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Albert D. Biderman

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SOURCES OF DATA FOR VICTIMOLOGY

ALBERT D. BIDERMAN*

RECORDS DATA AND NORMATIVE INDICATORS

Data as I will use the term are records of a systematic sort about phenomena. I am concerned only with data from which statistics can be generated: hence records must exist for a reasonably large number of phenomena of the same class. Data depend upon selective abstracting, symbolizing, and recording of activities by those who make the records. Few records used in victimology are records from direct observation by the recorder of all the phenomena of interest. This is because victimology is concerned generally with phenomena, or sequelae of phenomena, that are imperfectly predictable with regard to place or time of occurrence. Recorders usually cannot readily position themselves to observe many instances of the same class.¹ The phenomena of interest to victimology are events (and their sequelae) in which persons, as individuals, or as groups (victims) have been affected by acts of other persons or groups (offenders) which some judge defines as wrongful (offenses), in terms of institutionalized criteria (law or less formal social norms). To qualify, the victim must be the subject of attempted or threatened harm, or be placed in special danger of harm as a result of an offense.

While it is possible to define purely objective indicators for the normative components of this definition, such as victim, offense, and harm, these concepts remain nonetheless normative. Hence, there are extra-

* Bureau of Social Science Research, Inc.

Fulfilling the conventional obligation is difficult for a paper that draws selectively on the author's previous experience. Even with the support for the preparation of this paper from the MITRE Corporation's symposium for the National Institute of Justice, it could not have been prepared had the author not been a fairly regular beneficiary of federal criminal justice research and statistics programs during the past 15 years. The footnotes include only a few of the many items of information and illumination on the topics treated I have received from colleagues whose conclusions regarding these matters, I hope, are becoming progressively less distinguishable from my own. Among these sources are several other participants in this symposium. Norma Chapman, Elizabeth Stevens, and Mary Kearney assisted in producing this paper.

¹ For some important exceptions, see text accompanying notes 6, 7, 9, 13 *infra*. See also generally G. MCCALL, *OBSERVING THE LAW: FIELD METHODS IN THE STUDY OF CRIME AND JUSTICE* (1975).

scientific, evaluative components intrinsic to any data for victimology. The source of these evaluative judgments, however, need not necessarily be the data recorder because the recorder's data may reflect evaluative judgments of others. The same holds true of the compiler or user of data from the records, where they in turn are not the original recorders. Recorders, compilers, and users of records used for victimology data are members of organizations who apply organizational procedures and norms to observations. They include policemen, physicians, social workers, and research clerks. They are usually not direct observers of victimizing events, but are rather dependent, directly or indirectly, upon the reports of others, such as victims, offenders, and particularly witnesses, for information. This usually makes them dependent, as well, upon applications of normative judgments by others. This dependence extends to the very eligibility of a phenomenon for inclusion in the set of victimizations recorded, as well as for the identification of the key components: victim, offender, offense, and harm. Subsequent creators and processors of records and data may impose additional judgment to select or reorder the products of previous processes of judgment, but they are nonetheless constrained by them. The chains of persons between original observations of victimizing events and ultimate data for analytic use may be long or short. The longer they are, the more complex and potentially consequential are the processes of intermediate judgment in their effects upon the accord of the data with the normative concepts for which the ultimate user wishes them to serve as indicators.

TEMPORAL CONSIDERATIONS

Many of the properties and problems of data sources for victimology can be highlighted by considering the importance of the time dimension for the data and its users. I have selected several such topics for treatment here.

CLOSENESS TO THE EVENTS

The remoteness of the recorder is one of time as well as place. With the principal exception of where the recorder is also a contemporaneous observer, the creation of the original record is dependent in whole or in part upon observable traces left by the event or upon recounts by persons who were observers or participants in the victimizing event. The elapsed time between observation and recording may be very brief, as in the case of "on view" reports by police of robberies they come upon while still in progress, or somewhat less brief when police are dispatched to interview victims and witnesses immediately following the event. By contrast, most criminology records show a greater elapsed time between

observation and recording. For example, some studies have used records based upon verbal accounts by rape victims given years after the victimization event.

Because police reports are the records "closest to the crime," Sellin² has long advocated the use of police offense data for crime statistics rather than using data from later stages of the reporting process. The accuracy and completeness of police reports is less likely to suffer from simple memory decay or the influence of potentially contaminating intervening events. Methodological work on the victimization survey has demonstrated a high rate of apparent memory decay for victimizing events and the need for relatively brief recall periods in questioning people regarding whether they have been victimized in the past.³ We still do not know how pronounced the effect is.

Recounting for the purposes of a record, however is more than a matter of recall. It is also a complex intellectual task in which recall interacts with verbalization. It usually is also a product of interrogation and therefore subject to social and psychological influences.

Physical and psychological trauma in some victimizing events may totally incapacitate some participants, victims or offenders, and may have various adverse effects on the motivations or abilities of other participants. A more contemporaneous record, particularly for traumatic or stressful victimizing events, avoids the tendency to distort some interpretations in "reverse record check" validation work. Follow-up interviewing of injury cases identified from ambulance service records illustrate the apparent frequency with which these records are incomplete and incorrect even with regard to victim identity.⁴ This is understandable in light of how often the records are made by crews dealing with urgent action problems and with persons who are injured, drunk, agitated, or unconscious.

The normative considerations that are important to definitional aspects of victimization, as these enter into direct observer accounts, also may differ as a function of temporal proximity, but the more proximate judgments are not necessarily superior for all data purposes. Bartlett⁵ and other students of event recall have noted that there is radical distortion of factual recall of the elements of an event and selective retention

² Sellin, *Crime*, in 4 *ENCYCLOPEDIA OF THE SOCIAL SCIENCES* 565 (E. Seligman & A. Johnson eds. 1931).

³ Biderman, *Surveys of Population Samples for Estimating Crime Incidence*, 374 *ANNALS* 16 (1967).

⁴ A. BIDERMAN, *A SOCIAL INDICATOR OF INTERPERSONAL HARM—DISCRETIONARY GRANT FINAL TECHNICAL REPORT* (BSSR 1975).

⁵ F. BARTLETT, *REMEMBERING: A STUDY IN EXPERIMENTAL SOCIAL PSYCHOLOGY* (1932).

of elements to shape a coherent version of it. For victimizing events, the normative coherence of the story is particularly important for the participants, and affects the recall of facts. But for victimology the normative elements are of interest in themselves. One of the strongest psychological needs of victims and other participants in stressful events is to test others for their immediate reactions by psychological rehearsal and by conversations with others to arrive at a psychologically and socially satisfactory moral definition of the events and, more particularly, of their own behavior in them. For many purposes of victimology, either the end result of this process, or the entire process itself, may be more important to reflect in data than the contemporaneous reaction alone.

After a long period of relative inactivity, interest is reviving in psychology for the study of the memory of episodic phenomena which may help with the problems of victimology in eliciting and evaluating the retrospective data on which the field so heavily relies.⁶

CONTRIVED EXPERIMENTS

There are several important exceptions to the general reliance in victimology on secondary, noncontemporaneous sources. One important exception is the contrived experiment. Milgrim's controversial experiments are the best known,⁷ but many others also were apparently conducted for, and do indeed illustrate, the ease with which people can be brought to assume the offender role, or to accept abusive treatment. Convincing subjects to do apparent grievous harm, or to submit to it, is a long-standing feature of experimental research in hypnosis. Orne⁸ reports research which tested whether the hypnotic element was truly crucial to the "antisocial" or pain-enduring behavior observed in many earlier hypnosis experiments, or whether other factors were operative, such as reliance by subjects on the responsibility of the investigator.

