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9B18M200

The Kroger Co.: Public Relations and Social Responsibility[[1]](#endnote-1)

David Anderson and Shirley Estes wrote this case solely to provide material for class discussion. The authors do not intend to illustrate either effective or ineffective handling of a managerial situation. The authors may have disguised certain names and other identifying information to protect confidentiality.

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On January 8, 2011, Gabrielle Giffords, a Democratic member of the United States House of Representatives, stood outside a Safeway grocery store in Tucson, Arizona, talking to local supporters and citizens. The beautiful Saturday morning was ruined when a 22-year-old shooter arrived on the scene and shot Giffords in the head. In the spree, the shooter killed six people that day and wounded at least 10 others. The target of the shooting, Giffords, was rushed to the hospital in critical condition.[[2]](#endnote-2)

Mary Reed had been waiting in line with her daughter to take a picture with Representative Giffords the day of the shooting. When the shooter arrived, he began shooting down the line. Reed pushed her daughter against a wall and protected her with her own body. Reed’s husband and son were off to the side and escaped behind the corner of a building. Reed was shot in the arm and in the back, an injury that left her with chronic back pain since.[[3]](#endnote-3)

Having survived the shooting, Reed joined a protest held on October 29, 2014, organized by the advocacy groups Moms Demand Action for Gun Sense in America (Moms Demand Action) and Everytown for Gun Safety (Everytown). The protest took place at the annual general meeting of The Kroger Co. (Kroger), and Reed wanted to tell the investors her story. Kroger, a large U.S. food retailer, allowed customers to carry weapons in stores where state laws permitted it. The protest group wanted Kroger to change its policy and ban the presence of guns from *all* of its stores, including those in states where it was legal to conceal and carry a weapon.[[4]](#endnote-4)

Although the 2011 shooting in Tucson had not taken place inside or outside a Kroger store, gun control advocates were demanding action from Kroger and other similar stores. Reed expressed her concern for customer safety at stores such as Kroger. She explained that her shooter had stood inside the Safeway supermarket in Tucson for 15 minutes with his gun in the back of his pants. No one had expected him to start shooting people. Because Arizona allowed weapons to be concealed and carried, it was not out of the ordinary for people to carry guns into stores in Tucson. Reed articulated her concerns about customer safety:

Now I think, do I go up to someone with a gun and see if they’re behaving oddly? Are they there looking for somebody? I’d prefer, when I’m shopping at Kroger, to be focused on the produce and not have to calculate the risk management of being around people who feel the need to shop with loaded guns around children.[[5]](#endnote-5)

Reed was a gun owner herself, but after experiencing this tragic shooting outside the Safeway store, she questioned the necessity of carrying firearms into public stores. “I was saved by an unarmed 60-year-old woman and two unarmed 70-year-old men,” she said, recalling how civilians had wrestled the shooter to the ground as he tried to reload his weapon. Reed added, “There was an off-duty sheriff who was a few feet away. But this all happened in 22 seconds. It wasn’t in slow motion like in the movies.”[[6]](#endnote-6)

Reed claimed that Kroger had a duty to create a safe environment for its shoppers by banning guns from all of its stores. She believed that allowing all citizens to carry guns did not necessarily make stores safer and that it should not be her duty to “calculate the risk management” as she shopped for groceries. After all, her attacker had been disarmed and detained by *un*armed citizens.[[7]](#endnote-7)

Could a tragic event like the one that happened outside the Safeway store happen at a Kroger store if Kroger did not take the extra precaution of banning firearms from its stores? After the protest on October 29, 2014, Kroger elected to maintain its status quo: customers could carry weapons in the store if the state law permitted it.[[8]](#endnote-8) However, incidents of gun violence increased over the following years and gun control advocates were exerting more pressure. Given increasing public concern about shootings in public places, should Kroger reconsider its original statement and ask its customers to abstain from their right to carry a gun while shopping to ensure that customers perceived the stores as safe and family friendly?

company profile and history

Kroger was founded in 1883 when founder Barney Kroger used his life savings to open a grocery store at 66 Pearl Street in Cincinnati, Ohio. Mr. Kroger ran his store based on the simple motto, “Be particular. Never sell anything you would not want yourself.”[[9]](#endnote-9)

In 1901, Kroger became the first grocery store in the United States to establish its own bakery. The store was also the first to sell meat and groceries in the same building. Then Mr. Kroger began manufacturing his own products in his Cincinnati store. As the company grew, so did the variety of food products it manufactured. By 2017, 40 per cent of Kroger’s private-label products were made at one of its own manufacturing plants. Kroger had a total of 38 manufacturing plants, with the products produced by the plants making up 26 per cent of Kroger’s total dollar sales. This created an impressive sales advantage because one could not find Kroger products sold elsewhere.[[10]](#endnote-10)

