = Habitual.

by Schrag (1949), Garabedian (1962), Wheeler (1961) and Gruninger (1975). Sample statements include: "Take what you can get and to hell with everyone else." "Lawyers, judges, and politicians are just as crooked as the men they sent to the penitentiary." The other 8 statements were suggested by prison inmates in an international study of prisonization (Gruninger, Hayner, Akers 1974). Robbers rated low on the antisocial scale affirmed 7 or fewer items; those rated medium affirmed 8 to 14 items; those rated high in antisocial attitudes had 15 to 20 affirmations. (See Table 4).

For the groups expressing medium and low antisocial attitudes there is a consistent age gradient. Older offenders tend to affirm only a small number of antisocial items, and there are fewer radical antisocial types among them. It is unclear whether these patterns represent life experiences, or whether older age groups are more reluctant to admit such values. It did not appear that offenders were blocking during the interview, and they seemed quite ready to admit their views.

**CRIMINAL MATURITY & PLANNING**

Criminal maturity and experience shows a tendency contrary to planning the robbery (see Table 2B). Habitual criminals and recidivists act more on criminal impulse than first

offenders. Poor impulse controls may explain why they are apprehended so often, and why they are involved in crimes both as juveniles and as adults. Recidivists and habitual criminals share their criminal gain more often. Experienced offenders are somewhat less likely to make deliberate prior provisions for a firearm. They were more likely to use knives, and to perform unarmed muggings and yokings on the street. There is a consistent pattern to use an ex-convict as a partner, and the partner is more often a naive first offender who apparently serves as an apprentice. More experienced offenders choose a wider range of establishments as targets, and are less likely to cross racial lines in their attacks. But there is little prior deliberation about steps to avoid detection. Since the majority of reported robberies are unsolved, those involved in unsolved robberies must be more elusive than the prison population in this study.

**ANTISOCIAL ATTITUDES & PLANNING**

A tabulation of criminal maturity against antisocial attitudes shows a pattern of theoretical interest. Previous research on prisonization has led to a long-standing controversy about this relation. Clemmer (1938) and Sykes (1948) founded a theoretical tradition that prisoners' antisocial attitudes were a product of prison life — a notion which gave

**TABLE 3: SENTENCE LENGTH BY AGE, CONTROLLING FOR CRIMINALITY (Percents)**

Age level	First offender		Recidivist		Habitual criminal	
	20 -	21 +	20 -	21 +	20 -	21 +
Sentence, years:						
15-24 years	60	7	40	25	48	19
25+ years	17	17	15	20	7	26
Gamma	.80		.36		.80	
N	30		55		27	

**TABLE 4: SENTENCE LENGTH BY AGE, CONTROLLING FOR ANTISOCIAL ATTITUDES (Percents)**

Age	Antisocial level: Sentence:	Low		Medium		High	
		20 -	21 +	20 -	21 +	20 -	21 +
15-24 years		33	21	56	17	58	17
25+ years		14	31	12	15	17	7
Gamma		.54		.61		.27	
N		42		59		12	

rise to many later studies. Other researchers came to believe that antisocial attitudes were imported into the prison based on criminalization on the streets, rather than arising from the "pains" of imprisonment (Garabedian 1959; Wheeler 1959; Cline 1968; Irwin 1970). Gruninger (1974) demonstrated that for offenders without distinction as to offense, the two factors operated conjointly to bring about antisocial attitudes, but that the imported characteristics of inmates explained a greater portion of the total variance. The most important variables were early arrests, juvenile arrests, and the number of adult incarcerations. This relation does not hold for robbery convicts. Criminal maturity and antisocial attitudes are unrelated ( $\text{Chi}^2 = 3.2$ ;  $\text{df} = 2$ ;  $p = .20$ ). Apparently, robbers are criminalized outside the prison, and the effects of prior imprisonment seem absent.

The relation between antisocial attitudes and robbery planning are shown in Table 2C. Gamma values are small, but it is evident that the most antisocial robbers do the least planning though they recognize the high risk of apprehension. Other differences are small, except in interracial victimization. The more antisocial offender is more likely to choose a member of another race as a victim. Young black offenders are the most alienated, and are more likely to rob establishments with white attendants.

The independent variables of age at time of robbery, criminal maturity, and antisocial attitudes have some effect on various elements of robbery planning, but the effects are not uniform. This finding is not surprising in hindsight, since our sample reflects of Conklin's general robbery patterns: the alcoholic, the drug, and the opportunist patterns. The professional pattern is notably absent from this group of offenders. Professionalism is rare among convicted robbers. The finding in this study is that convicted robbers act mainly on impulse when they think they see a favorable situation.

