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FRAMING A VICE: HOW AMERICA LEARNED TO STOP WORRYING AND LOVE  
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## Abstract

The purpose of this study was to analyze 27 years' worth of public communication and newspaper coverage of arguments surrounding legalized sports betting in the United States and to assess current perceptions of legitimacy related to this emerging industry. The three-step process produced a rich collection of qualitative and quantitative data from a Narrative Policy Framework analysis of transcripts from Congressional hearings and court documents, framing analysis of newspaper articles, and a broadly distributed survey that tested perceived legitimacy. Findings from the first two stages of the study described and explained a stunning shift in tone between the early 1990's, when protecting the integrity of the games dominated the discourse, and the mid-2010's, when sports betting (most of it illegal) was perceived to be such a normalized slice of society that a landmark Supreme Court decision that reversed 150 years of tradition and policy was met with eager acceptance instead of shock and outrage. The final stage of the study appeared to confirm that key publics expressed apathy towards potential problems associated with expanded gambling opportunities. By providing a baseline explanation for the normalization of sports betting, this study intends to inspire a new line of sports media and communication research.

Keywords: *sports betting, framing, legitimacy, policy*

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## Chapter 1

### Introduction

Gambling, at its core, invites the gambler to interact with an unknowable future. This is perhaps the primary attraction that ties gamblers to sports. Two (or more) teams or two (or more) individuals vie for victory and only one can claim it. The essential feature of these competitions that make them so attractive to gamblers is that the outcome is unknown, and professional sports leagues in the United States have rigorously defended the purity of their contests. Fearing societal backlash and, perhaps more importantly, economic repercussions as a result, the leagues spent more than a century (beginning with professional baseball in the 1870's) to construct every conceivable barrier between sports and gambling. By adopting such a stance, the leagues reinforced moral and religious fears that about attempts to divine an unknowable future as the work of sinister forces.

This wrestle with the unknown – and specifically the role of chance – has resulted in uncomfortable collisions between gambling and religion. Attempts to divine future events often included tools of chance, such as when ancient Sumerian priests utilized huckle-bones (a 4-sided bone found in the heels of sheep that resembles modern dice) to aid in day-to-day decision-making (Schwartz, 2013). Modern religions, such as Islam and some forms of Protestant Christianity, find gambling profane for the existence of chance (or luck) violates the existence of an omnipotent God who controls all things (Brenner & Brenner, 1990). It was with a dogmatic embrace of predestination that Adam Silver, the commissioner of the National Basketball Association, expressed in a 2014 *New York Times* op-ed that the legalization of sports betting in the United States was “inevitable”. Whereas Silver’s declaration bordered on blasphemy, his prognostication proved correct just four years later, when the U.S. Supreme Court struck down

the federal ban on sports betting. Whether born of luck, the divine, or strategic communication, Silver's action served an invitation for U.S. sports fans to treat the taboo as typical and it appears to have worked.

The Supreme Court's 2018 decision was extraordinary not because it reversed roughly 150 years of law and tradition but because states passed sports betting laws so swiftly and with little opposition. Perhaps the most unlikely advocates for widespread legal sports betting were the four major professional sports leagues in the U.S.: Major League Baseball (MLB), the National Basketball Association (NBA), the National Football League (NFL), and the National Hockey League (NHL). These organizations had formed a powerful coalition that for decades blocked individual states from legalizing wagers placed on sporting events, with the leagues insisting sports fans would otherwise eye game outcomes and player performances suspiciously (Holden & Edelman, 2020). Following the Supreme Court's 2018 decision, the tenor changed and instead of battling the onslaught of new sports betting bills, the leagues appeared to openly embrace the long-taboo prospect of widespread legal sports betting.

This dissertation will articulate some of most important environmental forces that assured sports leagues that a warm embrace of legalized sports gambling was not harmful and, in fact, potentially lucrative. The opening chapter first provides a broad exploration of the social and historical factors that helped shape perceptions and policy of gambling, particularly in the United States. This chapter then provides an overview of the legal history of sports betting in the U.S., including the decisions that led to the proliferation of traditional fantasy sports and daily fantasy sports. Finally, the relationship between sports betting and the increasing mediatization of sport will be explored.

The second chapter provides a literature review of foundational studies that inspired this dissertation. The purpose of this chapter is to synthesize relevant literature from a long history of framing studies with more recent (and specific) theoretical frameworks, the Narrative Policy Framework (NPF) and legitimacy, that drove the study. Specific research questions are also posed in this chapter.

The third chapter details the methods chosen to examine how the leagues' communication surrounding legalized sports betting changed - specifically between 1991, when Congress held hearings to discuss an explicit federal ban on sports betting, and 2018 when the Supreme Court struck down that law that was eventually passed from those 1991 sessions – and assess key publics' perceptions of the leagues' legitimacy in guarding the integrity of the games. The analysis takes place in three parts:

- 1) Dissection of the leagues' communication in Congressional hearings and legal testimony between 1991 and 2018 using the NPF. This study will reveal which narratives may have had the greatest influence in driving policy outcomes.
- 2) Analysis of newspaper reports at important points between 1991-2018 utilizing framing as a theoretical framework. This study will reveal which actors introduced and amplified dominant frames during this period.
- 3) Analysis of survey data distributed widely to present day sports fans and sports bettors to determine key publics' perception of the leagues' new role in actively protecting the integrity of the games. This study will use the theoretical framework of *legitimacy*.

The fourth and fifth chapters provide findings from the qualitative portions and results from the quantitative portions of the dissertation. The sixth chapter will contextualize those findings and results, describe the significance of the data and their contribution to the field of

sports media, and provide limitations and suggestions for future research.

No known studies have directly addressed how U.S. sports leagues' strategic communication regarding legalization of sport betting has evolved. Taken together, the proposed approaches will explain the extent to which the leagues may have influenced policy outcomes and public discourse related to sports betting and analyze the extent to which present day key publics accept (or reject) the legitimacy of the leagues as guardians of integrity.

