

Disclaimer: This is a machine generated PDF of selected content from our databases. This functionality is provided solely for your convenience and is in no way intended to replace original scanned PDF. Neither Cengage Learning nor its licensors make any representations or warranties with respect to the machine generated PDF. The PDF is automatically generated "AS IS" and "AS AVAILABLE" and are not retained in our systems. CENGAGE LEARNING AND ITS LICENSORS SPECIFICALLY DISCLAIM ANY AND ALL EXPRESS OR IMPLIED WARRANTIES, INCLUDING WITHOUT LIMITATION, ANY WARRANTIES FOR AVAILABILITY, ACCURACY, TIMELINESS, COMPLETENESS, NON-INFRINGEMENT, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. Your use of the machine generated PDF is subject to all use restrictions contained in The Cengage Learning Subscription and License Agreement and/or the Gale In Context: Opposing Viewpoints Terms and Conditions and by using the machine generated PDF functionality you agree to forgo any and all claims against Cengage Learning or its licensors for your use of the machine generated PDF functionality and any output derived therefrom.

The Video Game Ratings System Is an Effective Regulation

Author: Patricia E. Vance

Editors: David M. Haugen and Susan Musser

Date: 2009

From: Media Violence

Publisher: Gale, a Cengage Company

Series: Opposing Viewpoints

Document Type: Viewpoint essay

Length: 3,112 words

Content Level: (Level 5)

Lexile Measure: 1550L

Full Text:

Article Commentary

Patricia E. Vance, "Written testimony: Violent and Explicit Video Games: Informing Parents and Protecting Children," Hearing before the U.S. House of Representatives Subcommittee on Commerce, Trade and Consumer Protection, June 14, 2006. Reproduced by permission of the author.

"Millions of parents rely on ESRB ratings to choose games they deem appropriate for their children and families, and we value greatly the trust they have placed in our ratings."

Patricia E. Vance is the president of the Entertainment Software Rating Board (ESRB), a self-regulatory body established in 1994 by the Entertainment Software Association. In the following viewpoint, excerpted from her written testimony before a congressional subcommittee investigating violence in video games, Vance explains the function of the ESRB ratings system and how it seeks to advise parents on the content and age-level appropriateness of all video games. Vance states that the ESRB uses independent reviewers who have no ties to the game industry and are culturally diverse so that they better represent the overall national population. The ratings these reviewers assign reflect mainstream opinions well, according to Vance, and have been praised by parents as well as organizations concerned with child welfare.

As you read, consider the following questions:

1. According to Vance, what percentage of parents use the ESRB ratings when purchasing appropriate video games for their children?
2. As Vance states, how many games received a M (Mature) rating in 2005?
3. What sanctions did the ESRB place upon Rockstar Games when it was disclosed that its *Grand Theft Auto: San Andreas* game had downloadable, sexually explicit content?

The ESRB was created in 1994 to provide consumers, particularly parents, with the information they need to make informed computer and video game purchase decisions. The ESRB rating system was developed after consulting a wide range of child development and academic experts, analyzing other rating systems, and conducting nationwide research among parents. Through these efforts, ESRB found that what parents really wanted from a video game rating system were both age-based categories and, equally if not more importantly, objective and detailed information about what is in the game. Those surveyed agreed that a rating system should inform and suggest, not prohibit, and that the rating system should not attempt to quantify objectionable incidents, but instead should reflect the overall content and objective of the game.

Since its inception, the rating system has been periodically enhanced, revised and updated to not only ensure that we continue providing the best possible service to those who rely on the ratings, but also to keep pace with what is a rapidly evolving medium and industry. Today, we remain extremely proud of the ESRB rating system and the information it provides. We have assigned over 12,000.¹ ratings in our history, and average over a thousand a year. Millions of parents rely on ESRB ratings to choose games they deem appropriate for their children and families, and we value greatly the trust they have placed in our ratings.

The ESRB Rating System

Although voluntary, the rating system has been universally adopted by the game industry, and virtually all computer and video games sold in the U.S. today carry an ESRB rating. Based on the aforementioned research conducted in 1994, the ESRB rating system was

created with two equally important parts:

- **rating symbols**, easily identifiable on the front of game packaging that suggest the most appropriate age group for each game, and
- **content descriptors**, found on the back, clearly stating why a game received a particular rating or indicating content that may be of interest or concern.