What might be termed the post-Kitty-Genovese experimental tradition is another strand of psychological work important for victimology which fortunately has gone beyond efforts at demonstrating how self-centered, callous, stupid, and beastly people can be. This recent research explores the conditions under which "good Samaritan" behavior

⁶ See Linton, *Memory for Real-World Events*, in *EXPLORATIONS IN COGNITION* 376 (D. Norman & D. Rumelbard eds. 1975); Loftus, *Leading Questions and the Eyewitness Report*, 7 *COGNITIVE PSYCH.* 560 (1975).

⁷ See Staub, *Observing and Causing Harm to Others*, in *I POSITIVE SOCIAL BEHAVIOR AND MORALITY: SOCIAL AND PERSONAL INFLUENCES* 135 (E. Staub ed. 1978).

⁸ Orne, *The Potential Uses of Hypnosis in Interrogation*, in *THE MANIPULATION OF HUMAN BEHAVIOR* 181 (A. Biderman & H. Zimmer eds. 1961).

is more, rather than less likely to be displayed toward victims.⁹

DURABLE PHYSICAL TRACES

Although we generally do not have contemporaneous records of contemporaneous observers as a basis for all data on the victimizing event, we do have a contemporaneous "record" for those actions that leave physical traces of some duration. Some of these traces may be extremely ephemeral; others may remain observable for many years. To illustrate an ephemeral case: the police officer unambiguously may identify an event as a robbery with a victim and offender, rather than as a fight in which victim and offender are not differentiable, when participant A points out that participant B is in possession of A's wallet, which B has not yet had opportunity to ditch. At the lengthy extreme, we have archaeological counts of the proportion of skeletons in prehistoric graveyards showing evidence of violent deaths. Of victimizing events eligible for representation in a theoretical universe of all such events, events tend to be represented in record systems as data according to the durable visibility of physical traces they leave. There are many reasons for this proposition's applicability. The illustrations already given show:

- 1) The greater credibility recorders are wont to attach to physical evidence as opposed to potentially untrustworthy human testimony.
- 2) The greater durability of some physical traces than of any human memory.
- 3) The availability of traces for observation, even absent the availability of identifiable contemporaneous observers.

Much of criminological victimology has been devoted to homicide because of the difficulty of disposing of a corpse and because of the signs of violence it bears. This helps make homicide an offense relatively frequently enumerated, and facilitates the recordation of relatively universal information on some characteristics of identified victims. As a source of victimological data, the availability of such mute testimony for homicide appears to more than offset the fact that, for this class of victimization, we so often lack the victim's verbal testimony. Although the actual homicide event usually is not observed by a recorder, its traces are. Similarly, direct periodic counts are made of broken panes in school windows as indicators of the incidence of vandalism against schools. In a new class of victimization, computer crime, the offender frequently cannot disable all devices that might retain electronic traces of his offense or sometimes the offender's identity. However, because the presence and utility of traces vary, record systems regarding computer crime are highly selective representations of the universe of such victimization.

⁹ See, e.g., SOCIAL SCIENCES INDEX 416 (J. Bloomfield ed. 1977-78).

Computer crime also illustrates a more general class of important sources of data on victimization. Since many of the most important transactions of modern society take place largely or exclusively by recorded symbols, so, too, do many victimizing transactions. Records of transactions become the basis for creating a record system of victimization. The audit of the systematic transactional records is a particularly important source of data in the field of white-collar crime.¹⁰

Durable traces are valuable, not only in their own right, but also as complements to the process of creating records from human testimony. Durable traces help those who would create records overcome the reluctance or the difficulty observers of victimizing events may experience when interviewed. I will subsequently discuss strategies exploiting durable traces in this way.

The one class of durable traces of victimization upon which we are most dependent for data are the traces left in the nervous systems of people because these are accessible to record systems through some verbal interrogatory process.

VICTIMIZING STATES

The discussion thus far has rested upon the rather stereotypical conception of victimizing events as of brief duration, treated conceptually as instantaneous events at a point-in-time, with no attention to their extension on the temporal dimension. This stereotype follows from the conception inherent in police offense data and from the general preoccupation with the "ordinary crimes" of the "Part 1" classes which has been characteristic of criminology.

The point-in-time incident stereotype applies to some sudden crimes involving "accidental" encounters of offender and victim, but not (a) to most of the victimization that is most serious in its victim consequences, nor (b) to most victimization that is most susceptible to effective social intervention, nor (c) to eliciting the most useful information even about the "sudden accidental" victimization that fits the point-in-time stereotype most closely. Most of the offenses conventionally called "serious," that is, the most numerous Part 1 classes, we have learned are actually trivial in consequence—so much so that we have to work hard to get people to remember them even six months later when we do a victimization survey. On the other hand, I am convinced that most of the victimization that is truly serious in its victim impact is not in the

¹⁰ See A. BIDERMAN & A. REISS, JR., *DATA SOURCES ON WHITE-COLLAR LAW-BREAKING* (1981) (forthcoming). See also A. BIDERMAN & A. REISS, JR., *DEFINITIONS AND CRITERIA FOR A SELECTION OF PROSPECTIVE FEDERAL SOURCES OF WHITE COLLAR CRIME DATA* (BSSR 1979).

Part 1 set nor visible in the vignettes from which scales of "seriousness" are created. I refer to crimes that have extensive duration in time; ones to which the prevalence of people in a victimizing state would be a more appropriate statistic than the incidence of offenses over time. Among the kinds of victimization that may be conceived and measured in prevalence rather than in incidence terms are various forms of continuing persecution, terrorization, and extortion. This kind of victimization includes the worker who is kept in line by union or company goons, school children who must regularly yield their lunch money to fellow toughs, the merchant subject to a shakedown racket, the prostitute terrorized by her pimp, the spouse or sexual partner kept from separating from a hated relationship by fear of violence, and people who must unlist their telephones because of a series of threatening or obscene calls.¹¹

To some degree, victimization surveys yield information about these kinds of situations through tabulations of what the National Crime Survey (NCS) calls "series victimizations," that is three or more similar incidents of victimization mentioned by a respondent, but which, because of frequency or similarity, the respondent cannot individually date or differentiate descriptively from one another.¹² Thus, the terrorized spouse may be identifiable in a victimization survey through repeated incidents of spouse beating, and the terrorized school child by repeated incidents of robbery. But the instruments used by most victimization surveys are not addressed to elucidating this class of victimization.

A durable condition of victimization may exist even if few incidents qualify under the NCS definition. To make a threat credible to the victim and to continue a state of terrorization, the terrorist must neither continually repeat his threat nor demonstrate his willingness to carry it out by actually inflicting violence.

Reiss illustrates a somewhat different type of continuing victimization by the case of a tenant inhabiting a dwelling affected by a building code violation.¹³ The "crime" of the landlord in this instance is similarly a state, rather than incident form of crime, that continues in duration through time, so long as the condition of the structure remains uncorrected. Bigamy has the same continuing character and involves a victimization where the bigamist keeps a partner ignorant of the other. Such victimization states are subject to incidence measurement with regard to points of entering or leaving the state, but prevalence measures

¹¹ See SURVEYING CRIME 95 (B. Penick & M. Owens eds. 1976).

¹² *Id.* at 88. See also J. GAROFALO & M. HINDELANG, AN INTRODUCTION TO THE NATIONAL CRIME SURVEY (U.S. Nat'l Crim. Just. Information and Statistics Serv. 1977).