### **A Brief History of Gambling**

Gambling's history is as old as human history, perhaps older. Schwartz (2006) notes that bees, apes, and other animals have shown a propensity for risk-taking, even when presented with more rational choices. If prostitution is considered the world's oldest profession, then perhaps gambling can be considered its oldest pastime. In contrast to the nearly universal disdain of prostitution, society's relationship with gambling has been inconsistent and complicated. Hoffmann (2009) described gambling as a vice, but one that has been largely accepted by the mainstream. Sports betting was one of the last forms of gambling to escape widespread prohibition in the United States. Why did this specific brand of gambling lag in the legislature? This puzzle contains pieces located in religion, morality, pathology, and economics.

#### ***Religion***

Gambling has been alternatively central to and utterly at odds with religion at varying points in history. Tanner (2009) described this nexus as the point where religion and games of chance seek to resolve "life's precarious prospects" (p. 228). Gabriel (2003) suggested gambling and praying were cards of the same suit in that they "seek divine affirmation and reversal of fortune" (p. 334). Sumerian priests and their hucklebones provided the earliest evidence of religion intersecting with the tools of chance (Schwartz, 2006). As humans honed their crafting

skills, hucklebones gave way to carved dice (Schwartz & Raento, 2011). Icelandic, Hindu, and Native American mythology all referenced dice-tossing gods as a way of explaining the unexplainable (Gabriel, 2003). The casting of lots also pervades religious tradition, from Greek mythology to pre-Islamic Arabia to biblical uses (Brenner & Brenner, 1990). It is believed these tools aided decision-making, particularly in cases where a clear decision could be made by mortals. Thus, interpreting the outcome of a cast die or lot as a revelation of divine will served to direct future action. The ontology of chance was that it served a religious purpose. This ontology is precisely why other religions held appeals to chance to be sacrilegious. Islam, for instance, found no room for chance to exist within world ruled by divine predestination (Brenner & Brenner, 1990). Gambling remains taboo in many Islamic countries today. Sixteenth and 17<sup>th</sup> century Christian theologians drew conclusions that mirrored those of the Muslims by declaring chance and divine will to be incongruent (Brenner & Brenner, 1990). Early Christians recoiled at the earthly materialism of gambling, in part as a contrast to ancient Greek and Roman worship of Fortune and Fate (Brenner & Brenner, 1990).

Later religions shunned gambling for different reasons. Jewish law likened gambling to larceny in that one took money without offering something of value in return (Brenner & Brenner, 1990). Another objection was that gambling stole time away from more beneficial endeavors and from a focus on God. Puritanical Christian settlers in North America shared this view, denigrating gambling as a symptom of idleness (Brenner & Brenner, 1990). In short, these religions viewed gambling as competition for attention that could – or *should* – be directed toward the divine (Binde, 2007). Evangelical Christians in the late 1800s and early 1900s engaged in a successful campaign to criminalize gambling in order to “safeguard the morals of the American people” (Skeel & Stuntz, 2009, p. 263), fearing the nefarious would exploit the

naïve and vulnerable. Such campaigns may also have been inspired as a foil to increasingly popular charitable bingo games run by the Catholic Church (Brenner & Brenner, 1990). Eventually, protestant Christians softened on gambling, shifting opposition to issues such as abortion and gay rights (Skeel & Stuntz, 2009). However, Reith (2003) suggested that religious opposition to gambling often pops up in history when those in power begin to feel that power slipping. Thus, some religious groups viewed the rise of gambling meccas in Las Vegas and Atlantic City in the mid-20<sup>th</sup> century as a sign that the church was declining as a social institution. They, and others, shifted the arguments against gambling from predominantly religious to more generally moral (Brenner & Brenner, 1990). Reith (1999) proposed that “[f]or the first time in human history, chance has been stripped of religious and metaphysical meaning to emerge as a tool of scientific explanation and an intrinsic – even mundane – feature of the world” (p. 179).

### ***Morality***

Historically, one of the most effective arguments for prohibition of gambling is that it is an inherently immoral, and therefore illegitimate, activity. First, when considering the risks versus the rewards of most forms of gambling, the practice is inherently irrational (Bruce, 2013; Croson et al., 2009). It is often said that the odds of winning the lottery are dwarfed by the odds of being struck by lightning and it is commonly known that a person is more likely to lose money over time than to bathe in newfound riches (Croson et al., 2009; Orford, 2011). Lears (2009) wrote that the “acceptance of loss poses a fundamental challenge to conventional notions of responsibility and choice” (p. 308). Thus, prohibition has been pitched as a moral imperative intended to protect those who are least able to afford such losses. This view paints the gambling industry as an insatiable predator that takes advantage of the disadvantaged.

Other scholars argue that it is, in fact, immoral to prohibit gambling. Adams (2008) identified three media frames that support this view based on various *freedoms*: a) freedom to innovate (i.e., it is desirable to develop new economies), b) freedom to gamble (i.e., personal responsibility, as with alcohol), and c) freedom to trade (i.e., casinos are legitimate businesses). Those who subscribe to these frames recognize that some people suffer severe consequences from gambling, but that should not result in outright prohibition. Collins (2003) bluntly called governmental prohibition of gambling “morally illegitimate” (p. 322) as an affront to personal liberty. Thus, governments are acting morally when they do not impede an individual’s personal freedom of choice. Eadington (2003) noted that the lack of consistency across time in governmental approaches to gambling policy further complicates the process. Another argument in favor of the liberalization of gambling laws is that tax revenue funds important social programs, such as education (Hoffmann, 2009; Melnick, 2009). Lastly, scholars on both sides of the issue admit that measuring social costs of gambling is difficult (Collins, 2003; Dickerson, 2003; Eadington, 2003; Hoffmann, 2009; Orford, 2011). Broadly then, assertions that legalizing gambling is moral assumes that economic innovation is desirable, the government should not impede individual liberty, and alarmists overstate the impact of social consequences associated with gambling. The latter argument will be explored in greater detail in the next section.