Rating Categories and Definitions

- **EARLY CHILDHOOD** Titles rated EC (Early Childhood) have content that may be suitable for ages 3 and older. Contains no material that parents would find inappropriate.
- **EVERYONE** Titles rated E (Everyone) have content that may be suitable for ages 6 and older. Titles in this category may contain minimal cartoon, fantasy or mild violence and/or infrequent use of mild language.
- **EVERYONE 10+** Titles rated E10+ (Everyone 10 and older) have content that may be suitable for ages 10 and older. Titles in this category may contain more cartoon, fantasy or mild violence, mild language, and/or minimal suggestive themes.
- **TEEN** Titles rated T (Teen) have content that may be suitable for ages 13 and older. Titles in this category may contain violence, suggestive themes, crude humor, minimal blood, simulated gambling and/or infrequent use of strong language.
- **MATURE** Titles rated M (Mature) have content that may be suitable for persons ages 17 and older. Titles in this category may contain intense violence, blood and gore, sexual content, and/or strong language.
- **ADULTS ONLY** Titles rated AO (Adults Only) have content that should only be played by persons 18 years and older. Titles in this category may include prolonged scenes of intense violence and/or graphic sexual content and nudity.

Rating Category Breakdown

Though violent games tend to receive a disproportionately high amount of attention, the reality is that the vast majority of games rated by ESRB are appropriate for younger players. As a point of reference, of the 1,133 ratings assigned by the ESRB in 2005², 50% were rated E (Everyone), 12% were rated E10+ (Everyone ages 10 and up)³, and 24% were rated T (Teen). Games rated M (Mature) represented 12% of rating assignments, with the EC (Early Childhood) and AO (Adults Only) categories comprising the remainder.

Pertinent Content

Pertinent content spans various categories including violence, profanity, sexual or suggestive content, depiction and/or use of controlled substances, gambling, etc. The following list explains what types of content are considered pertinent from a ratings standpoint:

- **Destruction** Explosions and physical damage, including audio and visual elements of destruction
- **Rewards/Penalties** Rewards, punishments, and penalties for certain player behavior, such as ending the game if the player attacks civilians
- **Violence** All elements of damage design including blood effects, gore, death animations, post-mortem damage effects, and screams
- **Failure** What happens when the player dies, crashes, or goes out-of-bounds
- **Profanity** Any profanity and how often it occurs, whether it is spoken, gestured, or written in text
- **Soundtrack/Lyrics** Soundtracks that contain profanity or adult themes, including edits or "bleeps," and lyric sheets
- **Controlled Substances** Use, implied use, or reference to drugs, alcohol or tobacco, even in the background
- **Gambling** Gambling, including instructional lessons or mere reference
- **Sexuality** Sexually oriented and suggestive themes or dialogue, character models and dress, nudity, and explicit sexual activities/references
- **Perspectives** Different game perspectives, such as first person, third person, top-down, etc.
- **Sound Effects** Sound effects including those associated with pain, death, explosions, weapons, sexual activity, and bodily functions
- **Weapons** Depictions of weapons and the different effects they produce

Rating Process⁴

Prior to a game being released to the public, game publishers submit a detailed written questionnaire to the ESRB, often with supplements (such as lyric sheets, scripts, etc.), specifying exactly what pertinent content will be in the final version of the game. Along with the written submission materials, publishers must provide a videotape capturing all pertinent content, incorporating the most extreme instances, across all relevant categories including but not limited to violence, language, sexual or suggestive, controlled substances and gambling. Pertinent content that is not programmed to be playable but will exist in the final game's code base must also be disclosed.

Once the submission is checked by ESRB for completeness, which may also involve ESRB staff members playing a beta version of the game, the video footage is reviewed by at least three or more raters. Upon independently reviewing the video, the raters recommend appropriate rating categories and content descriptors for the content in each scene reviewed and the game overall. Raters consider many elements in their assignments including context, realism, frequency, the reward system, the degree of player control and overall intensity, among others.