¹³ Reiss, *Citizen Access to Criminal Justice*, 1 BRIT. J.L.: SOC. 55, 57 (1974).

are applicable to the observation of such victimization in a population.¹⁴

The series form of incident may also be an indicator of a condition of victim proneness, that is, a person vulnerable to offenses of a similar character by different offenders on frequent occasions. Among such conditions mentioned in victimization survey results are the shopkeeper in a high-crime area, the resident of a burglary-prone dwelling unit, or the person who is forced to park his automobile where it is regularly subject to vandalization.

While the NCS utilized the panel technique primarily to institute a control on telescoping, the value of the panel feature is more obvious in the elucidation of those forms of victimization best characterized in terms of prevalence rather than in terms of incidence measures. Because inquiry can be made of current conditions of victimization, recall problems are avoided. Conditions are more accessible to survey detection than past events. In addition, their very duration or frequency in the individual life space makes them more important in their consequence for individuals with which victimization surveys have been pre-occupied. Finally, as Reiss has pointed out,¹⁵ such victimizations usually present a much higher potential for effective system intervention than point-in-time crime incidents.

EVENT HISTORIES

Even in the case of quick crimes, such as the casual street-mugging, etiological interest may reside in factors other than the chance intersection of the geotemporal paths of offender and victim. Of the ordinary Part 1 classes—even the stranger offenses of this class—many have histories of appreciable duration, histories of hours, days, weeks, or years. We can derive little sense of the significance of these histories from most of the data we use for studying such events. These histories may involve nothing more than the period during which joints are cased or marks spotted and sized-up, but many more facets of histories of offenses facilitate the establishment of definitions of situations by offenders, and by victims, which determine the occurrence of victimizing events. Uniform Crime Reports and National Crime Survey data tapes have the incident logic and are devoid of information on the histories of victimizing events. Somewhat more information may be available in the records of detective divisions, prosecutors, and court trials. Much of the history of victimizing incidents of etiological importance is inadmissible as legal evidence, however, substantially because of the point-in-time, incident

¹⁴ Biderman, *Notes on Measurement by Criminal Victimization Surveys*, in *INDICATORS OF CRIME AND CRIMINAL JUSTICE* (S. Feinberg & A. Reiss, Jr. eds.) (forthcoming).

¹⁵ Reiss, *supra* note 13, at 59.

logic implicit in the legal definitions of many offenses. The inadmissibility of etiologically pertinent history was illustrated recently in the Ford Pinto case¹⁶ where the court ruled inadmissible evidence relating to the development of Ford's attitude toward gas tank safety in years prior to those involving work directly upon the 1973 Pinto.¹⁷

For understanding event histories, our data ideally would be based on information about the relevant behavior of all of the actors mentioned in the definition of a victimizing event at the beginning of this article,¹⁸ including their perceptions and definitions of the event. Victimology rarely has available information from more than one direct source, and seldom from all of the actors.

Some attempts at gaining information directly from all of these types of actors have been made. The Kansas City Preventive Patrol Experiment is one such case.¹⁹ Another is Olweus's research²⁰ on school bullies and their whipping boys in which he interviewed not only the offenders and their victims, but also peers, parents, teachers, and other school authorities regarding each of his cases.

HARMFUL CONSEQUENCES

By redirecting attention from preoccupation with offense and offender toward the victim and toward a broader conception embracing the relations of the victim within the victimizing event, its causal history, and its harmful consequences, victimology plays an immeasurably constructive role for criminology, if only because this orientation demands attention to the much-neglected temporal dimension of criminological data. The etiological perspectives of victimology, as introduced (or at least reinforced) by von Hentig, Mendelsohn, Schafer and Wolfgang, directed greater attention back in time from where the narrow focus on the offense had previously been fixed.²¹ The concerns of victimology with the harms caused victims direct attention toward data forward in time, although research and statistics useful for illuminating harmful consequences of victimization remain in their infancy.

For many victimizations, the harm caused can only be ascertained with the unfolding of time. For some classes, such as homicide, the harm is indeterminate in the individual case, for one can never know

¹⁶ N.Y. Times, Feb. 7, 1980, at 16, col. 1.

¹⁷ *Id.*

¹⁸ See (first page) text following note 1 *supra*.

¹⁹ G. KELLING, T. PATE, D. DIECKMAN & C. BROWN, THE KANSAS CITY PREVENTATIVE PATROL EXPERIMENT (1976).

²⁰ D. OLWEUS, AGGRESSION IN THE SCHOOLS: BULLIES AND WHIPPING BOYS (1978).

²¹ See Pioneers in Victimology, *Israel Drapkin, Ezzat A. Fattah, Margery Fry, Benjamin Mendelsohn, Koichi Miyazawa, Stephen Schafer and Hans von Hentig*, 1 VICTIMOLOGY: AN INT'L J. 193 (1976).

what the value of a life would have been, or how long it would have lasted. This provides good reason for the use of statistical expectations, although perhaps scant excuse for the economics-minded approach of using expected lifetime earnings. The tables used for such evaluations are just one among many instances in which the data for victimology are data on nonvictims. For example, using external data, we assign values to stolen cars by knowing the sale prices of similar legitimately acquired cars rather than the prices for similar stolen cars.

Difficult determinations of value pervade attempts to reach a logical estimation of harm. The duration of harmful consequences of victimizing events is itself one important determinant of the seriousness of victimization. Irreversible and irremediable harms, such as homicide, permanent injury, the loss of irreplaceable heirlooms or irretrievable repute, are the extreme cases.

The NCS collects a great deal of data on the harms suffered by victims, particularly property loss and medical attention received. Particular emphasis is placed on economic losses, and the resulting data have contributed to the booming "economics of crime" field.

CURRENT CONSEQUENCES SURVEYS

The strategy of the conventional victimization survey is to ask the respondent about a past event and then to explore the consequences, past or still existing. We explored an alternative technique of asking respondents in a random population survey about present conditions of physical injury and proceeded with questions to determine which, if any, of these current conditions were attributable to an event the individual defined as a crime.²²

Relative to past event-recall, such current objective consequences screening will reduce data losses from (1) respondent's failures of recall; (2) the application of overly restrictive ideas of "crime" in the recall task; and (3) the need to restrict the interview to a brief reference period. This approach also eliminates from the interview and the analysis events that are of trivial consequence to victims because the respondent reports only matters that are above a threshold of current attention. For the approach to be of relative value, these gains must offset the following sources of inefficiency: (1) loss of data on events that with no noticeable consequences at the time of the interview, however grave these may have once been from a legal, moral, or psychic point of view; (2) encumbrance of the interview itself with much nonrelevant information exchange; and (3) necessity of complex analysis to estimate the incidence

²² See A. BIDERMAN, *supra* note 4.

of victimizing events given the variable duration (mortality) of injury effects.

The current consequences approach directly yields indicators of the prevalence of harmful effects of crime among a population at a particular time. The survey we conducted of a Washington metropolitan area sample,²³ for example, found about 15% of the respondents were currently suffering from handicaps or pain due to an injury. Acts regarded as criminal by the injured person were responsible for 18% of these conditions, i.e., 2.7% of the sample of adults were current victims of crime-caused physical injury. Many (29%) of those with injuries reported they were suffering effects of more than one injury. Very few of the injuries attributed to crime were of recent origin; over one-third of the conditions dated back five or more years.

Such indicators of the prevalence of adverse conditions resulting from crime are of great importance and neglected usefulness. Nonetheless, much more interest and attention has centered on indicators of the incidence of crime events than the prevalence of their effects. The current consequences approach could provide incidence estimates given only a large number of observations at many time points, if the estimate was to take account of the decay of effects of injuries with short-lived consequence for the victim.