### ***Pathology***

The thrust of many rational (and moral) arguments against gambling is that it is an addictive behavior. However, the method of evaluating negative outcomes related to gambling depends on how it is conceptualized. This can be captured, in part, by which term is used: problem gambling or pathological gambling. Though often used interchangeably, Hoffmann (2009) advocated for separating the terms, with the former referring to sociological impact of

gambling and the latter referring to individual factors. The term “pathological gambling” was added to the DSM-5 as the only non-substance addiction recognized by the American Psychological Association. It places the genesis of compulsive behavior squarely with the individual (Barker & Britz, 2000). Stucki and Rihs-Middel (2007) reviewed literature from the early 2000s on prevalence rates and found little variance between countries and measurement instruments (e.g., South Oaks Gambling Survey, DSM-IV) and reported the rates for pathological gambling of around 1% of the population. Consequently, if one assumes gambling disorders occur primarily at the individual level and only 1 in 100 suffer harm, it becomes easier to adopt liberal policies as only a small percentage is at risk of developing problems. Collins (2003), who argued the moral case for legalizing gambling, admitted that some people became addicted but, unlike smoking and illicit drugs, addiction was highly unlikely to affect most members of society. However, Dickerson (2003) argued that even if true addiction rates are low, more access to gambling results in more gamblers, which creates more problems. He wrote “ease of access and regularity of use are the basis of every addictive behavior” (p. 192) and called for researchers to drop the medical model that produced “pathological gambling” and instead adopt a sociological model that addresses “problem gambling”.

Problem gambling, then, is a holistic term that incorporates negative outcomes for the individual, family, and the community at large (Dickerson, 2003; Hoffmann, 2009). The Stucki and Rihs-Middel (2007) review found that approximately 2% of the population could be categorized as problematic gamblers. Dombrick (2009) described opposition to gambling as stemming from one of three “ABC’s” of problem gambling: addiction, bankruptcy, crime. The first two could be argued away by the medical model. The latter, crime, has become less prevalent in the U.S. as state governments have controlled lotteries while American Indian tribes

and publicly traded corporations have largely eliminated private (i.e., mob) ownership (Barker & Britz, 2000). Some scholars contend that negative outcomes extend far beyond the individual and thus a reconceptualization of gambling harm is needed (Dickerson, 2003; Hoffmann, 2009). Yet the challenge of measurement makes such a conceptualization more difficult. Whereas the literature shows consequences associated with problem gambling include alcohol abuse, personality disorders, bankruptcy, and high divorce rates, it is difficult, at best to determine cause and effect, or even sequence of such outcomes (Dickerson, 2003; Hoffmann, 2009). Collins (2003) emphatically argued that we cannot properly calculate social costs because “too little is known about the causes and consequences of problem gambling” (p. 330). The lack of reliable data becomes more pronounced when placed against powerful economic data.

### *Economics*

Gambling may have origins in religion, but it appears to be worshipped in modern times as an economic savior. Reith (1999) announced that gambling had “shed its pariah status and become fully incorporated into western capitalist economies as just another type of commercial enterprise” (p. 88). Over the last 40 years, gambling policy has loosened and fed enormous markets in the United States, Australia, New Zealand, Canada, and Europe (Barker & Britz, 2000; Melnick, 2009; Orford, 2011; Reith, 1999; Walker, 2013). The overwhelming justification for such liberalization was the promise of free trade and tourism. These two forces worked in tandem as more governments warmed to gambling, other governments scrambled to compete. This occurred country-to-country (Orford, 2011), or in the U.S., state-to-state (Melnick, 2009). Australia enjoyed nearly instantaneous economic benefit from legalizing and regulating most forms of gambling in the 1990s, as the nascent industry swiftly accounted for 2% of GDP (Orford, 2011). Most forms of gambling had been legal in Britain since 1960, but it upped the

ante in the 1990s with the establishment of a national lottery and, in 2005, passed a revised and liberalized gambling act (Orford, 2011).

The United States slowly but surely followed suit. In 1964, New Hampshire became the first state to legalize a lottery in the 20<sup>th</sup> century (Melnick, 2009). It was a rare bipartisan victory in that Republicans did not have to raise taxes and Democrats did not have to cut social programs (Wolfe, 2009). In short, lotteries gobbled revenue from a “tax that people line up to pay” (Wolfe, 2009, p. 103). State lotteries rose in popularity during the 1980s, when federal funding dried up and state governments faced enormous deficits. Revenue from lotteries funded popular public programs, such as education, which helped subdue any opposition, of which there was little (Dombrick, 2009). Expansion happened gradually as states slowly began to compete with each other for lottery dollars. Melnick (2009) cynically declared that “each state has an interest both in making suckers of the citizens of other states and in using their own suckers to fund their own programs” (p.99). Rather than let one state’s citizens travel to another state to buy lottery tickets and, therefore, fund that state’s programs, why not start their own lottery? Today, 95% of Americans live in states with a lottery, and only Utah and Hawaii abstaining (Melnick, 2009).

The overwhelming popularity of state-sponsored lotteries makes economic sense. Walker (2013) found that lotteries “almost always” provide a boost in revenue, whereas other legalized forms of gambling are less reliable. However, the story for lotteries is not entirely rosy. Research has shown that negative outcomes disproportionately affect those who can least afford it, resulting in some branding the lottery a “regressive tax” (Melnick, 2009). Statistics show that more than half of lottery revenue is generated by roughly 5% of its users and the largest group of users is culled from lower-income populations (Melnick, 2009; Owens, 2009). Advertising in the U.K. (Miers, 2003) and the U.S., where lottery advertising is explicitly exempt from truth-in-

advertising regulations, (Melnick, 2009), has only exacerbated the problem. As Owens (2009) noted, “states never use regulated lotteries to *limit* gambling” (p. 332). It is economically irrational for those with less to spend more when the odds of winning a lottery jackpot are so astronomical. Miers (2003) explained that regulators do offer disclosures of odds – some more clearly than others – allowing them to somewhat wash their hands of responsibility. Further, Reith (1999) offered that chance, upon which lotteries are built, is inherently democratic in that the poor are equally as likely (or unlikely) to win as the rich.

