



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Video games

Division of Enforcement
Bureau of Consumer Protection

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November 12, 1999

The Honorable Mary Lou Dickerson
State of Washington
House of Representatives
P.O. Box 40600
Olympia, WA 98504-0600

Dear Representative Dickerson:

Chairman Pitofsky has asked me to respond to your November 1, 1999 letter to him regarding the Federal Trade Commission's study of the marketing of violent entertainment to children. You raise concerns regarding the Los Angeles Times article in which a Commission attorney called the language "More Fun than Shooting Your Neighbors Cat" a headline for a magazine review of a video game, rather than recognizing it as a headline in a video game advertisement.

As the attorney mentioned in the article, please allow me to explain. When I spoke to the Los Angeles Times reporter regarding our study, I told her that we had been informed by an industry representative that the quoted language was from a fan site rather than an ad, though we had not independently confirmed this. When we sought to verify this, we initially obtained a black-and-white photocopy of the two-page spread of the May 1998 game magazine in which the language appeared. (At the same time we requested the actual magazine through the inter-library loan program.) The left-hand page contains the above-quoted language along with game scenes; the first two columns of the right-hand page consist of a review of a game called "Nitrous Oxide," which also contains game scenes; and the last column on the right is an ad for a game called "Point Blank." You are correct that in fact the left-hand page (with the quoted language) is part of the "Point Blank" advertisement in the far-right column of the right-hand page. This fact, unfortunately, was not readily apparent from the black-and-white copy that we had. From this photocopy, it appeared that the headline was part of the game review to which it was immediately adjacent. (Apparently others have also been confused by the layout, as the quoted language has been attributed to the game that was reviewed on those pages, "Nitrous Oxide," rather than to "Point Blank.") By the time we received the actual magazine through the interlibrary loan program and could better see which copy belonged to what, the Los Angeles

Representative Dickerson

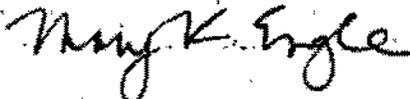
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Times story had been written. Shortly after we saw the story, we called the Times and explained the error.

We regret this mistake. Although the timing of the article in terms of our research was unfortunate, the point we wish to make remains valid: we fully intend to conduct a complete and objective study. Please be assured that if our final report discusses the quoted language, it will be accurately characterized. Thank you for your interest in this matter.

Very truly yours,



Mary Koelbel Engle
Assistant Director, Division of Enforcement

cc: Chairman Robert Pitofsky
~~Bill White, President's Chief of Staff for Domestic Affairs~~ ✓
Faye Fiore, Los Angeles Times

Bruce Reed
Assistant to the President for Domestic Policy
2nd Floor, West Wing
White House
Washington, DC 20500



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Crime - Videogames

Monday, May 17, 1999

* NEWS ANALYSIS

Video Game Industry Split on Violence Issue

By P.J. HUFFSTUTTER, JENNIFER OLDHAM, Times Staff Writers

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Ideas and Issues

For more than a decade, the computer game industry has struggled to shed its geek image and gain recognition as a legitimate entertainment business.

And just when it finally accomplishes that goal--hauling in \$6.3 billion in revenue in 1998--it faces the much greater challenge of dealing with intense scrutiny over ties to recent violent acts in schools.

Game executives are divided over how to deal with this unwanted attention. Some software developers opt to ignore the issue altogether, while others are pushing to restore the industry's image by boosting its presence in Washington and educating the public about its 5-year-old ratings system.

Behind this clash lurks a fundamental problem: Explaining itself to the general public is one game the industry hasn't yet figured out how to play. Game executives are ambivalent about taking action but realize they must answer to critics or fall victim to government regulation.

"I'm frustrated that a lot of good entertainment will get overshadowed by this talk of violence," said Patricia Becker, director of corporate communications for Electronic Arts, one of the oldest publishing houses in the video game business. "But we can't ignore it any longer. If we do, we do so at our own peril."

Nationwide hysteria over the rash of school violence reached new levels following the high school massacre in Littleton, Colo. Looking to find a reason for such horrific acts by America's youth, parents, pundits and politicians turned to video games when it surfaced that the teen gunmen were fans of "Quake II" and "Doom," a pair of hugely popular, ultraviolent titles created by Id Software.

Action was fast and furious. The political climate, already chilly toward video games, became frigid. Lawmakers seized the spotlight, calling for tightening restrictions on games and organizing summits on the culture of teen violence. Around the same time, the families of three girls killed in the 1997 school shooting in Paducah, Ky., filed a civil lawsuit against more than two dozen video game and entertainment companies.

For its part, the game industry's immediate reaction was to run and hide instead of providing its side of the story.

"Our strategy is this: I keep my head down and program," said John Carmack, Id Software's co-founder and technical director.

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Like many others in the industry, Carmack insists it's not the responsibility of developers to become political lobbyists. Despite the enormous growth in revenue in recent years, most game developers run their companies like software start-ups, not huge corporations, said Carmack, whose company employs 15 and relies on fans to drive sales of its games and technology.