Economies would result by pursuing information regarding crime as a cause of injury within surveys directed more broadly toward the topic of injury, or even toward health in general.²⁴ From the standpoint of the meanings and uses data may have there is also great value in examining crime as source of harm to physical well-being within the context of inquiries into the topic of physical well-being. A question stemming from ordinary perspective of crime statistics is: "What number or proportion of crimes involve injuries to victims?" The current consequences methodology can also ask, "What proportion of injuries involve crimes?" The latter type of question provides a metric for many problems of social evaluation and social policy within the criminal justice field that are not given by the ordinary perspective. Furthermore it affords a source of information regarding the ways in which criminal justice matters are bound up with those in the realm of health and safety.

The results of this pilot survey show the importance for the etiology of injury of human agency and of failures of legal and other social con-

²³ A. BIDERMAN, L. JOHNSON, J. MCINTYRE & A. WEIR, REPORT ON PILOT STUDY IN THE DISTRICT OF COLUMBIA ON VICTIMIZATION AND ATTITUDES TOWARD LAW ENFORCEMENT, FIELD SURVEYS I (1967).

²⁴ See Biderman, *Victimology and Victimization Surveys*, in VICTIMOLOGY: A NEW FOCUS 153 (I. Drapkin & E. Viano eds. 1975).

trols. Almost half of the injured respondents attributed the harm from which they were suffering to actions of others. One-fourth of injuries from all causes were blamed upon "negligent," "reckless," or "hostile" behavior by other parties; in most of these instances, the victim regarded the acts as "criminal." These results indicate that norm violations as a cause of injury merit greater attention than they currently receive in data collection in the health field.²⁵

The use of the objective and current consequences approaches may also prove valuable for investigating the impact of crime on life domains other than physiological health. Something close to this orientation has already figured in a number of victimization surveys in the form of questioning about residence and neighborhood: for example, questions about actual, intended, or desired changes of residence with follow-up questioning to determine whether these were provoked by direct victimization. Other domains to explore are social relations, personal property, working life, and psychological and sexual adjustments. One strategic multipurpose vehicle might be general screening surveys of the impacts of various kinds of severe disruptions of the normal course of life of individuals and families, with follow-up interviewing carried out of those cases pertinent to interests of specific agencies charged with preventing, offsetting, or compensating for social misfortune.

The prevalence-of-harm orientation is important to victimology's role of not taking criminal law as fixed and immutable, and also in searching for avenues of fruitful reform of law. One broad strategy is to identify persons or groups suffering serious harms as a result of acts which are not now criminal, but which should be so defined given the magnitude of the harm and moral judgments with regard to its cause. My first experience as a social scientist was in a project of this type sponsored by the American Bankers Association that wished to demonstrate that small loan customers (of small loan companies, not banks) were being misled to their impoverishment by legal (indeed, then quite recently legalized) practices of the industry. That study was done almost 40 years ago; "truth-in-lending" studies remain an active genre. Later I worked on research which, among other objectives, sought to bring about clearer bans in international law on psychological and political

²⁵ Dilemmas exist as to the degree to which medical data systems should or should not be influenced by criminal justice system criteria. Although some investigators prefer to use homicide data from vital statistics sources than those from police sources, for example, the two sets would be more useful were the vital statistics more independent of police sources. The International Classification of Diseases includes classes of injuries by human agency that depend on application of criminal legal criteria that are presumably not within the special competence of medical recorders. See Biderman, *supra* note 24.

abuse of war prisoners and other detained persons.²⁶

Victimology may also contribute to reform of law by avoiding false exaggerations of harm. This is a particularly important need at present when there is considerable movement simultaneously toward recodification of criminal law and toward mandatory sentencing provisions for offense categories under the code. There is considerable hazard of the operation of false stereotypes in positing bundles of attributes of acts and their consequences in such definitions that may have poor accord with the distributions of actual events and the seriousness of the harms they entail. A reasonable system requires consideration of an extensive set of relational attributes among elements of our definition of a crime event. The categorical propensities of some criminological statistical studies, particularly those with inadequate numbers of cases, can also contribute to inequitable law, if such studies are influential.

PSYCHIC AND BEHAVIORAL CONSEQUENCES

Attention to studying the durable consequences of victimization, strangely enough, is far more common for psychic than for physical or material consequences. We have not the vaguest notion of how many people are lame, halt, blind, or in continuous pain because of criminal victimization. We have, however, a wealth of studies, and some major statistical efforts, addressing the issue of how victimization affects later fear and anxiety and problems of psychic adjustment. Some of this literature is based on fairly intensive interviewing of victims of particular classes of crimes—rape is probably the most intensively worked area—and yields information of dramatic importance. It serves both to justify and to guide the counseling programs of the new but burgeoning victim assistance industry.

This body of research usually depends upon information from informants who voluntarily appear or otherwise are available through agencies of social intervention, such as treatment and counseling agencies. Such populations are ideal if the purpose of research is to inform the agencies of the characteristics of their clientele, but not ideal if the purpose is either to extend that clientele or otherwise to treat a population less selective than that reached by the agency. McIntyre and Curtis²⁷ have recently completed a study of rape victims in which an intensive multimedia advertising campaign and modest financial compensation for subjects, plus agency sources, were used to recruit subjects.

²⁶ Biderman, *Internment and Custody*, 8 INT'L ENCYCLOPEDIA OF THE SOC. SCI. 181 (D. Sills ed. 1968).

²⁷ J. McIntyre & L. Curtis, Interviews of Rape Attempt Victims Analyzed for Hints on When and Where to Resist Attack (paper prepared for Annual Meeting of American Sociological Ass'n, Boston 1979).

Although many subjects were recruited, the selectivity of such recruiting procedures hampers the generalized statistical interpretation of the data it yields.

IMPACTS OF CRIME

In general population surveys, however, little can be found to support the idea that the consequences of ordinary crime (as distinct from organized, white-collar, or political crime) have any marked impact on the lives and well-being of the American people. There are several possible explanations for this absence of impact. One explanation is that criminal victimization is indeed relatively rare, and that highly consequential victimization is extremely rare. This may even be true of the cumulative victimization experiences of persons over a span of years—another aspect of the temporal dimension of victimization about which current data sources leave us almost totally in the dark. The victimology literature has much theory and anecdote about victimization proneness, but only the National Crime Survey is a source of useful data on the matter. However, those data are for only a brief “in-panel” period (32 months), and only a selective fraction of the sample actually is sufficiently immobile to yield data covering thirty-two months. The treatment of “series cases” hides much of the important data for cumulative reckoning, and longitudinal analyses of the complex data file structures of that survey’s design are so difficult that we are just beginning to get pertinent cumulative information from the NCS.

Another possible reason the major surveys provide scant evidence of any major impact of criminal victimization on the life of the nation is that surveys are misleading because they do not pose the right questions in the right ways. The Annual Housing Survey (AHS), for example, contains a number of items pertinent to the effects of criminal victimization.²⁸ For example, consider the reasons people give for having moved from where they formerly lived and having selected the spot where they now live. The AHS questionnaire affords reasons galore in its precodes, but effects of crime or fear of crime are nowhere in the list. In the NCS cities surveys, crime fear was rarely given as a reason for changing residential location.²⁹ Yet are there many doubts that crime and fear of crime have changed the urban landscape of America and will continue to do so? Is it truly only secondary effects of victimization—that is, not what happens to me but what happens to people around me—that is the source of the major consequence of crime for contemporary society?

²⁸ See A. BIDERMAN, *THE ANNUAL HOUSING SURVEY AS A CURRENT AND POTENTIAL SOURCE OF CRIME AND JUSTICE DATA* (BSSR 1979).

²⁹ See J. GAROFALO, *PUBLIC OPINION ABOUT CRIMES: THE ATTITUDES OF VICTIMS AND NON-VICTIMS IN SELECTED CITIES* 21 (1977).