Kroger’s stores were the first to formalize consumer research in the 1970s. The stores interviewed 4,000 people at that time. In 2014, the number of people the stores had interviewed had grown to 9.6 million. In 1972, in a continuing series of firsts, Kroger became the first grocery store to use electronic scanners. By 2017, Kroger was still incorporating new technology into its stores.[[11]](#endnote-11)

Kroger offered a variety of combination stores in 2017. These stores served a wide range of consumers and included multi-department stores, supermarkets, price impact warehouse stores, and convenience stores.[[12]](#endnote-12)

Gun laws and Retailers

The Second Amendment of the United States Constitution granted “the right of the people to keep and bear arms.” The language of the complete amendment was not clear, leaving room for debate about what was intended with the right, but it was generally accepted that the amendment granted each and every individual citizen—military and civilian—the right to bear arms.[[13]](#endnote-13) There was no federal law that governed whether and how permits to carry guns would be issued; therefore, each state was left to establish its own laws.[[14]](#endnote-14)

All American states, to some degree, allowed firearms to be concealed and carried. The rules governing concealing and carrying and to whom permits could be issued varied greatly from state to state. Out of the 50 U.S. states, 38 required a state-issued permit to carry a concealed weapon in public; 12 states allowed concealed weapons without a permit. The state-issued permit was known as a “CCW” (carrying concealed weapon). Nearly all states had restrictions on where weapons could be carried; restricted locations included bars, schools, hospitals, and public sporting events.[[15]](#endnote-15)

To “conceal and carry” a gun meant to carry a gun that was not visible in plain sight. There were three types of conceal-and-carry laws, known colloquially as “unrestricted,” “shall issue,” and “may issue.” States with unrestricted laws did not require citizens to obtain permits or licences to own a gun, although some of these states did restrict in which public places guns could be carried. States that followed “shall issue” rules granted a permit to anyone who met the minimum qualifications set by the state. “May issue” states required a permit to conceal and carry, but whether the permit would be granted depended on varying factors. Each state set its own rules concerning who could be issued permits; some states were stricter than others. For example, to carry a gun in the state of New Jersey, a person who was not a law enforcement officer had to demonstrate “justifiable need,” meaning that the person needed the gun for self-protection and that there was no other way to reasonably achieve that protection.[[16]](#endnote-16)

Almost all states allowed what was known as “open carry,” meaning that citizens who were granted a permit for a gun could carry one in public, in plain sight. Only three states and Washington, D.C., prohibited open carry of *any* firearm. Another three states prohibited only open carry of handguns. However, there were certain situations when even these states allowed a person to openly carry a firearm. For example, in Illinois, a gun owner was allowed to open carry a gun for hunting.[[17]](#endnote-17)

U.S. midterm elections were held in 2014 and gun laws were a major topic of debate. The campaign was used as a platform for advocates on both sides of the issue.[[18]](#endnote-18) By then, Moms Demand Action had already used their protests and campaigns to bring various companies across the United States, including Kroger, Target Corporation (Target), Panera Bread (Panera), and Starbucks Corporation (Starbucks) into the debate. Many of the establishments that requested that customers refrain from bringing guns into their stores stated that this request was not a political stance but rather a way of creating a store atmosphere that promoted family values.[[19]](#endnote-19)

Panera and Starbucks complied with the requests of gun control advocates. Panera wanted to avoid making a political statement while still expressing what its stores stood for and who it wanted in its stores. Panera issued a statement insisting that allowing or not allowing firearms into its stores affected the store’s community atmosphere: “The request is simply [that] we recognize everyone’s rights. But we also recognize that we are building communities in our cafes and [we] are where people come to catch a breath.”[[20]](#endnote-20)

Starbucks also wanted to avoid making a political statement. It did not appreciate being dragged into the political debate about gun control, but to avoid damaging the relationships it had with its consumers and to promote a certain atmosphere within Starbucks stores, the company opted to request that consumers not bring guns to their stores. Starbucks’ chief executive officer (CEO), Howard Schultz, addressed the political undertone in an interview with CNBC television: “Starbucks is not a policy maker, and we are not pro- or anti-gun. However, over the last few months or so, we have seen ourselves thrust into this debate in a way that is not consistent with the values and guiding principles of our company. … [B]ut guns should not be part of the Starbucks experience.”[[21]](#endnote-21)

Advocacy groups also successfully involved large retailers in the gun policy issue. Kroger, like many other retailers and even its competitors, had to decide whether it should comply with the requests of gun control advocates and how new gun control policies, if implemented, would impact the company’s public relations and, ultimately, its sales and profits.