"We make the games we like to play and throw them out into the world," said Carmack, a revered programmer with a tendency to shy away from contact with the media. "We don't get involved in politics."

So whose responsibility is it?

Neither the game makers nor their publishers have stepped up to the plate. Unlike the music and film industry, the video game business is relatively young. Because of that, the roles of the game creators and the corporate publishers are still being shaped, with neither taking a leadership position.

As a result, the industry's trade group, the Interactive Digital Software Assn., has been pushed into being de facto cheerleader and defender. Yet when it kicked off last week's Electronic Entertainment Expo, or E3, trade show in Los Angeles, the IDSA still seemed desperate to deflect the violence issue.

IDSA President Douglas Lowenstein pointed out positive aspects of the industry, noting the results of a national survey it conducted. "Americans rate games as the most fun form of entertainment," Lowenstein said.

But much to their dismay, game makers at E3 couldn't sidestep the violence and self-regulation issues. Vendors tried to stand in defiant unity, often chanting their mantra of innocence.

"Video games don't kill kids, and video games didn't put the guns into the hands of those kids," said Karl Fitzhugh, an associate producer for the British game firm Bullfrog Productions Ltd., which makes educational games for young children.

Indeed, there is no evidence that playing video games leads to real-life violence. The most sweeping study on the issue, a 1996 report by Studio City-based think tank MediaScope, has been used by game critics and proponents alike to make their cases. The study itself had mixed results and concluded that extensive further research "must be considered before any conclusions are made."

Carmack said he was "disgusted" by the notion that he or his staff would have to defend its games to Congress, the media or the general populace. After all, he said, Id Software isn't making games for them.

The public scrutiny comes from people who don't understand games, much less play them, say software developers. And that's part of the problem. Fans insist they understand the subtle gradations of video game violence. But for a novice, there's little distinction between a game in which people shoot monsters and another in which they run over pedestrians.

Even those in the industry acknowledge difficulties in trying to devise a one-size-fits-all scale of acceptable violence.

In 1994, the nation's largest video game makers introduced a ratings system designed to help consumers understand the content of the product they were buying. Loosely modeled after the film industry's ratings system, the video game system divided software into five categories ranging from titles for "early childhood" to content suitable for "adults only."

The move enabled the industry to maintain its credibility with parents, by presenting a responsible public image while heading off

federal intervention.

But as with the film industry ratings, enforcement falls into the hands of retailers who are often unwilling or unable to demand proof of age with purchase, said IDSA officials. It's parents who most often buy games for their children, without understanding the ratings or the content of the software they have purchased.

In addition, the ratings system is broad, subjective and often confusing even to buyers who understand the nature of the games.

"It's the big companies with big budgets who publish the games that should speak out," said Peter Main, Nintendo's executive vice president of sales and marketing. "As our industry has become so large, we have become fair game for this kind of criticism. We are part of pop culture. This is no longer a niche product."

The fighter game "Thrill Kill," for instance, garnered a huge following because of its extreme levels of gore and sexual content--even though it was never released. Last year, game makers nominated it for most popular title at E3. Despite the potential to make millions of dollars, Electronic Arts decided "Thrill Kill" was too gruesome and refused to sell it.

Game publishers insist they will do a better job of educating the public so parents will know their kids are playing "age-appropriate" games. Publishers also admitted they need to promote their ratings system.

Amid such promises, IDSA's Lowenstein wasn't able to lay a plan as to how the industry would achieve such goals or ensure that the ratings system is enforced by retailers.

In the meantime, the industry may be forced to act. Lawsuits seeking to hold entertainment producers liable for the content in films and games are increasing. And courts are becoming more amenable to these claims.

In March, the U.S. Supreme Court refused to block a lawsuit that seeks to hold filmmaker Oliver Stone liable for a young couple's 1995 murderous rampage in Louisiana and Mississippi. The suit, filed on behalf of one victim's family, claims that Stone's 1994 movie "Natural Born Killers" was intended to incite others to violence.

The U.S. Senate last week voted to launch a National Institutes of Health study on the effects of violent video games. And several states are debating legislation to regulate or ban video game content.

What everyone can agree on is that the controversy surrounding violence in video games is unlikely to die soon, no matter how game makers respond.

"People are not wanting to talk about this, and that's more disturbing than the questions that are being raised," said L. Gregory Ballard, president and chief executive of 3Dfx Interactive, a San Jose graphics chip manufacturer. "There are some grave moral issues here that need to be dealt with, and the last thing we want is to get the government involved."

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For military, games hone combat skills

By Steven L. Kent
Special for USA TODAY

"There is a vast gulf between being an average American citizen and being able to take another human being's life," says David Grossman, a retired lieutenant colonel who taught psychology at West Point.