And, if that is the case, is it direct knowledge or mass media information about victimization that enters into individuals' decisions and that aggregate to change the landscape?³⁰ In either event, does victimology's notion of the victim misdirect attention as to where and to when the most important consequences of victimization take place?

There are other possible interpretations, and I think also correct interpretations, of why our statistical data fail to reflect accurately and sufficiently the longer-term impacts of victimization on behavior such as residential choice. Our questionnaires tend to isolate crime consequences from the round of life—the domains in which they have their impact. There are two adverse results of this: victimization is undercounted and the data are less usefully related to the contexts that explain victimization and in which useful application of results would have to take place.

We are attempting to remedy the first defect in current attempts to improve the questioning in the National Crime Survey. The questions posed to determine whether a person has been victimized are abstract and removed from the way in which he presently organizes his thoughts and memory with regard to his victimization experience. The victimization data yielded by the National Institute of Education (NIE) sponsored survey on crime in high schools illustrates such questioning problems.³¹ Even though NIE data are restricted to in-school victimization, the *monthly* rates for victimization in the NIE data are about the same order-of-magnitude as *annual* rates for 12 to 19-year-olds in the NCS.³² To be sure, the much higher victimization rates reported in the former survey by high-school-age boys and girls, is partially attributable to the different recall periods used by the NIE (one month) and the NCS (six months), but there is another factor apparently at work. Questioning of students in schools about school is somewhat less likely to fail to evoke recall about school victimization than will questioning at home. A student may be completing the questionnaire at the very desk from which her purse was stolen. The person she suspects may be sitting across the aisle. Out the window is the playground in which she had been roughed up by the kids who resented blacks coming into the school. She may have complained about the roughing up to the teacher in that room and received no help. Similarly, questioning people at

³⁰ F. DuBOW, E. McCABE & G. KAPLAN, REACTIONS TO CRIME—EXECUTIVE SUMMARY (Northwestern Univ. Center for Urb. Aff. 1979) (summarizes an extensive review of evidence regarding both direct and mediated experience as sources of fear of crime).

³¹ 1 NATIONAL INSTITUTE OF EDUCATION, VIOLENT SCHOOLS—SAFE SCHOOLS: THE SAFE SCHOOL STUDY REPORT TO CONGRESS (U.S. Dep't of HEW 1978).

³² The NIE rates cited here are for bounded data from bounded interviews. Group-administered questionnaires in the NIE Survey, which are unbounded, yielded much higher victimization rates.

work about victimization at work will almost certainly yield a more complete enumeration of victimization at work than will questioning at home about victimization in general.

When we first experimented with victim survey methods, my original interpretation of the difficulty with which crime incidents were recalled by many respondents was that most crimes are not terribly important in their consequences relative to a host of other misfortunes which crowd our lives, such as illnesses, bereavements, and jiltings. Burnt-out auto transmissions are no less rare and far more consequential than most crimes that fall into the Part 1 list.³³ I have since concluded that this interpretation is only part of the story. The other part, as my school illustration begins to suggest, is that the consequences of much of crime victimization have meaning for the victims only within and as a part of the particular life domains they affect.

SOCIAL CONSEQUENCES

A theoretical bias is inherent in the strategy of directing interviewing to the consequences of crime. It accentuates a bias already present in victimization surveys but less significant in more traditional measures of crime. The victimization survey orients attention to impacts on victims as the measure of the significance of crimes, whereas in more traditional and legally-oriented systems, such as the Uniform Crime Reports, the offense against the rule of law was more important than the offense to the individual victim.

The difference is readily illustrated by traffic law. With a victimization orientation, violations of traffic rule would be counted only when they resulted in an accident that inflicted injury on some individual or his property. If such an orientation was adopted by the criminal justice system, police would ignore offenses, such as driving through red lights or crossing the solid dividing line of a highway on a hill or curve. Only when the violation resulted in an "accident" would the "seriousness" of the act be measured by the injury suffered by the victim. If this appears far-fetched, consider, for example, how attractive Becker finds fines and victim compensation in proportion to the material harm done as "focusing attention on the information most needed for intelligent social policy."³⁴ Note also that under such a rationale, even intent to harm becomes of little, if any, pertinence. It matters not whether an "accident" involved someone trying to ram someone deliberately, because of a game of chicken, or because of a desire to take an expectant mother to

³³ See A. BIDERMAN, L. JOHNSON, J. MCINTYRE & A. WEIR, *supra* note 23.

³⁴ Becker, *Crime and Punishment: An Economic Approach*, in *ESSAYS IN THE ECONOMICS OF CRIME AND PUNISHMENT* 5 (G. Becker & W. Landes eds. 1964).

the hospital on time. Misses do not count, no matter how near the misses are.

To a degree, victimization surveys already reflect a bias from direct consequences to the victim in that, presumably, the seriousness and duration of the harm that a victim suffers have much to do with the ability of the survey respondent to remember and report an event in the interview. In ordinary victimization interviewing, however, the moral seriousness or the outrageousness of the act may or may not confer memorability on the crime event, so long as interviewing directs itself to matters of material harm, rather than mental outrage.

Further, the value of a legal rule is not measurable by the social cost of the vexations that occur from it, but rather by the social benefits that derive from its existence. Harm resulting from violations of rules is not limited to the immediate victims of the violation, but includes the threat that such violations in aggregate would pose to the viability of the rule and to the ability of people to conduct their own affairs, confident that others will respect their persons and property.

The social effect of violations on the strength of a rule is highly visible in the traffic situations mentioned above and was quantified by Allport³⁵ many years ago in his famous J-curve hypothesis of conforming behavior. People tend to obey rules they observe being recognized and obeyed and to violate rules they see others violating.

One of the respondents who contributed multiple incidents of victimization to our 1966 Washington victimization³⁶ study also reminded me of the existence of a long-standing principle of crime victim compensation that is operative in much of society. When asked if his losses were compensated in any way, this man responded that he took care of that by himself. For example, when his coat was stolen in a bar, he took someone else's. In military groups with which I served, not only was the principle upheld by the informal normative structure that losses to theft legitimate theft to replace the loss, it approached a moral imperative that one do so, so long as the secondary victimization was not within the primary group. Within the primary group, the principle, "Don't get mad, get even," required identification and retaliation against the original offender. Only in special and extreme cases was mobilization of the official system sanctioned by peers, or indeed, the immediate representatives of military authority.

We also know that subjects of assaultive violence frequently react with aggression against some other party. Violent pecking orders exist

³⁵ Allport, *The J-Curve Hypothesis of Conforming Behavior*, 5 J. SOC. PSYCH. 141 (1934).

³⁶ A. BIDERMAN, L. JOHNSON, J. MCINTYRE & A. WEIR, *supra* note 23.

among young men.³⁷ Thus far, however, our data systems are not well-designed to identify such secondary victimization as an effect of crime. To the degree such a principle operates for classes of victimization within normative subcultures, the formal chain-like properties of the phenomena suggest the possibilities for very high crime incidence generation from this kind of effect.

Destruction of public confidence in the operation of law results from attempted but unsuccessful or aborted crimes, and crimes involving trivial material consequences. So far, research has focused largely on the negative side of this matter: the impact, direct or indirect, of victimization on fear of victimization, and costs (including behavioral opportunity costs) of such fears. Such data can be put into perspective by illustration of their opposite, the value of feelings of security with regard to person and property. But, it is both an easier and more easily fundable task to study social disorganization than social organization.

FORMAL SYSTEM MOBILIZATION AS EVENT CONSEQUENCE

With relatively few exceptions, criminology has until recently been largely dependent for data upon a particular type of consequence of a victimizing event, that following from the intervention of some formal agency of social action. These interventions meet needs for data in that formal organizations, unlike most individuals, are generators of systems of records of their transactions.