gun safety Advocacy Groups

The advocacy group Reed joined, Moms Demand Action, was started in 2012, one day after the shooting at Sandy Hook Elementary School in Newtown, Connecticut. Founded by stay-at-home mom Shannon Watts, the organization started as a Facebook group; within a year, the group had grown to over 130,000 members with chapters in all 50 U.S. states.[[22]](#endnote-22) Moms Demand Action was a grassroots organization that largely worked at the community level, raising awareness about gun safety issues and encouraging U.S. citizens to lobby their senators to vote for laws that promoted gun safety.[[23]](#endnote-23) Moms Demand Action was not attempting to change the Second Amendment; however, to prevent gun violence, the group wanted stronger laws governing *how* citizens bore arms.[[24]](#endnote-24)

A second advocacy group, Mayors Against Illegal Guns (MAIG), was formed earlier, in 2006, by Michael Bloomberg, former mayor of New York City, and Thomas Menino, former mayor of Boston. MAIG worked at the policy level, lobbying lawmakers to promote and advocate laws that decreased gun violence. In 2017, the organization consisted of more than 1,000 current and former mayors.[[25]](#endnote-25)

In 2014, the two advocacy groups came together under one new umbrella, Everytown for Gun Safety, the largest gun violence prevention program in the United States.[[26]](#endnote-26) The new organization was backed by Bloomberg, who planned to spend as much as US$50 million[[27]](#footnote-1) advocating for gun control in the 2014 U.S. midterm elections.[[28]](#endnote-27) The groups organized protests to urge large corporations to promote gun control and to urge retailers to create safer store policies on guns.

With the strength of the new umbrella organization, Moms Demand Action petitioned retailers such as Target and Starbucks to change store policies so that guns would not be allowed in the stores. The organization targeted companies that were family-oriented, believing that families should not be made vulnerable to gun violence in the stores that marketed to them.

Gun Safety Advocacy Groups and Kroger

Moms Demand Action successfully petitioned Target to ban customers from bringing guns into its stores. After the gun control advocacy group collected almost 400,000 signatures on a petition, Target complied and requested that consumers not bring guns into its stores.[[29]](#endnote-28) Everytown and Moms Demand Action then turned their attention to Kroger, together soliciting over 300,000 signatures on a petition:

Numerous shootings and gun rallies have taken place at Kroger brand stores in recent years. The company policies that have enabled this to happen are not in line with its core values, which include creating a “safe and secure workplace and shopping environment.”

Most states have weak gun laws that let people openly carry guns even if they haven’t had a background check or training. Private businesses like Kroger have the responsibility to protect their customers when the law won’t.[[30]](#endnote-29)

Moms Demand Action made 12,000 calls to Kroger’s corporate offices.[[31]](#endnote-30) They also spent thousands of dollars on a controversial advertising blitz that generated significant media attention.[[32]](#endnote-31) In media interviews, Shannon Watts, founder of Moms Demand Action, asked, “Why is Kroger asking customers—the vast majority of whom are women and moms—to handle their risk management for them? . . . How are we to determine the difference between an armed robber and a person carrying a gun to make a political statement?”[[33]](#endnote-32) According to Moms Demand Action, 83 per cent of Kroger’s customers agreed that the retailer was not putting safety first.[[34]](#endnote-33)

U.S. Senators Chris Murphy, Richard Blumenthal, and Dianne Feinstein supported gun control advocates, and together, they also petitioned Kroger, writing Kroger’s CEO, Rodney McMullen:

We write today to urge you to adopt a policy that would prohibit the open carry of firearms in your stores. In doing so, Kroger would be sending an important message about your commitment to the safety of your employees and customers.[[35]](#endnote-34)

Gun Rights Advocates

Advocacy for gun control was not without its opposition. In 2013, U.S. Representative Michael Speciale contributed to a debate over passing gun legislation amendments, arguing in favour of sustaining conceal and carry laws: “It’s silly, these laws that tell you that you can’t carry here, you can’t carry there. The only ones who pay attention to the law are the law-abiding citizens. A lot of the laws just lack common sense.”[[36]](#endnote-35) Speciale’s statement reflected the beliefs of many gun rights advocates about the regulation of firearms: The only people affected by the regulation of firearms were the citizens who would abide by the regulations; those seeking to do harm would not comply with laws or regulations in any event.