He says the Army uses video and computer combat simulations for that very reason: to prepare soldiers to kill. "At the end of World War II, we realized we had to permit people to simulate the act of killing in order to give them the skill, the confidence and the desire."

Initially, recruits fired at human-shaped targets instead of bull's-eyes, which raised the firing rate. Video and computer games, he says, offer even more lifelike targets.

"Use the FATS (Fire Arms Training Simulator) trainer at your local law enforcement organization, and you'll hold a gun, the slide will slam back as you pull the trigger, and you'll fire at human beings on a large-screen TV," he says. "Bullet holes will appear, and they'll fall and die. If you miss, they shoot you, and the scenario ends."

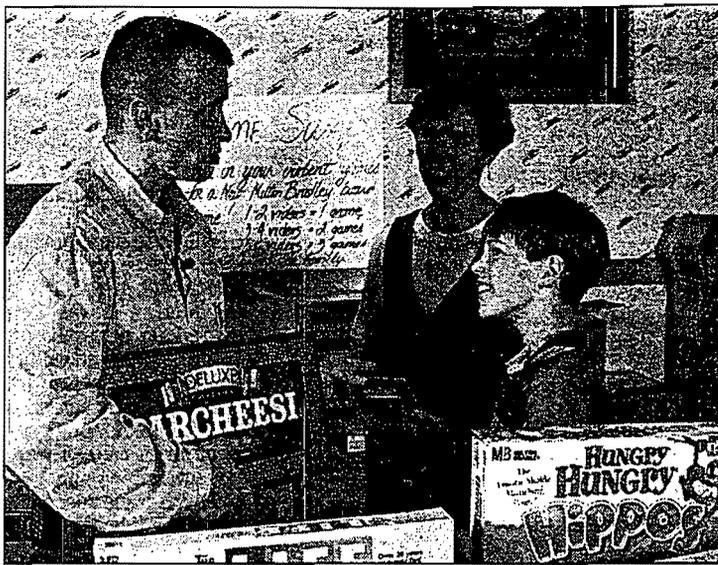
Similarly, he says, the Army uses MACS (Military Arcade Combat Simulator), and the Marine Corps uses Marine Doom, a version customized for that service. "They use these things for a reason. They are the experts at teaching people to kill."

He says video games offer similar training. "Go to an arcade and play a game called *Time Crisis*. You feel some degree of recoil from the gun, you're aiming at human beings, and if you hit the target, it drops, and you develop the skill and the will to kill."

Retired colonel Ron Krisak, who ran the training and training technology battle labs at Fort Dix from 1995 to 1997, disagrees, saying the military simulations have nothing to do with desensitizing recruits.

"It trains them how to be more effective. It trains them on how to acquire targets and how to identify them as friend or foe," he says.

Grossman concedes that military combat simulations such as FATS are used to develop skills. Now working as a consultant with law enforcement agencies, Grossman says a steady diet of shooting games can turn a novice into a superb marksman. "I just finished training the Illinois State Police, and their data show that barely one bullet in 10 in real-world engagements at an average distance of 23 feet hits the target. That's an elite law enforcement organization."



By Ernie Leyba for USA TODAY

Exchange: David Grossman talks to Linda Lunquist and her son, Ian, 9, at an event in Littleton, Colo., where kids turned in video games for board games.

"Michael Carneal, the 14-year-old boy (involved in the school shooting) in Paducah, Ky., had to the best of our knowledge never fired a pistol in his life. He steals a .22-caliber pistol from a neighbor's house, fires a few practice shots, brings this gun into school and opens fire. Now, he fires eight shots. How many hits does he get? Eight shots, eight hits on eight different targets — five head shots,

the other three upper torso."

Krisak says there's more to training than just the gun and the screen. "These simulations reinforce the procedures involved in firing a gun effectively." But monitoring and feedback are important components, he says. "I don't see how anyone would learn how to fire a weapon accurately from these games without some form of mentoring."

Designers deny links to violence

With civil actions filed by the parents of the three children killed in the Paducah, Ky., school shootings, many game designers can't comment publicly, for fear their comments will be used in court.

One person willing to discuss the issues and familiar with both sides is Mike Wilson, founder of game company Gathering of Developers. Wilson, who joined id Software around the time the company was preparing to release *Doom II*, denies that playing violent games leads to violence.

"I think our culture is generally desensitized," he says. "Computer games are very much a closet-culture thing. They're not even on mass culture's radar until mainstream media sniffs up something like the fact that one of the Little-



By Tim Dillon, USA TODAY

Sid Meier: Designer says game critics are forgetting free will.

ton, Colo., killers liked *Doom*.

"Our target audience is the adult — median age 28 — upper-income male," he says. "Those are not the people who are committing 99% of our vio-

lent crimes. For the people who live in the real war zones, the people in poverty, the Internet and computers are not even part of their world."

Sid Meier, arguably the dean of computer game designers, also questions any connection between violent games and crime. Meier, whose games include such educational and strategy classics as *Civilization*, *Colonization* and *Gettysburg*, argues that accusing games of desensitizing players takes the concept of free will out of the equation.