Casino gambling spread soon after the lottery boom. Unlike lotteries, which were and are regulated at the state level, federal legislation opened the door for widespread casino gambling in the U.S. The 1988 Indian Gaming Regulatory Act (IGRA) explicitly gave Native American Indian tribal governments the right to conduct gaming on native lands as a means of promoting economic self-sufficiency (Light & Rand, 2011). Though where and what games were permitted required a compromise between state and tribal governments through a compact, tribes in more than 30 states implemented some form of gambling and these efforts generated more than \$34 billion in revenue in 2019 (National Indian Gaming Commission, 2021). It should be noted that the bulk of that number is attributable to a small percentage of very successful tribal ventures. Those highly successful tribal operations quickly caught the attention of state governments, which are forbidden from directly taxing such operations, resulting in lawsuits and intense wrangling for public favor (Rand & Light, 2014). Regardless of whether the revenues remain on the reservation or trickle into state coffers, the Indian gaming industry and, to a lesser extent, riverboat casinos, significantly changed the gambling landscape by bringing Las Vegas-style casino gambling much closer to many Americans (Nelson, 2009).

Equally as important to the economic growth of casinos was a shift in ownership of Las

Vegas casinos. For decades, Nevada the only state in the U.S. to offer legal casino gambling, a fact that cemented a Wild West mythology of America's gambling origins (Schwartz, 2011). Nevada's first casinos were privately owned, often by those with ties to the mob. That began to change in the 1960's thanks to what Barker and Britz (2000) termed the "Hughes Effect" (p. 43), which refers to a series of casino investments by Howard Hughes that helped move casino ownership from the private to the corporate world. Today, gaming companies such as MGM are openly traded on the stock market, which lends the industry a level of legitimacy (Navin, 2021).

### **Sports Betting and the Law**

The U.S. sports leagues' turnabout in embracing a federal structure for sports betting was nothing short of astonishing, for even as lotteries and casinos bathed in the mainstream, sports betting remained taboo. Brandt (2017) explained that "throughout the history of sports law and policy, leaders at every level of sports – from league commissioners, to team management, to legislators – have held up roadblocks to sports gambling, all in the name of 'integrity of the game'" (p. 275). After decades of lobbying to prevent the spread of state-controlled sports wagering, Silver's 2014 op-ed in the *New York Times* detailed the NBA's desire for sports betting to be legalized and federally regulated. It was an admission of the losing battle against the spread of sports gambling and declared "sports betting should be brought out of the underground and into the sunlight where it can be appropriately monitored and regulated" (Silver, 2014, para. 11).

The Supreme Court's decision overturned an apple cart that for decades had collected nothing but restrictions on sports betting (see Appendix A). Nevada was the first state to legalize sports wagering in 1949, but the U.S. Congress' Revenue Act of 1951 imposed a 10 percent excise tax on the total amount wagered, or handle, which rendered sports books incapable of

making money (Roberts & Gemignani, 2019). With slim profit margins of around five percent, that tax inadvertently thwarted a regulated sports wagering market from taking off, even as Nevada's casino industry thrived. Further stifling hopes for widespread sports betting was the 1961 Federal Wire Act. Employed to wrangle organized crime, The Wire Act specifically prohibited the transmission of gambling information between or to states where gambling was illegal (Holden, Rodenberg, & Kaburakis, 2017; Schwartz, 2005).

It was not until 1974 that legitimate sports books in Nevada began to emerge (Schwartz, 2005). In that year, Congress dropped the excise tax to two percent, prompting the first well-known sports book to open, the Union Plaza Hotel & Casino in downtown Las Vegas (Roberts & Gemignani, 2019). Meanwhile, select states dipped toes in the sports gambling waters. In 1973, Montana introduced a sports pool wagering game that still exists today. Three years later, Delaware attempted a similar game during the NFL season but infamously botched betting lines one weekend and created a revenue deficit large enough to shutter the game by the end of the year (Roberts & Gemignani, 2019). By the early 1980s, Congress once again lowered the excise tax, this time to a miniscule 0.25 percent of the handle. The state of Oregon followed in 1989 with the creation of a "Sports Action" game based on NFL scores (Schwartz, 2005). After one season, Oregon attempted to expand to NBA games, but the NBA filed suit to stop the product. In addition, the NCAA refused to allow NCAA post-season tournament games to be played in Oregon until the product was abandoned (Roberts & Gemignani, 2019). At the same time, Washington, D.C. abandoned plans to offer a sports-based lottery game following "pressure from the major sports leagues" (Roberts & Gemignani, 2019, p. 82).

The new lottery-style games presented in Oregon and Washington, D.C. coincided with MLB banning Pete Rose for life from the game of baseball, after it was discovered that he had

bet on baseball as manager of the Cincinnati Reds (Madden, 2019). It was considered the biggest stain on the legitimacy of the game since the Chicago “Black Sox” scandal in the 1919 World Series (Braig, 2019). Behind a major lobbying effort from MLB, NFL, NBA, NHL, and NCAA, Congress passed PASPA in 1992 with what Kaburakis, Rodenberg, & Holden (2014) argued was the “express purpose of stopping the spread of state-sanctioned sports gambling” (p. 30). This monumental piece of legislation did indeed prevent new sports books from sprouting outside of the select states that were allowed to “grandfather” existing laws, i.e., Nevada, Oregon, New Hampshire and Montana. It did not, however, squash the practice of betting on sports and, in fact, created a near-monopoly in Nevada for legal wagering on single games. This would be a key point when New Jersey’s challenge to PASPA eventually reached the Supreme Court (Holden, 2019).