Another concern for gun rights advocates surfaced during the gun control debate of 2013. These advocates became concerned that the additional gun regulations would eventually lead to the banning of all guns.[[37]](#endnote-36) Gun rights advocates argued that owners of concealed handguns were able to protect themselves and others if they needed to, and taking away the right to carry their guns would only embolden attackers because the attackers would know that their victims would be weaponless.[[38]](#endnote-37)

Gun rights advocates were backed by Suzanna Hupp, a former member of the Texas House of Representatives. In 1991, 23 people were killed in a restaurant that had banned guns. Hupp was dining in the restaurant with her parents on that day. She had a concealed handgun permit but had left her gun in her car in compliance with the state law at the time. The shooter killed both of Hupp’s parents. Hupp believed that if she had had her gun with her in the restaurant that day, she would have been able to protect her parents from the attacker.[[39]](#endnote-38)

kroger’s options in 2014

Gun control advocates had petitioned multiple companies to ban guns from their stores; some companies, like Starbucks and Target, complied, but others refused.[[40]](#endnote-39) Those that refused indicated that they wanted to, or felt obliged to, uphold citizens’ right to conceal and carry a gun.

Option 1: Comply with the Requests of Gun Control Advocates

If Kroger was not putting its customers’ safety first, those customers would question whether Kroger was worth their support. Ignoring political pressure from U.S. senators could also suggest that the company did not care about its customers’ and employees’ safety. If the public adopted this view, Kroger’s business would suffer—it would lose valuable employees who did not feel safe, and customers who felt that Kroger was not prioritizing their safety could stop shopping at Kroger and convince others to do the same. This would eventually hurt Kroger’s sales and profits.

If Kroger did comply with the requests of gun control advocates, the retailer could benefit from good publicity and an increase in sales. Customers and employees might view Kroger as a safer place to shop and work.

Option 2: Do Not Comply with the Requests of Gun Control Advocates

Although all 50 states allowed some level of conceal and carry,[[41]](#endnote-40) the demographics and cultural views on gun laws differed state to state. The state laws could be seen as a reflection of American cultural values, suggesting that not all of Kroger’s customers would feel the need to ban guns from Kroger stores. If Kroger chose to support the gun control advocates’ petition and implement a nationwide policy on banning guns, the retailer risked offending customers who enjoyed the right to conceal and carry in their state and who might feel unsafe if they could *not* carry a gun.

Kroger had to be careful with any statement it made or position it took because any action could be taken by customers as a political message that involved more than customer safety. If Kroger continued to allow guns in its stores, it could be indicating it favoured gun rights advocates and customers, complying with their requests.

If Kroger did side with gun rights advocates, those customers would potentially feel safer and more secure in Kroger stores and thus convince others that Kroger was a safer place to shop. This could potentially lead to an increase in sales. Obviously, this decision would offend customers who were gun control advocates.

Option 3: Make a Compromise

Kroger could attempt to please both those customers who advocated for gun safety and those who advocated for gun rights. Each store could evaluate its demographics and local custom, then decide whether it would allow guns into its store. Each store would be better fit to serve its customers’ needs. This might better serve consumers on both sides of the gun policy issue.

In 2013, office supplies retailer Staples, Inc. (Staples) allowed individual stores to determine their own gun policy. An individual store could prohibit guns, but there was no explicit corporate policy regarding the banning of firearms. This meant that unless an individual store stated otherwise, a person could carry a firearm into a Staples store within the limits of the state laws.[[42]](#endnote-41)

Although local decision-making allowed the company to better serve its consumers based on geography, the policy did not please Moms Demand Action. After calling on Starbucks to ban guns from its stores, Moms Demand Action called on Staples to do the same—across the whole corporation. Staples made no comment in reply to the call, but it was evident that its customers were sensitive to the gun issue. In June 2013, Staples was criticized by Second Amendment advocates for rejecting an effort a small gun store made to enter a contest run by Staples for small businesses. The criticism was enough for Staples to apologize and to promise to change its store rules for future competitions.[[43]](#endnote-42)

In 2013 and 2014, Staples fell short of its target goals for sales growth. In 2015, its sales growth was 3.42 per cent short of its goal.[[44]](#endnote-43) These were the years following Moms Demand Action’s lobbying Staples to ban guns from its stores, and Staples’ refusal to allow the gun store in the small business competition.