"It's a strange way of looking at things," says Meier, who has a 9-year-old son. "It assumes people have no volition, that they don't make their own decisions. ... I don't think any game, no matter how violent, is going to make me turn violent."

Testing guidelines scare schools using SAT, ACT

By Mary Beth Marklein
USA TODAY

WASHINGTON — The SAT and ACT exams have become the latest battleground in the controversy over affirmative action in college admissions, testimony given Tuesday at a House hearing suggests.

Tuesday's debate focused on a "resource guide" on high-stakes testing being developed by the Department of Education. A draft version of the document, circulated late last month, raised concerns among higher-education leaders, who worry that they would face anti-discrimination lawsuits if they relied on SATs and ACTs in college admissions.

Of particular concern was a statement in the draft that says a test "which has significant disparate impact on members of any particular race, national origin, or sex is discriminatory" unless an institution can show that the test is educationally necessary and that there is no "practicable alternative."

Tuesday, Norma Cantu, the assis-

tant secretary of Education who heads the Office of Civil Rights, told lawmakers that the document, which would apply to tests taken by pupils in kindergarten through 12th grade, is intended "only to ensure that tests are not misused as schools expand their use of high-stakes tests, such as those that determine whether students will be placed in gifted programs, promoted to the next grade or allowed to graduate.

But critics focused on tests used in college admissions — the ACT and SAT, also considered high-stakes because results have a significant impact on students' educational future.

Linda Chavez, president of the Washington-based Center for Equal Opportunity, a conservative nonprofit group, called the guidelines "a transparent attempt to intimidate colleges" into de-emphasizing SATs because black and Latino students on average score lower than white and Asian students on the test.

Education groups have until June 30 to respond to the draft. A final version is expected this fall.

Lawsuit attacks Fla. voucher law

By Tamara Henry
USA TODAY

A coalition of educational and public policy groups filed a lawsuit Tuesday in Tallahassee, challenging the nation's first statewide voucher program, signed into law Monday by Florida Gov. Jeb Bush.

The lawsuit, filed by People for the American Way, the American Civil Liberties Union of Florida and several other groups, alleges that Florida's program violates the federal and state constitutions by using tax dollars to pay the tuition of poor students who want to attend private or religious schools.

Carole Shields, president of People for the American Way, says the Florida Constitution prohibits use of

state revenue "in aid of any church, sect or religious denomination or ... of any sectarian institution." Also, she says state school funds must be used only for "free public schools."

"We will not stand idly by while Florida lawmakers attempt to put the church-state separation provisions of the Constitution through a paper shredder," says the Rev. Barry W. Lynn of Americans United for Separation of Church and State.

But Clint Bolick of the Institute for Justice says the program "puts meaning ... behind the constitutional guarantee of a high-quality education." He says the institute will file papers today on behalf of several Pensacola families and the Urban League of Greater Miami, seeking to intervene as parties to the lawsuit.

Not immune to complacency

If vaccination rates slip, nation could be vulnerable

By Anita Manning
USA TODAY

The U.S. childhood immunization program could fall victim to its own success, federal health officials warn.

Immunization rates are at an all-time high — more than 90% of babies get three diphtheria-pertussis-tetanus shots, three polio shots and one measles vaccination — but scientists are worried that in the absence of outbreaks, parents will become complacent.

"Eleven thousand babies are born every day, and they arrive unimmunized. We can't rest on our laurels," says Walter Orenstein, director of the National Immunization Program of the Centers for Disease Control

and Prevention. Orenstein and other vaccine experts are meeting through Friday in Dallas at the 33rd annual National Immunization Conference.

"We've had tremendous national attention on immunization, (including) a presidential initiative," he says. "Our concern is that as attention fades ... the kinds of strategies we think are needed will not get implemented until coverage drops or we suffer another epidemic."

Despite having built "a pretty good wall" of protection through immunization, Orenstein says, children remain vulnerable. In 1998, he says, 26 cases of measles were imported into the USA, and from 1995 to 1998, "we detected 183 im-

portations of measles to 114 counties. We know if immunization drops, we're going to see a resurgence of this disease."

Not all vaccines have high rates of coverage. Only 34% of children have had the chickenpox vaccine, and "we're still seeing deaths from chickenpox," Orenstein says. "One of our concerns is that enough people are getting the vaccine that we're seeing drops in circulation" of the virus.

That means "we're running some danger of children now growing to adults having neither been exposed to the vaccine nor to the disease. They'll be susceptible as adults — when chickenpox can be a more severe disease" than in childhood. Among steps needed, he says:

► Financial coverage "assuring that no child anywhere will not receive vaccination because of an inability to pay. Children eligible for federal

and state insurance programs should be covered for vaccines. Children served in public clinics should be covered, and all private insurance companies should cover them."