The most frequently mobilized agency is the police. It is the usual agency of first jurisdiction in criminally victimizing events.³⁸ The preponderant way by which police are mobilized is notification by victims, although other citizen reports—by friends or kin of victims, offenders, or other private persons who witness or otherwise learn about the event—are also common sources of the first police mobilization. Ambiguity may exist in events about who is offender and who is victim, and police may be mobilized by a party that has self-definition as victim, but which party may come to be treated subsequently as an offender in the event. In a small percentage of cases, the police may learn of an event before any other concerned party. Sometimes other formal agencies are mobilized earlier than the police. Ambulance service and other medical intervention may be mobilized with or without subsequent mobilization of the criminal justice system. For certain kinds of injuries, police notification may be legally mandatory or mandated in administrative procedures of the medical agency. In arson cases, fire departments are

³⁷ See generally W. WHYTE, *STREET CORNER SOCIETY: THE SOCIAL STRUCTURE OF AN ITALIAN SLUM* (rev. ed. 1974).

³⁸ See A. REISS, JR., *THE POLICE AND THE PUBLIC* *passim* (1971).

ordinarily mobilized first, with complex variation among localities and by the nature of the incident determining whether and how police agencies may subsequently be mobilized. Victimization occurring in particular institutional settings leads to the initial mobilization of the authority systems appropriate to those settings. School authority, rather than police, almost always are the initial, and usually, the only authority, to deal with criminal victimizations in school. Similarly an internal system is first mobilized, with subsequent mobilization of police being variously problematic in institutions, large industrial and business establishments, large housing complexes, parks and other large recreational facilities, and in the military. Police and quasi-police organizations internal to some large organizations may have exclusive purview or share it with the police agencies of civil jurisdictions, which may in some degree overlap.

If the relevant scope is extended beyond ordinary crime, a host of other organizations might be first mobilized for various classes of victimizing events, for example, attorneys, insurance companies, and regulatory agencies are mobilized in white-collar crime cases.³⁹

The mobilization of one formal organization can lead to mobilizations of others, either independently, by action of the first agency notified, or by coping interactions of various parties to the event. Attention tends to center on the chain of the agencies of law enforcement and administration of justice, with a steep gradient of transition probabilities for subsequent action as one moves successively toward higher police levels, prosecution, courts, and corrections. Elaboration of the social apparatus has proliferated the kinds of agencies potentially involved, including legal assistance agencies, victim-witness assistance agencies, dispute resolution agencies, and private insurance and victim compensation programs. While police records may be more exhaustive and less selective with regard to crime events, victimological research has made extensive use of the records of other agencies, either as direct sources of data, or to identify informants with particularly desired characteristics for direct research interrogatory. The records at these subsequent levels often serve data purposes better because they often reflect more intensive investigation, more careful weighing of evidence, and more systematic and standardized processing. A particularized discussion of the properties, uses, and problems of data from these formal systems that become recorders of victimization information would be unwieldy here. Instead I will attempt to deal with them in terms of a few very general remarks.

Questions exist regarding when and why particular systems do or

³⁹ See A. BIDERMAN & A. REISS, JR., *supra* note 10.

do not get mobilized to attend to a particular event. Two effects of this variable mobilization are a) the set of victims or victimization events covered by the records of a particular system may be a biased subset of all those in which the interest of some statistical user may reside, and b) the user's interest may reside precisely in the reasons why a particular system becomes mobilized or not, and the differences it makes for cases subject or not to that agency's interventions. In these events, an agency's data become useful only in combination with some independent source of information. Therefore, the information we have on when and why police are mobilized comes from observations organized specifically for research data collection purposes, such as the police observation studies conducted by Reiss⁴⁰ and by victimization surveys.

The incomplete character of the records of formal systems may be viewed, in part, as merely reflecting imperfect organization of society—both the remediable flaws and those which inhere in the inevitable differences between ideal models and attainable realities.⁴¹

Let us consider two functions of an ideal society. Formal agencies may exist for one of two purposes: first for preventing social actors from harming others wrongfully (control systems); and second for remedying or compensating for harms when they do occur (remedial systems).

A fully effective control system would take notice of all wrongful harms and act to minimize them, by deterrence, incapacitation, norm-reaffirmation, or other means. Similarly, the system of remedy or compensation would be mobilized to right, insofar as possible, all wrongs. Of course such systems do not remotely approach universality in their capacities either to learn about harmful wrongs or to act on discovered wrongs. Their imperfections as action agents also lessen the degree to which those upon whom they are dependent for their mobilization will turn to them because they believed it is futile. If anything, the public has rather exaggerated ideas about what such systems intend to bring to their attention and about their capacity or responsibility to respond.⁴² Agencies have needs and agendas that are often incongruent with the needs and interests of those upon whom they rely for their mobilization; that is, the agencies and their actors serve both their own purposes and those of parties with whom they have regular dealings (as they generally do not with individual victims and witnesses). Also, their general public functions may in any given instance conflict with the perceived interests of an individual victim or witness, among others. Motivation to mobilize them is not always high.

⁴⁰ See note 38 *supra*.

⁴¹ Biderman, *supra* note 24, at 164-67.

⁴² See A. REISS, JR., *supra* note 38.

Because agencies do act, often for the good or ill of those with whom they interact, control and remedial systems also are dealing with persons who may be disposed to give them distorted or selective information. Many of these formal systems must therefore rely on the difficult process of balancing variously available and often biased testimony from multiple sources. For many purposes of data, this makes for highly complex, extremely unstandardized systems of records reflecting results of elaborate judgment processes. The complexity of the data seriously restrict its utility to a data user attempting to relate it to his own purposes and to evaluate it in terms of independent criteria. The criteria and procedures for judgment also differ by place and are subject to change over time. Results of information processing by such systems usually have to be taken with a considerable degree of faith, as well as with acceptance of normative criteria in the data set.

Just as formal agencies are far from perfect as universal observers, they also fall short as data recorders. More particularly, they usually have scant interest in records as data, utilizing them only for the action and evaluation purposes of the organization.

Universal application of remedial systems presumably is more feasible than it is for control systems because individual victims are highly motivated to seek remedies. A universal system is conceivable in which all harms that exceed a certain threshold of impact on the affected individual or family unit would warrant state clinical care or compensation. Indeed, some of the more elaborate welfare states, notably Denmark, have done more than think about it.

For some time medical systems have been moving toward the ideal of universal entitlement to everything possible for the redress of harm. Therefore, they are a particularly good potential source of records for victimological investigations of events causing physical harm. This potential, however, is severely reduced by their lack of coherent or systematic organization. The development of crime victimization systems in the United States is a step toward a universal compensatory system encompassing criminal harms in remedial social systems. With its development, new record systems regarding victimization have become available as data, but there are grave limits to the extension of such systems.

One limit is illustrated by the considerable popularity of models of the ideal society where no harms would trigger organized social action—particularly state action. We can consider Ayn Rand's model in which everybody would look out for himself (and other favored selves). This society would have no offenders and no victims, only winners and losers. The social (as distinct from the individualistic) purpose of encouraging prudence and self-rewarding behavior is a limitation on the acceptabil-

ity of universal victim compensation systems. It leads them to incorporate in their models rather subtle and nonobjective principles for defining a harmful wrong not imprudently courted. Besides discouraging prudence, such a model raises concern over incentives to make false claims. Compensatory and remedial systems are concerned with fraudulent claims for compensation and medical care. The United States has a wondrous mixture of systems of care and compensation. The decentralization, overlaps, and sectoral mixtures of such systems make them generally very poor sources of data. The private systems, such as the commercial insurance system and private medicine, safeguard their privacy and the proprietary character of their data. Casualty insurance data is now, for good reason, of scant worth as research data for victimology. Thousands of independent providers and hospitals without clearly bounded catchment areas or domains of responsibility make medical records extremely complex for systematic data purposes.