Kroger’s Response

In 2014, Kroger issued a statement similar to those issued by other retailers who had decided not to comply with gun control groups:

The safety of our customers and associates is one of our most important company values. Millions of customers are present in our busy grocery stores every day and we don’t want to put our associates in a position of having to confront a customer who is legally carrying a gun. That is why our long-standing policy on this issue is to follow state and local laws and to ask customers to be respectful of others while shopping. We know that our customers are passionate on both sides of this issue and we trust them to be responsible in our stores.[[45]](#endnote-44)

In August 2014, a spokesperson on the behalf of Kroger told *Forbes*:

Kroger’s position on customers lawfully carrying firearms is in practice identical to many other U.S. retailers, which is to abide by state and local laws. We know that our customers are passionate on both sides of this issue and we trust them to be responsible and respectful of others while shopping in our stores.[[46]](#endnote-45)

Early in 2015, Kroger reinforced its position again when its chief financial officer was interviewed for CNBC:

If the local gun laws are to allow open carry, we’ll certainly allow customers to do that based on what the local laws are. We don’t believe it’s up to us to legislate what the local gun control laws should be. It’s up to the local legislators to decide to do that. So we follow local laws, we ask our customers to be respectful to the other people they are shopping with. And we really haven’t had any issues inside of our stores as a result of that.[[47]](#endnote-46)

Although gun safety advocate groups were not satisfied with Kroger’s response, the retailer’s position did not appear to have damaged Kroger’s net earnings. In 2013, Kroger’s net earnings totalled $1,519 million for a 53-week period. Net earnings for 2014 were $1,728 million. In 2015, the first full year after Kroger’s statement, net earnings were $2,039; in 2016, $1,975 million, and in 2017, $1,907 million.[[48]](#endnote-47)

Kroger’s Options in 2017

In 2014, Kroger had elected not to interfere with citizens’ rights. However, gun violence was only increasing.

In 2016, a shooter injured 68 people and killed 49 at Pulse, a nightclub in Orlando, Florida. The shooter had three weapons, one of which was an assault rifle.[[49]](#endnote-48) In 2017, 527 people were injured and 58 killed in a shooting in Las Vegas, Nevada. The shooter had 23 guns. Mass shootings in the United States increased from 269 in 2014 when Moms Demand Action began petitioning Kroger to 346 in 2017.[[50]](#endnote-49) And the pressure from the advocacy groups also increased. Debates and commentary in the news and on social media about gun violence in the United States were plentiful. Gun control was also growing in significance as an issue in political debates.

In light of the events since 2014, should Kroger revisit its original decision? If it chose to comply with gun control advocates, it could lose the business of gun rights advocates. However, if it chose to ignore the protests of gun control advocates, the retailer risked bad public relations with, and loss of business from, its target consumers. Kroger had to decide whether it would change positions, and if so, how.

ENDNOTES

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37. Ibid. [↑](#endnote-ref-36)
38. Ibid. [↑](#endnote-ref-37)
39. Ibid; and “Shooting Survivor Fights for Concealed Weapons,” WBUR *Here & Now*, January 22, 2013, accessed December 7, 2018, www.wbur.org/hereandnow/2013/01/22/suzanna-hupp-guns. [↑](#endnote-ref-38)
40. Alcindor, op. cit. [↑](#endnote-ref-39)
41. “Concealed Carry,” op. cit. [↑](#endnote-ref-40)
42. Clare O’Connor, “After Starbucks Success, Gun Control Advocates Target Staples,” *Forbes*, September 26, 2013, accessed October 1, 2017, www.forbes.com/sites/clareoconnor/2013/09/26/after-starbucks-success-gun-control-advocates-target-staples/#7b87f80679b9. [↑](#endnote-ref-41)
43. Ibid. [↑](#endnote-ref-42)
44. Staples, Inc., *2015 Annual Report | Notice of Annual Meeting and Proxy Statement*, 40, accessed September 2017, http://nasdaqomx.mobular.net/nasdaqomx/7/3511/5010/. [↑](#endnote-ref-43)
45. O’Connor, “‘Groceries Not Guns,’” op. cit. [↑](#endnote-ref-44)
46. O’Connor, “Tucson Shooting Survivor,” op. cit. [↑](#endnote-ref-45)
47. As quoted by Xu, op. cit. [↑](#endnote-ref-46)
48. Kroger’s fiscal year ended January 31st; therefore, for practical purposes, the company’s fiscal earnings have been reported as the earnings for the calendar year. The Kroger Co., *Notice of 2018 Annual Meeting of Shareholders, 2018 Proxy Statement, and 2017 Annual Report*, 2015, accessed September 2017, http://eproxymaterials.com/interactive/kr2017. [↑](#endnote-ref-47)
49. George Zornick, “WMDs in Las Vegas,” *The Nation* 23, no. 10 (October 2017): 3, accessed October 15, 2017, EBSCOhost. [↑](#endnote-ref-48)
50. “Past Summary Ledgers,” Gun Violence Archive, accessed December 7, 2018, www.gunviolencearchive.org/past-tolls. [↑](#endnote-ref-49)