► Better immunization practices in doctors' offices and clinics. By the time children are 2 years old, they should have received 15 to 19 doses of vaccine to protect them against 11 diseases. Yet only about a third of doctors routinely send immunization reminders to parents, Orenstein says. "The immunization schedule has gotten so complex that parents need reminders."

And while many doctors think they have immunized most of their patients, he says, "when we check, we find they haven't."

Doctors tend to think only of the patients they see often, he says, but "they need to focus on children who don't come (for checkups) as regularly."

The 'Doom' of an entire generation?

By Steven L. Kent
Special for USA TODAY

Ask Julie Nebeker of Bothell, Wash., to describe her 18-year-old son, Brian, and she'll tell you he's a good student and a great kid. He's an Eagle Scout, active in his local church.

He's also a fan of *Doom*, *Duke Nukem 3D* and *Half-Life* — the kind of ultraviolent, immersive video games that are the subject of intense media and government scrutiny these days.

COVER STORY

Julie Nebeker knows the score. When Brian plays, she says, "he's killing people, going through hallways, picking up different weapons. There are also graphic scenes in which body parts are blown apart."

They may be gross, but nobody expects these games to turn a kid like Brian into someone who will let the screen mayhem spill into real life.

"Violent video games desensitize people," his mom says, "but somehow his mind has distinguished that these are games, not reality."

Critics of violence in video games and other media, from President Clinton on down, argue that not all of America's young people can make that distinction — including, they contend, one of the shooters in the Littleton, Colo., school tragedy, an avid fan of *Doom*. In this view, the gruesome games promote violence by creating a murder-is-fun culture.

"We're dealing with millions of kids. Some are not going to be bothered at all; that's their makeup," says Sen. Joseph Lieberman, D-Conn., a longtime critic of video game mayhem. "Others may be on the edge, and this stuff can send them over."

But can it? Does video game violence really lead to violence in the young?

Academic research is "pretty measly," says David Walsh, founder of the National Institute on Media and the Family, an activist organization based in Minneapolis. There aren't many studies, and games are evolving so rapidly that "video game technology is a moving target."

Nonetheless, some experts suspect a link can be established. They point to research done on the effects of TV violence the past three decades. They note that even the police and military use video-game-

Continued from ID

type simulations to help officers and soldiers become more able — and perhaps more willing — to kill.

The U.S. Army's Military Arcade Combat Simulator and the Marine Corps' customized version of *Doom* provide the "intermediate step from being a lawful citizen to taking another human being's life," says retired lieutenant colonel David Grossman, who taught psychology at West Point. (See story below.)

"It's not simply exposure to violence in the media that has an effect," says Jeffrey Goldstein, editor of the book *Why We Watch: The Attractions of Violent Entertainment*. "There have to be other things going on," such as a history of household violence.

Growing concerns

Concerns about video games have mushroomed along with the industry's fortunes in the '90s. Sales reached \$6.7 billion last year, matching Hollywood's annual revenue; nearly 30 million Americans own a Sony PlayStation or a Nintendo 64, and games long have been the second-largest use of home PCs.

Although 70% of game titles are rated appropriate for all ages by an independent ratings board, about a quarter are considered appropriate only for ages 13 and up, based on objectionable content such as sexual and violent imagery.

Most of the current furor is over one genre: the "first-person shooter," in which the player enters the head of a character in a wide-scale firefight. Players see these games through the eyes of the character, with only hands or weapons visible at the bottom of the screen. Many designers and players prize first-person shooters for their intensity. It's as if the player is being attacked in a battle zone.

These games often boast gruesome images. In *Doom*, players use machine guns, shotguns, plasma rifles and chain saws to kill demons, leaving torn-open, organ-splattered bodies in their wake. Other games have intensified the mix: *Duke Nukem 3D*, for instance, takes combat to the wrong side of the tracks and lets players run through strip joints and porno theaters.

Walsh, who holds a doctorate in psychology, says such games are built on a psychological phenomenon known as "operant conditioning," in which stimulus and reward reinforce certain behaviors.

Operant conditioning is how scientists teach lab rats to navigate mazes to get food. In first-person shooters,

COVER STORY

Walsh says, the response that's rewarded — by piling up points and by advancing to the next level — is killing enemies.

First-person shooter games have been mentioned in connection with several school tragedies. In Paducah, Ky., the families of the three high school students killed by 14-year-old Michael Carneal in 1997 have filed a \$130 million lawsuit against some of the world's largest entertainment companies. Included are Sony and Time Warner, plus Nintendo, Sega and id Software, maker of *Doom* and follow-up *Quake*.

Lawyer Jack Thompson, representing the families, says a psychologist who specializes in adolescents examined Carneal and found him "profoundly influenced to commit these crimes by three categories of entertainment products": movies, Internet pornography sites and violent video games.

Litigation against entertainment companies typically has not proved successful, and blaming the game industry for the Paducah shootings may be a tough sell in court.