It would take two decades for that challenge to begin and even longer before the Supreme Court ruled to strike down the law. Prior to the fall of PASPA, however, Congress responded to the proliferation of internet gambling, particularly online poker, by passing the Unlawful Internet Gambling Enforcement Act (UIGEA). The long-gestating bill evolved over 10 years of Congressional debate and was eventually written to prevent banks from processing transactions from illegal online gambling (Holden, 2018). Importantly, the law also carved out an explicit exemption for fantasy sports – though it did not explicitly *define* fantasy sports. Instead of providing clarity, UIGEA “blurred the lines between fantasy and gambling” (Holden, 2018, p. 100). An unforeseen consequence of the bill was the swift rise in popularity of *daily* fantasy sports (DFS).

DFS operators such as DraftKings and FanDuel began attracting eye-popping levels of venture capital then splurged on an advertising binge in which they outspent beer companies

during the opening week of the 2015 NFL season (Brandt, 2017). As the name implies, DFS turned traditional, season-long fantasy games into contests played entirely in one day's (or weekend's) slate of games for a given sport and placed a greater emphasis on winning money (Houghton, Nowlin, & Walker, 2019). Thus, these new games appeared to share more in common with pure gambling than traditional fantasy sports. The major sports leagues embraced DFS, with MLB, the NBA, and the NHL directly investing in FanDuel and Draftkings. Though the NFL did not directly invest in these companies, nearly every individual NFL franchise developed economic partnerships (Brandt, 2017). Despite the swift and dramatic rise of DFS, there is little evidence to suggest the sports leagues or anyone else anticipated its emergence. The UIGEA was supported by governors from all 50 states and by lobbyist groups that did not typically argue from the same side, with only Indian tribes and illegal gambling operators voicing opposition (Holden, 2018).

In testimony for one of the early drafts of the bill that would become UIGEA, MLB representative Marianna McGettigan spoke in favor of the fantasy sports exemption, touting fantasy participants as “among baseball’s most devoted fans” (Holden, 2018, p. 105). She expressed little to no concern that fantasy baseball might challenge the integrity of the on-field game “because the games take place over an extended period of time, influencing the result may be difficult” (Holden, 2018, p. 105). She delivered this testimony in 1999, seven years before UIGEA passed, and again emphasizes that fantasy sports was conceived as a niche hobby that could have virtually no influence on game outcomes. It is clear few, if any, foresaw the proliferation of a version of fantasy sports that could deliver daily gratification – or the complications that such a game would create. Holden (2018) noted “the characterizations of

small stakes fantasy sports, which were primarily used to ‘generate publicity or advertise a product,’ is a meaningful departure from what the fantasy sports industry has become” (p. 107). Indeed, the Fantasy Sports and Gaming Association (FSGA) estimated that in 2018 more than 59 million people participated in fantasy sports, contributing to a \$7 billion industry (FSGA, 2019). By contrast, the organization estimated that in 2009, shortly after UIGEA passed and just before DFS took off, only 27 million participated. Consequently, DFS, which did not so much inch closer to gambling as leap toward it, helped accelerate the public’s perception of sports betting as part of the mainstream (Holden, 2019). A second factor may have been equally, if not more, influential: the city of Las Vegas landing franchises in the both the NHL and NFL.

### *Pro Sports Arrive in Las Vegas*

Brandt (2017) declared “there is no better illustration of changing attitudes of professional sports leagues towards gambling than the willingness to consider and eventually embrace the epicenter of gambling in the United States: Las Vegas” (p. 293). Despite the city’s growth and its attractiveness as a tourist destination, it was nearly unthinkable that Las Vegas could become a major league city due to the presence of legalized sports betting (Berkovits, 2005). As recently as 2015, the NFL blocked Dallas Cowboys quarterback Tony Romo (and other players) from appearing at a fantasy football event that was hosted in Las Vegas (Brandt, 2017). More pointedly, when the Maloof family bought the Sacramento Kings franchise, the NBA required that the Maloof’s Las Vegas casinos could not accept wagers on the Kings (Berkovits, 2005). The NFL took such an extreme stance in 2003 that they refused to air a tourism ad for Las Vegas, fearing the league could be associated with sports gambling (Berkovits, 2005).

Thus, it was a coup for the city when the NHL awarded Las Vegas an expansion franchise in 2016. Less than a year later, the NFL's Oakland Raiders announced their intention to relocate to Las Vegas, a move that was approved by a 31-1 vote of NFL owners (Brandt, 2017). It should be noted the Nevada Gaming Commission explicitly prohibited licensed sports books from accepting wagers on teams or games based in Nevada, perhaps in anticipation of courting a major sports franchise (Berkovits, 2005). Interestingly, at the same time the NHL and NFL were offering their blessings to Las Vegas-based franchises and engaging in significant partnerships with DraftKings and FanDuel, the leagues continued to lobby in favor of PASPA, as the statute faced a formidable challenge from the State of New Jersey in a lawsuit that eventually saw the Supreme Court strike it down (Brandt, 2017).

The SCOTUS decision in *Murphy v. NCAA* exposed more than what the court found to be its fatal flaw, i.e., violating the Constitution's anti-commandeering principle. PASPA's failures were even more severe in preventing the spread of sports gambling by allowing illegal operations to "flourish" (Roberts & Gemignani, 2019, p. 84). In fact, the estimated size of the illegal sports wagering market would place it inside the top 20 industries in America (Holden, 2019). Kaburakis, Rodenberg, & Holden (2014) concluded PASPA "is not about gambling. It is about control: control of events, control of data, control of marketing opportunities, and control of current and future revenue streams" (p. 27). Indeed, in the wake of PASPA's demise, the NBA and MLB championed a federal sports gambling framework that would include a 1% "integrity fee" to fund additional league oversight of sports betting (Roberts & Gemignani, 2019). Whereas it appears unlikely that federal governance of sports gambling will happen in the near future, Brandt (2017) argued "DFS investment has clearly whetted the appetite of sports leagues, owners, and networks; this appears to be just the beginning" (p. 300). Holden (2019) suggested

following the map laid out by recreational marijuana legislators and noted “legal markets offer great advantages because lawmakers can mandate standards to protect consumers, operators, and sports leagues” (p. 386).