In summary the problems of data are fundamentally problems of the organization of social action. The remedies for the problems of data availability, if they exist at all, are remedies of social organization. Such remedies may involve (1) reorganizing the character of the action systems, as in the case of the victim compensation programs, (2) grafting data record systems onto action systems, as in the case of the UCR, or (3) organizing completely independent systems to generate records specifically for data purposes. The victimization survey and, notably, its embodiment in a system that aspires toward universal national scope, the National Crime Survey, well illustrates the last form.

THE VICTIMIZATION SURVEY

Elsewhere, I treated the victimization survey as a source of data for victimology in terms of its contraposition to the data of the systems of action intervention. The potential virtues of the victimization survey approach for the study of victimology are not limited to remedying the selective recording of events in official data.⁴³ As the survey is an *ad hoc* device for the purpose of systematic knowledge, it develops information on victims, offenders, and relationships between them (including those of the critical events) of far greater scope and detail, and in more directly usable form, than is the case with data from official records. Unlike the official system, whose interest is not ordinarily in the victim *qua* victim, but rather as complainant or witness, the victim is the survey's unit and focus. Thus, the counting unit for victimization survey data is victimized persons or social units, while in police statistics for property

⁴³ See Biderman, *supra* note 3. See also A. BIDERMAN & A. REISS, JR., *supra* note 10.

offenses or multiple-victim crimes, information on the victimized social unit is often lacking.

Surveys also yield victim risk rates directly. Such rates are difficult or impossible to construct from police data for many classes of crimes. Surveys directly yield information on victim proneness as given by repeated occurrences of victimizations to the same individual, at least within the boundaries of the reference period used in the questioning, or, as in the case of panel surveys such as the NCS, for the duration of the respondents retention in the panel.

Current survey questions develop information on the economic, physiological, and psychic consequences of the victimization event for the individual, as well as on the cumulative consequences of his exposure to hazards of victimization. Interview schedules also include questions on known and suspected offenders, questions about the victim's assumptions regarding their motives, and questions about the victim's surmises regarding the kinds of individuals who might have been responsible. By contrast action systems limit their data on offending parties to information with greater official standing.

Surveys also directly investigate the relation of precautionary behavior by persons to their victimization experience. Some surveys ask respondents directly about their view of the role of their own behavior as contributing to the event.

By asking for their views regarding official actions that were taken or should have been taken toward the offender, surveys can indicate the mobilizations of the victim's legal and moral sensibilities toward the offender and the crime, as well as regarding the effectiveness of formal agencies.

To the extent that students of victimology are interested in judging the reasonableness of the official system in taking account of the responsibility or culpability of the victim, the survey method also provides a key type of data: accounts of incidents in which the victim defined the event as a crime, but where this definition was rejected by the police so that the event never appeared in official registers of crimes. Victimization surveys include questions on the disposition of complaints by authorities and the reasons therefore, as perceived and reported by the victim.

Unlike official statistics which make "yes-no," "black-white" discrimination about whether or not an event is tabulatable as a crime, survey data are susceptible to probabilistic treatment which more accurately reflects the uncertainties of inference and judgment that often obtain. Ambiguities may exist regarding critical objective features of the

event (for example, were objects lost or stolen?), or subjective features (for example, was the respondent injured accidentally or deliberately?), or in the application of normative judgments (for example, was the act a justifiable response to provocation?). In the victimization survey conducted by the National Opinion Research Center,⁴⁴ 7% of the incidents reported by respondents were judged "doubtful" and an additional 9.4% involved doubt in staff judgments of the criminality of the act. About 20% of the incidents reported by respondents involved one element or another of such doubt. Such data are quite useful for many purposes, such as analyzing the effects of experiences with crime on citizens' attitudes and behavior, or the cooperation received from authorities in resolving through investigation ambiguous events.

The victimization survey method, in theory, has such vast potential for meeting so many of all of the data needs of the field of victimology that it has tended to be a target of quite extravagant expectations. While it undoubtedly is the single most important recent development in criminological methodology, and while it already has had profound results in reorienting the conceptual structure and problem agendas of the pertinent disciplines, the revolutionary potential of the victim survey will not be realized for a considerable period of time. Furthermore, inherent limitations in the method will always force victimologists to look to other sources for data on many of the important problems on its agendas.

Again, it is not possible here to cover all of the problems inherent in the victimization survey methods in general, or even those that inhere in that particular application of the method by the federal government for general purpose victimization statistics through the National Crime Survey. At various earlier junctures in this article, some of these matters have been listed and an extremely lengthy listing of issues and problems is the subject of attention in a large program currently underway for redesign of the NCS. This program is being undertaken by the Department of Justice through a consortium of private institutions and the Bureau of the Census. Particularly important matters will be mentioned here. They are matters that apply with equal force to most of our other sources that depend upon interrogatory methods.

The victimization survey is affected by a host of problems general to the sample survey method. The literature on these problems would fill many shelves. A large class of problems relates to sampling—defining a population, devising a feasible sampling plan for it, implementing

⁴⁴ P. ENNIS, REPORT OF A NATIONAL SURVEY ON CRIMINAL VICTIMIZATION IN THE UNITED STATES FIELD SURVEYS II (President's Comm'n on Law Enforcement and Ad. of Just. 1967).

this plan with all the problems of enumeration and contact such implementation involves, establishing the error structure for results both in terms of the random models and departures therefrom in the sampling plan, and taking account of the variable success achieved in implementing it. Sampling is the first among many decision points in the design of a victimization survey where tradeoff considerations must be confronted. The presence of these tradeoffs serves to illustrate an obvious conclusion regarding the survey method: No one survey or survey system, no matter how elaborate, can serve all the data purposes of victimology.

RESPONDENT BEHAVIOR

The survey method is dependent upon cooperation of respondents, almost always with no compensation except that intrinsic to the task and the social encounter. The motives for respondent cooperation are not terribly well understood, although civility to strangers, civic duty (particularly in the case of government and public issue surveys), and simple curiosity appear to rank high among them. While respondents do not have strong intrinsic reasons to give false information to surveys, neither do they have strong extrinsic reasons for giving correct information. In an astonishingly high proportion of all cases, respondents are sufficiently motivated not to refuse to be interviewed (I confess to being not altogether sure of how the Census Bureau computes these rates). However, not refusing to be interviewed is different from accepting all of the burdens of attitude and effort in the interview a particular survey asks the respondent to assume. Being a "good respondent" can involve considerable positive effort at the demands of attention, question comprehension, recall, and response verbalization. Often, responding to survey questions requires respondents to abandon some privacy and ordinary norms of reticence and to engage in full and frank revelation. The very motives the survey uses to enlist cooperation may affect adversely the quality of that cooperation as it relates to accurate and undistorted testimony. For example, the respondent who desires to be "nice" to the interviewer may be affected by demand characteristics of the interview. In the victimization survey, which transparently desires to get information on victimization, the respondent may invent the information desired, or, more likely, to distort recall of ineligible information to make it eligible, as in the well-known telescoping-in effect. (This is not the only possible psychological explanation of telescoping, however). That the interviewer seeks to gain respondent cooperation by establishing a social relationship means that the respondent is concerned with the effect of answers on the interviewer's regard for him. Where the respondent's motives may be likened to the reasons for voting—that

is, to have one's views, experiences and interests taken into account by the political process—the respondent may shape his replies to serve such ends. For example, a respondent who feels crime is the most important problem facing his community may not wish to reveal that he has suffered no victimization.