"It's appealing to blame video games or movies or music, but when you get down to it, you cannot prove an exact relationship, and there are many, many other things that we can look at in terms of people's lives that cause these homicides," says Paul Mones, author of the 1991 book *When a Child Kills* and a lawyer specializing in cases in which teen-agers commit homicides.

"Considering the number of people who play video games, listen to Marilyn Manson music or watch violent movies," he says, "why, just on a very basic level, don't we see more violence?"

Cues and clues

Although clinical research on the connection between video games and violence is thin, a relatively large body of research has drawn a connection between watching violent shows on TV and aggressive behavior.

"The 1972 surgeon general's report, the 1982 National Institute of Mental Health report and the 1992 American Psychological Association report each looked at hundreds of studies," says Daphne White of the Lion & Lamb Project, a grass-roots activist organization for parents concerned about media violence. "Each of them came to the conclusion that there was a strong relationship.

"We need more research about the effects of violent video games on

young children." But researchers she has spoken to expect it to come out "just like the television violence studies," she says.

In one such study, Len Eron, now a professor at the University of Michigan in Ann Arbor, followed the media-watching habits of 875 subjects from 1960 to 1982.

"We found, much to our surprise, that there was a significant relation between the violence of the programs that these kids watched at home and how aggressive they were in school," he says, leading him to believe there is a causal relationship.

But Jeffrey Goldstein, who now teaches in the School of Mass Communication at Utrecht University in the Netherlands, challenges Eron's conclusions. He says his research shows that people intrinsically know the difference between dramatizations and real life.

Working on a grant from the Harry Frank Guggenheim Foundation, Goldstein showed subjects scenes from movies, as well as films of a real facial operation and the slaughter of animals. "People found the film of a young girl's face being sliced open and surgery done on it really unpleasant. Hardly anybody could watch," Goldstein says.

"The same was true of killing an animal and serving its fresh brain to people in a Chinese village. People didn't want to watch that stuff. These were documentary films without any of the cues and clues that this is not real."

Goldstein maintains that video and computer games give off constant clues that they are dramatizations. "Holding a joystick or a remote control, sound effects, editing, all kinds of things tell you, 'This isn't real, this isn't real.' That message comes across very clearly."

In the long run, says Henry Jenkins, director of the comparative media studies program at the Massachusetts Institute of Technology, video games may be no more than a high-tech reflection of "backyard-boy" culture, which historically has included violence and macabre images.

In the back yard, "boys learned how to become men in our culture," Jenkins says, "in a space outside of adult control and regulation ... an all-male space, a space of daring, of risk taking, of competition. Violent imagery was a way of confronting your fears."

Video games may be no more than today's cowboys-and-Indians game, he says. "We tend to whitewash backyard culture in order to criticize the violent imagery of video games. In fact, it has existed throughout American history."

Violence -
Videogames

PEOPLE

Downey admits setback, goes to jail

Robert Downey Jr. told an L.A. court Tuesday that he had violated his parole by relapsing into drug use and skipping testing and that he needs more help with his addiction. He asked to go to a lock-down facility in the county jail system and was taken there in handcuffs.

"I am going to recover, but I'm still finding that difficult," Downey, 34, told Superior Court Judge Lawrence J. Mira. Downey's return to jail comes 18 months after Mira scolded him for bingeing on drugs and jailed him for six months.

"The whole proceeding was very upbeat," said the actor's lawyer and neighbor, Peter Knecht. "He had the courage to say before the world, 'I slipped, I fell, help me.' We picked him up by the elbows and helped him. Everybody was very proud of him."

Knecht wouldn't say which substance Downey had been using. The actor will be in a 90-day program at a boot-camp-type facility at the Biscailuz Center and will get psychiatric testing. On Aug. 5, the court will decide his future based on the tests, which Knecht hopes will reveal the problem behind Downey's relapses.



NEWS & VIEWS
By Jeannie Williams

This column appears Tuesday through Friday.



Robert Downey Jr.: The actor was taken from court in handcuffs Tuesday.

About a week ago, Downey put himself into a program at Daniel Freeman Hospital in Marina del Rey.

VIPS: Mick Jagger and Jerry Hall

didn't look like a couple with a messy impending divorce Monday night. They arrived separately at a London premiere. Hall gave her wandering hubby a kiss on the cheek. They smiled and chatted briefly.

FAST TALK: Miramax's eagerly-awaited *Talk* magazine was primed to have its launch party at the beginning of August at the Brooklyn Navy Yard. But *Talk* editor Tina Brown told me Tuesday night that New York Mayor Rudy Giuliani's office apparently got wind that Hillary Rodham Clinton might be on the first cover. *Talk* was told the deal to use the yard was off. Giuliani, of course, may face Clinton in the New York Senate race. Brown was mum on whether the first lady is on the cover, but said she could easily find another "fun venue" for the party. Giuliani couldn't be reached for comment.

ON LOCATION: Jim Carrey had some cool summer duty last week at work on *Me, Myself and Irene*, the new Farrelly brothers movie being shot in and around Burlington, Vt. He had to down two dozen ice cream cones in one day!