While some suggest that ESRB should play each video game as part of the rating process (play-testing does occur on a limited

basis), there are several reasons why this would be impractical. First, since ESRB ratings must appear on game packaging and in all advertising when the product is released, we oftentimes receive games that are not yet fully playable from start to finish, or "buggy," at that point in the development process. Secondly, many games have upwards of 50 hours of gameplay, and so requiring raters to play each of the more than 1,000 games we rate each year would not only be inefficient and unnecessary considering the high degree of repetition in video games, but due to their length and complexity, would offer no greater assurance that ESRB raters would find and review all of the pertinent content.

Lastly, ESRB ratings are based on the consensus of independent raters whose values and judgment reflect those of the mainstream American public, especially parents (see Consumer Research below). Requiring all ESRB raters to be expert gamers (which they would need to be if the rating process depended on playing through every game submitted) may hinder the ESRB's ability to recruit a diverse rater pool that is reflective of mainstream public opinion.

For all of the above reasons, ESRB legally requires publishers to disclose all pertinent content in their game, including the most extreme, no matter how hidden and difficult to find, so that raters can and do assign an accurate rating.

ESRB Enforcement System

As the game industry's self-regulatory body, the ESRB is responsible for the enforcement of its rating system. The ESRB enforcement system has been praised by the U.S. Federal Trade Commission and several government leaders for its efficacy and comprehensiveness, setting it apart from other entertainment media rating systems in terms of its scope and severity. Companies who do not comply with ESRB guidelines are subject to a wide range of ESRB sanctions, including fines, corrective actions, and other penalties. In fact, a complete review of the ESRB enforcement system was recently completed with the expert counsel and support of prominent attorneys Eric Holder Jr., Partner with Covington & Burling and former U.S. Deputy Attorney General, and Joseph diGenova, Founding Partner with diGenova & Toensing, LLP, former U.S. Attorney for the District of Columbia and special counsel for some of the most highly visible governmental inquiries in recent history. Their review resulted in a new class of violations for an "egregious" failure to disclose pertinent content, carrying a fine up to \$1,000,000, among other enhancements. A letter from both Mr. DiGenova and Mr. Holder, in which they state that the video game industry is "taking great care to protect consumers and to fulfill the responsibilities and obligations of its self-regulatory system," is attached for the consideration of this Subcommittee.

Ratings.

Every publisher of a game rated by the ESRB is legally bound to disclose all pertinent content when submitting the game for an ESRB rating, including, as of July 2005, content that is programmed to be inaccessible and will remain "locked out" in the final code of the game. To ensure that all pertinent content was fully disclosed during the rating process, after a game is publicly released, ESRB testers review randomly and hand-selected final product. In the event that material that would have affected the assignment of a rating or content descriptor is found to have not been previously disclosed, the ESRB is empowered to impose corrective actions and a wide range of sanctions, including points, monetary fines up to \$1 million for the most egregious offenses, and even suspension of rating services. Corrective actions can include pulling advertising until ratings information can be corrected, sticker packaging with correct ratings information, recalling the product, and other steps the publisher must take so the consumer has accurate information.

Last year, a widely publicized incident involving the game *Grand Theft Auto: San Andreas* showed how effective and forceful an enforcement system we have at our disposal. After ESRB confirmed that the game's publisher, Rockstar Games, had not disclosed sexually explicit content that was "locked out" in the code of the game⁵ but which could be accessed if players downloaded from the Internet a modification (dubbed "Hot Coffee") created by a hacker, ESRB swiftly announced the revocation of the game's initial M (Mature) rating and re-rated it AO (Adults Only). Additionally, the publisher agreed to advise retailers to immediately cease sales of the game until all inventory in the retail channel could either be stickered with the AO rating, or existing copies could be exchanged for new versions without the locked-out content, maintaining the original M rating. Further, the publisher agreed to make available on the Internet a patch for parents to download which would make the modification inoperable on the PC version of the game. I submit that there is no other industry self-regulatory system willing or capable of imposing such swift and sweeping sanctions on its own members, which in this particular case resulted in the removal of a top-selling product from the market and a major loss of sales.