#### JUDICIAL RESPONSE TO ROBBERY

A short review of sentencing practices in the courts indicates legally indefensible variations in sentencing. Lane (1941) reviewed 1660 sentences in a state prison system, and found that a fifth of the inmates had received prison

sentences which did not conform to legal criteria. Short sentences had been imposed on habitual offenders, and long sentences were given to first offenders. At about the same time (1948) Lemert and Rosberg investigated racial differences, and found that whites received considerably shorter sentences than blacks and Hispanics. Bullock (1961) showed that criminal histories were not significant in sentencing, but the type of plea was a strong factor. It was also shown that offenders from large cities who pleaded guilty received long sentences. A study of 439 death penalty cases showed that whites, especially with white attorneys, more often had their sentences commuted (Wolfgang et al 1962). A study of 1437 records from a Philadelphia court showed that the seriousness of the offense and the number of indictments exerted the greatest influence (Green 1960, 1961, 1964). Racial discrimination did not appear as a factor. Social class is shown to be a factor in granting probation (Nagel 1965). Hogarth (1971) found that judicial characteristics and court workload were related to sentencing, but Chambliss and Waldo (1975) found no such differences. Eisenstein and Jacob (1977) found that public defenders obtained lighter sentences, and that guilty pleas were rewarded with lighter sentences. Chiricos and Waldo (1975) found that prior criminal records were significantly related to sentences, but Bullock's study (1961) had not shown this relation. The picture as shown by research shows little consistency.

Table 1 shows that the average sentence for our prisoner sample is 18 years. There is a strong relation between sentence length and pleas of not guilty, compared to guilty pleas. Offenders who bargained for a shorter sentence were rewarded. Our study reveals that the typical bargaining pattern was for shorter sentences, and not for charge reduction. And the majority of robbers said that such bargains actually had been kept, though several offenders claimed that plea bargain promises had not been honored in the court.

Both the public defender and the private attorney pleaded their client guilty at the same 70 percent rate. The public defender, perhaps because he was a court regular, on average, obtained a sentence that was two years shorter than that obtained by the private

attorney. Criminal history is significantly related to sentence length in Oklahoma courts. The first offender obtains an average sentence of 13 years; the intermittent recidivist gets 18 years; the habitual offender on average gets a sentence of 25 years. This is legally defensible. There is also some consistency in handing longer prison sentences to older offenders. The exception is the very young offender who came to adult courts because the juvenile court declined jurisdiction for a serious crime. These presumably more serious offenders obtained a sentence, on average, of 25 years. Differences in sentencing between blacks and whites do not appear, but American Indian and Hispanic offenders receive a sentence four years longer on average, than those of blacks and whites (Table 1). Contrary to expectation, offenders low on the antisocial attitude scale get long sentences, while the highly antisocial group gets the shortest sentences, 12 years, on average, in all categories.

This latter finding merits exploration. We tabulated the data at time of robbery against the sentence, with criminal maturity held constant. When the prior record of robbers is held constant, an increase in age brings a longer sentence, especially for first offenders and for habitual offenders, as shown in Table 3. The relation is weaker for intermittent recidivists, perhaps reflecting judicial indecision in dealing with this offender type. The sentencing pattern shown here represents valid sentencing procedures as required in legal theory, which advocates consideration of the relative youth of the offender and his criminal history. With antisocial attitudes held constant, Table 4 shows a strong relation between age and sentence for the low antisocial group and the medium antisocial group. For highly antisocial robbers, the relation is diminished, but in the expected direction, but the frequencies are low, and require cautious interpretation. The criminological literature suggests that highly antisocial and psychopathic offenders are adept at showing remorse to the court, and can verbalize it well.

#### SUMMARY

Armed robbers do not act rationally. They are young, impulsive offenders who are rather easily detected by criminal justice agencies.

They are aware that their crime is not lucrative, and carries a high price in the courts. When asked what group they admire, the consensus of opinion was that the embezzler or fraud offender was doing things correctly. The robbery convicts noted that these offenders use their heads, get a large amount of money, and a short sentence. They saw themselves as losers. This may explain why only 14 of the 113 robbery convicts had previous convictions for armed robbery. They had engaged chiefly in other types of property crime. Though 59 percent were drug abusers, only five persons had previous sentences for drug possession. And 69 percent were engaged in robbery with one or more partners.

Most offenders act on impulse, with alcohol and drug influence being very common phenomena. Examination of business hours, days of the week, or months of the year shows no time pattern. Robberies are distributed though the day and through the year. There seems to be no consideration for payroll days, or for night-time cover for easier getaway.

Judges retaliate rather severely when robbers appear for trial. Actual time spent in prison is controlled by the Parole Board, however, and is far short of the sentence imposed in the court. Plea bargaining reduces the sentence by an average of 10 years. Judges consistently hand down more severe sentences to more experienced robbers, in line with established legal theory. The most effective strategy by the defendant is to plead guilty with a public defender, because other options are more costly. This study corroborates research by other criminologists who have defined armed robbery as an unplanned crime with little gain and serious legal consequences.

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evaluation research, has been judged inadequate. Research in criminal justice is often practical or applied research. The techniques and procedures used in applied research are identical to research employed in the verification of theory. If the quality of research is maintained, then theoretical hypotheses can be tested in applied research designs. The development of theory in the area of criminal justice is a legitimate and essential activity. Both deductive and inductive approaches are appropriate vehicles for developing theory in criminal justice research. As an emerging field of study, criminal justice must be carefully developed through application of rigorous and effective research methods. The quality of research will determine the quality of knowledge. Thus, the quality of criminal justice research must be maintained at high levels regardless of the form which the research effort takes.

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