The future of the victimization survey method is bound up with the extent to which the survey institution as such can maintain the acceptance it has, as well as with the possible specific visibility and attitudes toward a particular survey organization or instrumentality, such as the Census Bureau and the NCS.⁴⁵ Considerable anxiety exists regarding current erosion of support for the institution. In recent years the survey institution has also had to accommodate various conflicting norms and values of an individualistic sort, as reflected in laws and regulations to prevent intrusions into privacy, to provide mechanical protections for privacy to replace those of trust, and to enhance various other rights of human subjects. To some degree, although still a minor degree according to Singer's recent research,⁴⁶ these provisions can convey signals in the interview situation either concordant or discordant with the attitude the survey institution tries to cultivate in its respondents—that one unquestioningly will answer all questions truthfully and undefensively.

Cannell and his associates at the University of Michigan Survey Research Center have been experimenting with various deliberate devices that, in effect, will train the respondent attitudinally and cognitively to fulfill the respondent role consistent with the expectations of the survey method.⁴⁷

Another avenue of approach is to build devices into the interview so that respondents need not rely as much upon trust to insure the confidentiality of the information they give, and to make it less necessary for them to reveal facts about themselves that they would rather not reveal. The sealed ballot box technique is an old device of surveys for this end, as is the anonymous mail-back (with or without deceptions to permit case linkage—ruses that no longer are acceptable to ethical survey practice). Randomized response methods (RR) are later innovations that have succeeded, albeit inconsistently, in eliciting data on sensitive subjects.

We know that RR has worked well for various sensitive items, such as revealing a previous abortion. It might also work well to gain infor-

⁴⁵ See Biderman, *The Survey Method as an Institution and the Survey Institution as a Method*, in *PERSPECTIVES ON ATTITUDE ASSESSMENT: SURVEYS AND THEIR ALTERNATIVES* (H. Sinaiko & L. Broedling eds. 1975).

⁴⁶ Singer, *Informed Consent*, 43 AM. SOC. REV. 144 (1979).

⁴⁷ C. CANELL, J. CONVERSE & L. OKSENBERG, *EXPERIMENTS IN INTERVIEWING TECHNIQUES* (Nat'l Center for Health Serv. Research 1979).

mation on sexual victimization. But it is important to constantly probe into why it works. Such probing will facilitate the development of different, more efficient, and more universally useable alternatives to RR. It is more important to discern what respondents reveal in RR questioning that they do not reveal in direct questioning because: 1) RR assures them that the confidentiality of the information will not be breached by the survey organization; 2) RR allows them to answer without experiencing embarrassment in the face-to-face situation with an interviewer; 3) Interest in the novel game of RR results in increased task motivation; and 4) RR results are to some degree spurious and reflect greater response error, of various types, in this somewhat complex task.

While research fairly consistently affirms the potential of such methods for response bias reduction,⁴⁸ evidence of the performance of RR on individual items may be a suboptimal basis for using RR extensively in surveys. Before we do this, we need to know more about how use of RR affects the attitude and, hence, the behavior of respondents to the particular survey situation in its entirety, and how widespread use of RR in the long term may affect public perceptions of the statistical survey as an institution. The gains an RR procedure may yield for a given item of information have to be weighed against its externalities for that survey as a whole. As professionals, we should also consider the potential externalities for the survey institution.

RR, however, is of small help with what appears to be the more consequential problem of the victimization survey: the memory system of a respondent sometimes is given no strong reason for recalling the events by the interview, and occasionally, the memory system has good, positive reasons to keep such events from recall.

The primary attention in our current work centers on reducing the underrepresentation and the selective representation of pertinent victimizing events in the data yields of the NCS. Some such effects of response error are inevitable in data from any survey. While vast effort is expended toward improving the data source, perhaps more should be directed toward how the inevitable presence of response error should affect data use.

Distressingly, published research makes substantive use of data from the NCS with almost total disjunction from the methodological research on response error. In turn, the methodological research does not adequately consider yielding information on those aspects of error structure that may be most often important in their consequences for

⁴⁸ The major exception seems to be that RR works poorly for controlling false positive reports of "socially desirable" behavior. See N. BRADBURN & S. SUDMAN, *IMPROVING INTERVIEW METHOD AND QUESTIONNAIRE DESIGN* 13 (1979).

research uses. In using data, an investigator must attend both to hypotheses about the causes of events and about why events are represented in particular ways and frequencies in a data set. Data sources should be sources of hypotheses for the investigator with regard to the latter statistical properties of the data as well as the former.

To take an example, in a cross-sectional victimization survey there will be a steep gradient in number of incidents by their temporal remoteness from the date of the interview, with a curve perturbed by telescoping effects. The longer the recall period, the more pronounced the gradient. In one fairly well-known victimization survey, a three-year reference period was used, such that frequencies of victimizations in the earliest months were about 10% of those in the peak penultimate periods.⁴⁹ Neither the investigator who did this study, nor any other reasonably intelligent investigator, is likely to interpret such a distribution as a time series of rapidly increasing victimization rates over time. But obviously, not all types of events in the set, nor all respondents, are equally affected by the memory decay function. Obviously, then, comparisons between classes of events and between classes of respondents are going to be affected by a severe bias when data from all periods are grouped together for analysis, as they were in this study. The investigator is in no position to explore validly any hypotheses about differences in, say, victimization proneness as between classes of persons, unless he also has a basis for answering questions about their differential proneness to fail to mention events in an interview with a given recall period.⁵⁰

A recent article, "multiple victimization" using NCS data displays the same obliviousness to response error.⁵¹ This is a particularly grievous fault because the very type of binomial modeling which its author employs was employed in the earliest explorations of the victimization survey method to try to account for the very different results of different interview treatments in the distributions of number of victimizations mentioned by each respondent in an interview. The article entertains

⁴⁹ The *Journal* editors have asked me to cite the survey discussed here. Because such severe recency biases are endemic to crime victim surveys, and because these biases almost universally receive no attention in the published reports of such surveys, I see no purpose to singling out the authors of this survey for named criticism. They at least met my request for data on the temporal distribution of the victimization reports given by their respondents. I am tempted, instead, to mention a frequently cited victimization survey I have been unable to evaluate because several requests I made for such a tabulation of its data have been unavailing. There is even less purpose to be served by adding to the citation count on which the authors' "contributions" will be judged. I will therefore identify it as a survey conducted in Cincinnati purporting to demonstrate the virtues of random-digit dialing.

⁵⁰ J. Nelson, *Toward a Theory of Multiple Victimization: The Compound Poisson Model* (paper presented at annual meeting of American Society of Criminology 1980).

⁵¹ The investigator in question did not report this distribution at all, but was kind enough to furnish it at my request.

no hypotheses whatsoever regarding response error functions, but interprets the distributions taking the data at face value. Although there is extensive speculative discussion in the victim survey methodological literature on the role of interviewing effects on these distributions, the topic remains undeveloped by empirical or experimental research.

Until there is greater sensitivity of data users for the error structures of the NCS and more information available about error, these data for victimology will be potentially misleading as well as enlightening.

The recent work of Carr-Hill and Stern⁵² is an excellent example of the application of the approach to criminological data I am advocating here. This is not a matter unique to the NCS; indeed, the potential virtue of the NCS is that there is greater awareness and attention to such matters where it is concerned than is characteristic for most other sources of data used in this field.

⁵² R. CARR-HILL & N. STERN, *CRIME, THE POLICE AND CRIMINAL STATISTICS* (1979).