Opportunistic activists with their own agendas capitalized on the issue by casting "Hot Coffee" as evidence of a broken rating system and turning it into a political football. However, the facts make it abundantly clear that the actions taken by ESRB are strong evidence of an extremely capable self-regulatory body. In 30 days, the ESRB had thoroughly investigated a complex and unprecedented situation affecting one of the most popular video games ever released, had assessed the implications and scope of the content and its availability, changed its policies regarding disclosure requirements for locked-out content, and imposed prudent corrective actions on the publisher that effectively removed a top-selling product from the marketplace. These actions were taken with the interest of consumers and their trust in the ratings as our highest priority.

Consumer Research

In order to ensure that the ratings assigned by ESRB reflect the standards and meet the expectations of average American consumers, we conduct consumer research on an annual basis in ten different markets across the U.S. This research has consistently shown that parents overwhelmingly agree with the ratings that we apply. Peter D. Hart Research Associates, a nationally renowned independent opinion research firm, tests randomly selected video games rated during the prior 12 months with parents of children between the ages of 6 and 17. Parents are shown clips of actual game footage and then asked what rating they would apply. They are then asked to compare their own rating to the one actually assigned by the ESRB and whether they agree with it. Last year,

this research found that parents agreed, or even thought our ratings were too strict, 87% of the time. Parents described the actual ratings as "about right" in 82% of all instances and "too strict" 5% of the time.

That said, ratings are only effective if they are being used, and so ESRB also commissions annual research of ratings awareness and use. In our most recent study conducted in March 2006⁶, 83% of parents surveyed were aware of the ESRB ratings (up from 78% in 2005) and 74% use them regularly when choosing games for their families (up from 70% in 2005). Awareness of content descriptors also continues to grow, and is now at 65% (up from 61% in 2005). Fifty-three percent (53%) of parents "never" allow their children to play M-rated games and 41% "sometimes" do. Parents of kids under the age of 13 are almost twice as likely to "never" allow their children to play an M-rated game. Fully 91% of respondents indicated that they trust the ESRB ratings, saying their trust has either stayed "about the same" (76%) or increased (15%) during the past year. Other opinion polls conducted by Hart Research show that parents not only agree with specific ESRB ratings, but that 90% of them say the ESRB rating system provides the kind of information they need.

Consumer Education & Outreach

A study conducted by the Federal Trade Commission in September 2000 reported that adults are involved in the purchase of games 83% of the time,⁷ so it is clear that parents are either involved in or ultimately making the decision about what games their kids are playing an overwhelming majority of the time.

Keeping in mind the significant role parents play in making purchase decisions, the ESRB launched a multi-channel consumer marketing campaign in October 2003 featuring the slogan "*Ok To Play? Check The Ratings.*" The campaign, which is primarily composed of public service announcements and a retail partnership program, encourages parents to use both components of the rating system (rating symbols and content descriptors) to determine if a game is appropriate for their family.

The campaign generates over a billion consumer impressions annually. Over 20 publications have run the print PSA ads, and more than a dozen top game enthusiast publications support the campaign as well.

Because more than half of all games sold each year in the U.S. are sold during the holiday season, the ESRB also conducts an annual Holiday Outreach initiative that includes satellite television and radio media tours, print and radio PSAs, targeted outreach to parents through print and online outlets, and audio news releases. Last year's [2006] campaign generated approximately 150 million impressions during the holiday season alone.

Partnerships

Retail.

A critical part of our consumer awareness campaign is its unique retail partnership program. The overall goal of our retailer partnerships is to ensure that consumers are educated about and reminded to check the ratings when they are shopping for computer and video games. Rather than send posters or stand-alone brochures to stores that consumers may not notice, we have succeeded in getting signage displayed in stores representing the 18 top national retail accounts representing 90% of game sales, many of which have incorporated ratings education into their in-store display fixtures. ESRB has also provided many of these retailers with materials for sales associates to learn about the rating system, and has facilitated the training of nearly 45,000 store associates through an online training module.

National PTA⁸.