### **Mediatization of Sports Betting**

The fall of PASPA was merely the first step in the normalization of sports betting in the United States. A grander movement was taking place as leagues and lawmakers haggled over PASPA, UIGEA and the future of DFS. This movement is best captured by the phrase “mediatization,” which Skey, Stone, Jenzen, & Mangan (2018) describe as a “means of understanding particular social domains and the ways in which institutions and actors orientate their activities towards media” (p. 588). Kerr (2015) explored this phenomenon in relation to football, referring to it as a “hyper-mediated marketplace of commercial-football narratives” and noting the live game broadcast “exists as only a fraction of the picture in today’s media cornucopia” (p. 88). Wenner (1998) termed this phenomenon “mediasport” and published an edited volume that explored the media-driven sports ecosystem, from technology to marketing to journalism to fandom.

Television rights fees continue to drive revenue in professional sports (Fortunato, 2015) as live sports broadcasts dominate ratings. Nielsen ratings showed that the NFL alone accounted for 71 of the top 100 broadcasts of 2020, with NFL’s *Sunday Night Football* outdrawing every other primetime television program in the coveted 18-49 demographic by a staggering 7.5-to-1 margin (Crupi, 2021). The NFL bounced back from several years of declining ratings with a 5% increase in 2018, while viewership of live-streamed NFL games rose 86% (Jones, 2019). Impressive as those numbers may be, it is the mediated discourse that creates narratives

surrounding these live events that provides such a rich study in mediatization. Frandsen (2016) considered this a two-way process, with sport and media evolving as intertwined institutions.

As sports betting spreads, its presence will undoubtedly embed within current media structures and, potentially, create new ones. Fantasy sports, both the season-long and daily formats, contributed to the mediatization of sports in this manner (Bien-Aimé & Hardin, 2014). Consider that traditional fantasy sports participation did not become widespread until the internet streamlined stat-keeping and league management procedures (Oates, 2009). As fantasy became a mainstream expression of fandom, some worried fantasy participants might become too loyal to their imaginary team and stray from more traditional patterns of fandom. Instead, fantasy participation enhanced overall fandom via a phenomenon Oates (2009) dubbed “vicarious management” – “a mode of fandom primarily located in new media entertainments” (p. 32). Larkin and Fink (2016) found fantasy participants “attend more games, view more games on television, and spend more money on sport” (p. 644). Dwyer (2013) concluded that “fantasy football participation is a powerful brand-building activity for the NFL,” finding that this new breed of fan still held traditional fan values, primarily identification with a favorite NFL team.

It appeared Frandsen’s (2016) conceptualization of a mediatization as a two-way process held true for traditional fantasy sports, with both fantasy fandom and traditional fandom feeding each other. Traditional media structures began to embrace this new form of fandom, that itself sprouted from the new media form of internet-based fantasy leagues, though some took root more reluctantly than others. For example, ESPN, the self-proclaimed “worldwide leader in sports,” was slow to warm up to the game, lagging behind upstarts such as Yahoo! until the 2000s (Ruihley, Hardin, & Billings, 2015). As research began to indicate how much more media fantasy sport fans consumed than traditional fans, the sports media landscape changed

dramatically. Ruihley, Hardin, & Billings (2015) observed “fantasy sport not only created the position of a fantasy sport expert but also altered the content of traditional news shows, providing a new type of information about sports” (p. 231). This led some to question whether these experts were journalists or content creators (Bien-Aimé & Hardin, 2014).

Daily Fantasy Sports gave the already growing industry an adrenaline shot in the mid-2010s, furthering the mediatization of sports consumption. It, too, was a product of technology as the proliferation of smartphones and mobile devices may have helped inspire the immediacy inherent in the daily game’s appeal. Sports fans were already engaging with mobile technology (and its related features such as apps and social media) at a high level (Oates, 2009; Smith, Pegoraro, & Cruikshank, 2019). This online dimension supported and confounded what Kerr (2015) referred to as the already “hypermediated marketplace of ideas in commercial football” (p. 88) with the introduction of a second screen (Kang, 2015; Larkin & Fink, 2016). Returning to Oates’ (2009) idea of vicarious management, it appeared that hyper-mediatization and hyper-commodification forged a symbiotic relationship. Fans were no longer simply fanatics cheering their favorite team to victory; fans now held a stake (financial or otherwise) in the performance of individual players.

### ***Daily Fantasy Sports***

That commodification went into hyper mode with DFS. Holden (2019) noted DFS “shortened the temporal commitment, anonymized the competition, and increased the frequency with which users could participate” (p. 359). Professional sports leagues’ swift adoption of, and investment in, DFS companies felt like a flirtation with gambling; i.e., the leagues were all-too-aware of mobile technology’s growing influence but (aside from perhaps the NBA) were not yet ready to commit to full-fledged gambling. After all, they could still argue DFS was not gambling

but rather a federally protected fantasy game, even as certain states and the Nevada Gaming Commission argued otherwise (Brandt, 2017).