Carrey plays a state trooper with a split personality who is transporting a woman (Renee Zellweger) to New York. One scene involved the cones, which the trooper steals from a kid, plus a tumble down a hill. To ease the pain, the star chose for his cones Vermont's Ben & Jerry's Cherry Garcia frozen yogurt. Not every customer gets Jerry Greenfield himself to dish up his order, but Carrey did.

Game Blocker To Be Installed On Windows

By SHARON R. KING

The Microsoft Corporation plans to introduce a feature in its Windows operating system allowing users to determine what kinds of games can be played on the computer. Such a feature could enable parents to keep a game with gruesome violence, offensive language or nudity from being played, based on the game's content rating.

The option, to be included in the next release of Windows, will be similar to a feature on Microsoft's Web browser that can be used to block access to some sites, said Kevin Bachus, a multimedia group product manager at Microsoft.

With the computer and video game industry under siege because of concerns about marketing violent content to children, Microsoft's offering could represent the most widespread program available for parents to use to limit their children's exposure to games they consider unsuitable.

Microsoft said that the new release of Windows would be available sometime next year. It is to be installed on all new personal computers that run the Windows operating system and will be available for purchase as an upgrade for most of the nation's more than 60 million home computers.

Microsoft is in discussions with the Entertainment Software Rating Board and the Recreational Software Advisory Council, the primary groups that rate games, to incorporate their ratings into a data base on which the feature would rely, Mr. Bachus said.

Ratings from other organizations, such as religious or educational groups, could be added as well, and parents would be able to

assign their own ratings.

Microsoft is also trying to encourage game makers to embed code information on ratings in new games. Ratings now appear on game packaging and covers of software; they are not coded into the games themselves.

The participation of the rating groups and game makers could be the key to the success of the feature. So far, no game makers have agreed to embed ratings in their new games, but executives at several companies, including GT Interactive Software, Mindscape Entertainment, Acclaim Entertainment and Interplay Entertainment, said their companies would consider doing so.

In 1998, computer games represented approximately 40 percent of the game software market, according to PC Data, a Reston, Va., research firm. Games using the Windows operating system accounted for about 90 percent of the computer-game total.

But console-based games, such as those played on Sony, Sega and Nintendo systems, make up the bulk of the game software market, which is estimated at \$4 billion.

Mr. Bachus said Microsoft had been working on the feature, expected to be called Windows Game Manager, for more than a year. To activate it, users would follow a series of prompts that let them designate which content is appropriate.

Access to games based on ratings or titles could be limited based on

user names, or a password, for example.

The application could also be used to prohibit the running of unrated games, thus providing some control over the use of games that users have not entered into the system, Mr. Bachus said.

One former game developer expressed skepticism about whether Microsoft would be able to maintain the security of the application.

"The day after it's available, there's going to be a ton of hackers trying to get around it," said Howard

Microsoft devises a rating-based method for parents to limit children's access.

Schwartz, chief executive of Heynetwork.com, a family entertainment Internet site based in Stamford, Conn.

"I don't think it's a matter of possibility," he said. "If people can put macro-viruses into Microsoft Word, I think there will be a crack in this. No matter what Microsoft tries to do, it's going to be easy to crack."

About three years ago, the National Institute on Media and the Family developed its own video and computer game rating system. The ratings are only available on the organiza-

tion's World Wide Web site, but the group would welcome a chance for broader distribution, David Walsh, the institute's founder, said.

"The feedback we get is very positive," Mr. Walsh said. "We would be very interested in partnering with anyone to make the ratings more widely available."

The group's rating system, called Kidscore, is based on how much violence is contained in a game and how it is portrayed, the amount of sex and nudity, as well as identifying any content that might scare children. Thus far, the organization has rated more than 150 games.

Microsoft's efforts do not represent the first attempts to limit access to violent games.

In 1995, Bethesda Softworks created a parental control system called Childgard for its games, like Dagger Fall, a medieval role-playing game. The feature lets parents control the level of violence on a scale ranging from realistic to nonrealistic, containing blood or bloodless.

And in 1997 Acclaim included a control feature in its first version of Turok, a first-person shooting game in which a Native American hunts dinosaurs and other prehistoric creatures. For both the console and computer versions, players can elect to eliminate the use of blood.

The company, which primarily makes console games, may consider encoding games with ratings, a spokeswoman said.

In response to recent concerns about violent games, Interplay, an Irvine, Calif., game manufacturer, postponed the release of a new game, Kingpin, Life of Crime. Packaging for the game, which combines elements of gang and Mafia warfare, now includes warning information in larger detail about the game's mature rating, its violence and language content, said Kirk Green, an Interplay spokesman.

In addition, players can set controls to play a less or more violent version of the game. At the low-violence level, there is no blood, no dismemberment and foul language is not heard.