The ESRB has recently been working closely with the National PTA, whose president, Anna Weselak, called the ESRB ratings "an extremely useful and informative tool" while strongly encouraging parents to use it when choosing games for their families. ESRB is working with the NPTA to develop parent education materials that would be distributed to all state and local PTA chapters.

State and Local Governments⁹

ESRB has established partnerships with various state and local governments, working with leaders and officials to promote and educate parents about the ratings. County Executive Andy Spano (Westchester County, NY), Assemblyman Ed Chavez (D-CA), State Attorneys General Mark Shurtleff of Utah and Thurbert Baker of Georgia, Puerto Rico Secretary of Consumer Affairs Alejandro Garcia and others have teamed up with ESRB to implement PSA campaigns, educational brochures and other projects aimed at raising awareness and use of the ratings.

Footnotes:Footnotes

1. As of June 2008 the ESRB had assigned over 15,000 ratings.

2. Of the 1,563 ratings assigned by ESRB in 2007, 590^a were E (Everyone), 150^a were E10 (Everyone 10 and up), 200^a were T (Teen) and 60^a were M (Mature), with the EC (Early Childhood) and AO (Adults Only) categories composing the statistically insignificant remainder.

3. The E10 rating category was introduced in March 2005.

4. The ESRB's transition to full-time raters in April 2007 also involved minor adjustments to the rating process. For a full description of the ESRB's current ratings process, please visit: www.esrb.org/ratings/ratings_process.jsp.

5. At the time that Grand Theft Auto: San Andreas was submitted for rating, ESRB's published submission rules did not require the disclosure of locked-out content.

6. The March 2008 results of this study show that 86% of parents are aware of the ratings and 78% use them regularly when choosing games for their families. Awareness of content descriptors is at 66% among the parents surveyed. Fifty-nine percent (59%) of those parents never allow their children to play M-rated games while 35% only do so sometimes. These figures match very closely those reported by the FTC in 2007.
7. The FTC's more recent Report to Congress in 2007 found that parents are involved in the purchase of a video game 89% of the time.
8. In 2006, ESRB and PTA developed and distributed over 1 million ratings education brochures to 26,000 PTAs nationwide. In 2008 this partnership was furthered through the distribution of A Parent's Guide to Video Games, Parental Controls and Online Safety, which was also distributed nationwide and was supplemented by a webcast featuring experts from ESRB, PTA, and GamerDad.com.
9. As of 2008, ESRB had teamed up on ratings education campaigns with Governors Ed Rendell of Pennsylvania and Christine Gregoire of Washington State, State Attorneys General Mark Shurtleff of Utah, Thurbert Baker of Georgia, Lawrence Wasden of Idaho, Patrick Lynch of Rhode Island, and Greg Abbott of Texas, as well as Delaware Lt. Gov. John Carney and State Representative Helene Keeley, Oklahoma State Senator Glenn Coffee, and County Prosecutor Carl Brizzi of Marion County, Indiana.