But to claim hyper-commodification of sports related simply to entry fees and winnings misses the point. For example, in relation to NCAA men's basketball betting markets, Humphreys, Paul, and Weinbach (2013) found that "consumption benefits, not financial gain, motivate gambling" (p. 376). The act of consuming sport with an extra incentive, be it for bragging rights in a friendly, no-fee fantasy league or a concrete financial risk based on the game's outcome, appears to be the primary motivator. Studies conducted shortly after the fall of PASPA indicated fantasy and DFS participants were aware of opportunities to gamble, but not all were ready to adopt this new form of consumption (Petrotta, 2021; Ruhley, Billings, & Buzzelli, 2020). Oates (2009) added that the "manufacture of symbolic systems organized for public consumption is an economic, as well as a cultural enterprise" (p. 33). Research has indeed consistently shown a positive relationship between television ratings and sports betting – even when Nevada was the only state where U.S. citizens could legally place a wager on the outcome of a single game (Humphreys, Paul, & Weinbach, 2013; Salaga & Tainsky, 2015).

Sports betting, while still a nascent industry, has already expanded the relationship between media and sports. Massive sponsorship deals paired BetMGM with The Athletic and PointsBet with NBCSports, while Bally's secured naming rights for the regional sports networks (RSNs) that were once part of the FOX Sports family (Poindexter, 2021). Penn National Gaming went a step further, securing a 36% equity stake in online media company Barstool Sports and FuboTV, a niche streaming service, acquired the gaming company Vigtory with an eye on launching its own sportsbook and integrating into the service (Poindexter, 2021). Meanwhile, the professional sports leagues failed at convincing lawmakers to include a 1% integrity fee but were

more successful at requiring newly legal sportsbook to use official league data. This is primarily accomplished through the leagues' individual partnerships with Sportradar, a data company that is valued in the \$10-\$12 billion range (Coffey et al., 2021). Even more direct links between sportsbooks and professional sports leagues have taken shape, with the NHL entering into an equity deal with PointsBet (Byers, 2021). Thus, it took less than three years after PASPA's demise for the distance between professional sports and legalized betting to shrink from a rocket ride to a stroll across the street.

Hutchins (2019) argued that "organization and distribution of media platforms and infrastructures are a primary focus" (p. 475) of mediatization in a mobile world. For legal sports betting to graduate from geographic sports tourism to a widespread practice, creation of the media platforms (primarily for mobile devices) and infrastructures (for monitoring by regulators) to support mobile wagering will be a critical step, for online and mobile technology offer the greatest revenue potential (Holden, 2019). Smith, Pegoraro, and Cruikshank (2019) noted that "sport viewing has moved beyond solely watching a favored or rival team" (p. 104). This is due in large part to the mediatization and hyper-commodification of sport that implicitly created the environment for sports gambling to find a legally accepted home in the U.S. The powerful synergy between sports leagues, media, and betting operators promises to drive mediasport into a new era of consumption.

This dissertation will analyze transcripts from Congressional hearings and court documents, newspaper articles, and survey data to describe and explain how perceptions of sports betting evolved alongside the increasing mediatization and hyper-commodification of sport in the U.S. Findings and results from the study will provide theoretical and practical contributions to the field of sports media and communications.

## **Chapter Two**

### **Literature Review**

Hallahan et al. (2007) define strategic communication as “purposeful use of communication by an organization to fulfill its mission” (p. 3). The U.S. professional sports leagues purposefully communicated for decades that widespread legalized sports betting threatened the integrity of the games, i.e., threatened the ability of the leagues to fulfill their missions (Holden & Edelman, 2020). NBA Commissioner Adam Silver flipped the script in his 2014 op-ed for the *New York Times*, and the demise of PASPA inspired a revolutionary shift in the professional sports leagues’ strategic communication. One way to analyze the potential influence of such a dramatic shift is to view the phenomenon through the theoretical lens of framing. Reese (2001) described framing as an “exercise in power, particularly as it affects our understanding of the political world” (p. 9).

#### **Framing, the Fractured Paradigm**

Framing seeks to analyze how a media message is presented and understood (Entman, 1993). Gamson and Modigliani (1989) provided an often-cited definition of a frame as a “central organizing idea” (p. 3). These elementary descriptions serve to illustrate how this expansive research paradigm’s greatest strength is also its source of greatest criticism; namely, it can be adapted to analyze a wide range of media messages from any number of angles. This versatility prompted Entman (1993) and Scheufele (1999) to call framing a “fractured paradigm” while Reese (2001) preferred to describe framing as a “bridging model”. A 2019 forum published in *Journalism & Mass Communication Quarterly* allowed many of the leading contemporary framing scholars an opportunity to provide clarity and direction for this broad research paradigm (D’Angelo et al, 2019). Seven scholars contributed to the forum, and each presented slightly differing views on the status of the field and where and how framing research should advance.

Proposals from the forum ranged from zeroing in on language (Lule) to zooming out and analyzing big data sets (Neuman). The diversity of perspectives emphasized – and encouraged – broad applications of framing theory while urging researchers to continue to clearly define frames and framing within different contexts. D’Angelo and Shaw (2018) lauded the potential of framing research by arguing “framing literature displays a thriving and healthy intellectual enterprise rather than one run aground by fragmentation” (p. 206).

One tactic scholars have used to more clearly define frames is to conceptualize increasingly precise categories. Iyengar (1991, 2005) proposed news media frames fell into one of two genres: thematic or episodic. *Thematic frames* referred to those that attempted to contextualize a story while *episodic frames* referred to those that described a specific event. Scheufele (1999) more broadly dichotomized framing into *audience frames* and *media frames*, thus differentiating the factors that influence perception and processing of frames from the factors that influence production and presentation of frames. Both Entman (1993) and Gamson and Modigliani (1989) proposed similar breakdowns. Further, Scheufele (1999) articulated how frames could be conceptualized as a dependent variable (a result of the process of frame-building) or independent variable (a producer of media effects). Thus, he proposed a four-cell typology of framing research: media frames-audience frames, dependent variables-independent variables. This typology appeared to successfully capture Gamson and Modigliani’s (1989) assertion that “media discourse is part of the process by which individuals construct meaning, and public opinion is part of the process by which journalists and other cultural entrepreneurs develop and crystallize meaning in public discourse” (p. 2). D’Angelo and Shaw (2018) expanded Scheufele’s conceptualization to include four types of frames – journalist, audience, issue, and news/textual – and proposed that these types all form important interrelationships.