"We tried to go out of our way to make sure people are informed and aware of what the game is about," Mr. Green said. The feature may be included in future games designated for players older than 17, he said.

Though unfamiliar with Microsoft plans, Mr. Green said, Interplay would also consider embedding ratings information in its games. "We'd have to look at exactly what it would entail, but the idea is a good one," he said.

Violence -
Videogames

FRIDAY, JUNE 25, 1999

Commission Cracks Down on Four Sites

By SHERYL GAY STOLBERG

WASHINGTON, June 24 — Snake oil salesmen have been around for ages. But they are proliferating in the electronic age, according to the Federal Trade Commission, which announced today that it had identified hundreds of Web sites promoting phony cures for 30 ailments, including AIDS, multiple sclerosis, liver disease and cancer.

The sites are so numerous, the agency said, that it cannot possibly take action against all of them. But it has reached legal settlements with four Internet companies: one that advertised shark cartilage as a cure for cancer, another that sold a fatty acid to treat arthritis, and two that promoted magnets for various diseases.

"Sites touting unproven remedies for very serious diseases — cancer, heart disease, H.I.V./AIDS and, particularly, arthritis — are absolutely exploding on the Web," said Jodie Bernstein, director of the agency's Bureau of Consumer Protection.

None of the four companies admitted wrongdoing, and the settlements do not preclude them from doing business on the Web; they must only stop making fraudulent claims. However, Melinda Sneed, owner of Arthritis Pain Care Center of Arlington, Tex., one of the four, said she shut her Web site down nearly a year ago — not because of F.T.C. pressure, but because other sites were promoting the same product, a fatty acid derived from beef tallow, for arthritis.

"By the time they contacted us, we already had the Web site down," Ms. Sneed said. "It was strictly competition that put us out of business."

The cases announced today stemmed from two "health claims surf days," one in 1997 and another in 1998, in which agency investigators and public health advocates from 25 countries scanned the Internet for fraudulent health claims. Each session identified 400 sites containing questionable promotions, said Richard Cleland, an F.T.C. lawyer handling the investigation.

Mr. Cleland said the trade commission did not have the resources to conduct full-scale investigations of all the sites. The investigations are extremely time-consuming and require a comprehensive review of scientific literature to prove the agency's contention that a company is behaving deceptively. Instead, the agency acted against four of the most egregious sites, he said, and sent the rest E-mail messages, warning the site owners that the Government had paid them an electronic visit.

Some companies reacted incredulously to the warnings, Mr. Cleland said. One fired back, "If you're from the Government, what are you doing here?" Others sent stronger messages.

Two months after the 1997 warnings were sent, officials surveyed a representative sample of 64 of the sites. Nearly three-fourths of them, 72 percent, were operating unchanged. About 13 percent had dropped their unsubstantiated claims or disappeared from the Web, 10 percent had made some changes and 5 percent could not be found.

When the survey was repeated in 1998, the Government found that the percentage of sites that had dropped

their phony claims had more than doubled, to 28 percent. Mr. Cleland characterized the increase as a "significant shift," which he said demonstrated the agency's work was having an effect.

Today's announcement was part of what the trade commission has called Operation Cure All, a consumer education campaign to help patients sift through the maze of often confusing health information available on the World Wide Web.

Officials from the Department of Health and Human Services used the occasion to promote their own Web site (www.healthfinder.gov), which they said was visited by 400,000 people a month and had links to 5,000 other sites containing reliable health information.

"Our message is: It's quality, not quackery," Ms. Bernstein said.

In addition to the Arthritis Pain Care Center, the companies that settled with the agency were Body Systems Technology, of Casselberry, Fla., which sold capsules containing shark cartilage for cancer and AIDS; and two selling magnetic therapies, Pain Stops Here of Baiting Hollow, N.Y., and Magnetic Therapeutic Technologies Inc. of Irving, Tex.

The lawyer for Body Systems Technology could not be reached,

**Some 400 Web sites
pushing phony cures
for 30 ailments, from
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and the owner of Pain Stops Here declined comment. Jim Richardson, the owner of Magnetic Therapeutic Technologies, said he had cooperated with the F.T.C. from the outset. Today's announcement, Mr. Richardson said, has been blown out of proportion.

An estimated 22.3 million adults in the United States sought health care information on the Internet last year, said Scott Reents, an analyst with Cyber Dialogue, a market research company that tracks the Internet. Most people, Mr. Reents said, visited the Internet to understand their personal ailments; the most oft-visited sites are those devoted to specific diseases and specific drugs.

There are an estimated 15,000 to 17,000 health care sites on the Internet. Consumers, Mr. Reents said, generally feel confident that they can distinguish good information from bad — a confidence many doctors do not share.

"It is perfectly obvious that some of the junk is junk," said Dr. George D. Lundberg, former editor of The Journal of the American Medical Association and now editor in chief of Medscape, an Internet health information site (www.medscape.com). "But there is a lot of in-between stuff that is very difficult to discern."