Books

- Tim Allen and Jean Seaton *The Media of Conflict: War Reporting and Representations of Ethnic Violence*. New York: Zed Books, 1999.
- Bonnie Anderson *News Flash: Journalism, Infotainment and the Bottom-Line Business of Broadcast News*. San Francisco: Jossey-Bass, 2004.
- Craig A. Anderson, Douglas A. Gentile, and Katherine E. Buckley *Violent Video Game Effects on Children and Adolescents: Theory, Research, and Public Policy*. New York: Oxford University Press, 2007.
- Martin Barker and Julian Petley, eds. *Ill Effects: The Media/Violence Debate*. New York: Routledge, 1997.
- Karen Boyle *Media and Violence: Gendering the Debates*. Thousand Oaks, CA: Sage, 2005.
- Cynthia Carter *Violence and the Media*. Philadelphia, PA: Open University Press, 2003.
- Cynthia A. Cooper *Violence in the Media and Its Influence on Criminal Defense*. Jefferson, NC: McFarland & Co., 2007.
- Jib Fowles *The Case for Television Violence*. Thousand Oaks, CA: Sage, 1999.
- Jonathan L. Freedman *Media Violence and Its Effect on Aggression*. Toronto, Ont: University of Toronto Press, 2002.
- Jeffrey Goldstein, ed. *Why We Watch: The Attractions of Violent Entertainment*. New York: Oxford University Press, 1998.
- Tom Grimes, James A. Anderson *Media Violence and Aggression: Science and Ideology*. Thousand Oaks, CA: Sage, 2008.
- Dave Grossman and Gloria Degaetano *Stop Teaching Our Kids to Kill: A Call to Action Against TV, Movie and Video Game Violence*. New York: Crown Publishers, 1999.
- Gerard Jones *Killing Monsters: Why Children Need Fantasy, Super Heroes, and Make-Believe Violence*. New York: Basic Books, 2003.
- Douglas Kellner *Media Culture: Cultural Studies, Identity and Politics Between the Modern and the Postmodern*. New York: Routledge, 1995.
- Stephen J. Kirsh *Children, Adolescents, and Media Violence: A Critical Look at the Research*. Thousand Oaks, CA: Sage, 2006.
- Lawrence Kutner and Cheryl Olson *Grand Theft Childhood: The Surprising Truth About Violent Video Games and What Parents Can Do*. New York: Simon & Schuster, 2008.
- Joshua Meyrowitz *No Sense of Place: The Impact of Electronic Media on Social Behavior*. New York: Oxford University Press, 1985.
- Hillel Nosssek, Annabelle Sreberny, and Prasun Sonwalker, eds. *Media and Political Violence*. Cresskill, NJ: Hapton Press, 2007.
- Neil Postman *The Disappearance of Childhood*. New York: Vintage, 1994.
- W. James Potter *The 11 Myths of Media Violence*. Thousand Oaks, CA: Sage, 2003.
- Thomas Rosenstiel and Amy S. Mitchell *Thinking Clearly: Cases in Journalistic Decision-Making*. New York: Columbia University Press, 2003.
- Harold Schechter *Savage Pastimes: A Cultural History of Violent Entertainment*. New York: St. Martin's Press, 2005.
- Jean Seaton *Carnage and the Media: The Making and Breaking of News About Violence*. New York: Penguin Books, 2005.
- Roger Simpson *Covering Violence: A Guide to Ethical Reporting About Victims & Trauma*. New York: Columbia University Press, 2006.
- Karen Sternheimer *It's Not the Media: The Truth About Pop Culture's Influence on Children*. Boulder, CO: Westview, 2003.
- James P. Steyer *The Other Parent: The Inside Story of the Media's Effect on Our Children*. New York: Atria, 2002.
- David Trend *The Myth of Media Violence: A Critical Introduction*. Malden, MA: Wiley-Blackwell, 2007.

Periodicals

- *Education Week* "FCC Says TV Violence Could Be Regulated," May 2, 2007.
- Richard Freed "Pulling the Plug on Entertainment Industry Ratings," *Pediatrics*, June 2007.
- Bill Gloede "Big Brother Is Back," *Media Week*, May 21, 2007.
- Katie Hafner "U Is for Unheeded," *New York Times*, December 16, 2004.
- Anita Hamilton, et al. "Video Vigilantes," *Time*, January 10, 2005.
- David Kushner "Gaming's Worst Bully," *Rolling Stone*, November 16, 2006.
- Stephen Labaton "FCC Moves to Restrict TV Violence," *New York Times*, April 26, 2007.
- Tara Parker-Pope "Taking the Violence out of Videogames: What Parents Can Do before Kids Play," *Wall Street Journal*, August 9, 2005.
- Joseph Pereira "Games Get More Explicit And So Do Warning Labels," *Wall Street Journal*, September 25, 2003.
- Bart Peterson "Protecting Our Children from Harmful Media Violence," *Nation's Cities Weekly*, October 29, 2007.

- Ira Teinowitz "Congress Mull Obscenity," *Television Week*, June 11, 2007.
- Joelle Tessler "Video Game Ratings: A Hot-Button Issue," *CQ Weekly*, August 14, 2006.

Full Text: COPYRIGHT 2009 Greenhaven Press, a part of Gale, Cengage Learning

Source Citation ()

Gale Document Number: GALE|EJ3010153268