Along those lines, D'Angelo (2019) offered an integrative approach in which framing theory interacts with journalism theory. He argued that the ability to adapt theoretically is more important than ever as journalistic norms and practice rapidly evolve in a digitally networked environment. Public relations represents an important node in the network and PR scholars have also explored framing theory, with Hallahan (1999) referring to framing decisions as “perhaps the most important strategic choices made in a public relations effort” (p. 224). This bold declaration appears have gathered support from communication models that seek to explain levels of influence, such as the hierarchy of media influences model (Shoemaker & Reese, 2014), cascading network activation model (Entman & Usher, 2018), and agenda setting (McCombs, Shaw, & Weaver, 2014). The latter model has proven to be especially challenging for media researchers as framing and agenda setting operate similarly, both operationally and methodologically (Chernov & McCombs, 2019; Entman, 1993; McCombs, Shaw, & Weaver, 2014; Cacciatore, Scheufele, & Iyengar, 2016). Thus, a discussion is warranted on the subtle but fundamental differences between framing and agenda setting.

### ***Framing vs. Agenda Setting***

Reese and Shoemaker (2016) wrote that “the term ‘reality’ is as vague as it is difficult to define” (p. 393). This difficulty drills to the core of the friction between framing and agenda setting. The two paradigms utilize different vocabularies that attempt to reflect their unique ontologies. Scheufele (1999) contends framing assumes meaning is socially constructed whereas Chernov and McCombs (2019) claim agenda setting lands closer to scientific realism. Carroll (2016) explained that in agenda setting research “salience concerns *frequency* of occurrence, whereas salience for framing concerns *intensity*” (p. 36, emphasis added). Entman’s (1993) assertion that framing is concerned with *aspects* of the topic, rather than the topic itself, appears

to support the social constructivist conceptualization. Even with these attempts to clarify the paradigms, the differences remain subtle. Further clouding the picture is the development of a second level of agenda setting, which is concerned with *attributes* of a topic (McCombs, Shaw, & Weaver, 2014). Chernov and McCombs (2019) proposed that even with a second-level agenda setting analysis of object attributes, those objects “have an existence independent from those accounts” (p. 67), thus doubling down on the assertion that agenda setting sits in a realm of a scientific realism. The authors use as an example the phrases “the glass is half empty” and “the glass is half full” as being functionally identical in agenda setting, for they equally describe the amount in the glass as 50%, whereas those phrases are quite different when examined through framing.

Druckman (2001) conceptualized this phenomenon as *equivalency framing effects*, i.e. “how the use of different, but logically equivalent, words or phrases (e.g., 5% unemployment or 95% employment, 97% fat-free or 3% fat) causes individuals to alter their preferences” (p. 228). Perhaps the lesson is that second-level agenda setting and equivalency framing are metaphrases that functionally refer to the same phenomenon. Regardless, Druckman offered a second conceptualization he termed *emphasis framing effects*, which “focus on different potentially relevant considerations” (p. 230). Unlike equivalency framing effects, this second type encompasses aspects of a topic that are not logically equivalent. The framer in this case attempts to emphasize certain claims or statements over others.

Specific to this dissertation, the morality of sports betting legalization could be framed in a number of ways. An example of equivalency framing could manifest from one group presenting data that shows 99% of the population gambles responsibly. Another group may note that 3.3 million Americans (roughly 1%) suffer from problem gambling. Both arguments present

the same information but frame it in a manner that elicits polar responses. Emphasis framing works similarly within a discussion of morality and sports betting legalization. One view may perceive the spread of state-sponsored gambling as an instigator of negative social outcomes and therefore conclude that the moral solution is to prohibit gambling. An equally emphatic view may claim that only a small percentage of the population experiences negative outcomes and therefore conclude that the moral solution is for government to refrain from impinging upon individual liberty. Each crowd expresses an attribute that could exist, regardless of whether that attribute is reported in the media. Put another way, Vu et al. (2014) argued that “[I]ssues do not exist in isolation in the news” (p. 683). However, Shoemaker and Reese (2016) countered that “we take it for granted that most of the modern world with which we engage is mediated in some form; we don’t experience it directly” (p. 390).

Scheufele (1999) argued that framing does indeed operate purely within social constructivism but proposed a process-focused model of framing to account for the myriad of influences on media content and interpretation. At its broadest level, Scheufele drew from Tuchman (1978) and Gamson & Modigliani (1989) to propose framing research begins by differentiating audience and media frames. *Audience frames* account for individual cognitions and influences. *Media frames* refer to how influences and processes on how the frames are constructed. McCombs, Shaw, and Weaver (2014) adopted a similar concept to audience frames and termed it the *public agenda*. Cacciatore, Scheufele, and Iyengar (2016) identified the primary difference between these conceptions as one of accessibility vs. applicability. Leaning on salience-transfer definitions of agenda setting (and, relatedly, priming), the authors suggested agenda setting can be categorized as a theory of accessibility, i.e., the greater importance media place on issues, the more accessible it becomes to an individual. Framing was categorized as

theory of applicability in that it explores “tendency among people to detect patterns in pieces of information that were consistent with preexisting cognitive schemas” (p. 12). Commenting on framing research, D’Angelo (2019) wrote, “[N]o single conceptual definition can fully articulate how context operates” (p. 15). Consequently, both framing and agenda setting have suffered from muddled conceptualizations and methodological inconsistency, due in part to a failure in articulating the role of context.

In an attempt to provide clarity between these remarkably similar paradigms, Chernov and McCombs (2019) recently identified three core assumptions of agenda setting research (paraphrased below):

1. There is a physical and social reality that exists outside of the mind.
2. The media has a role in interpreting this reality, but the version of reality presented to audiences is incomplete.
3. Individuals combine personal experience and information delivered by the media to form knowledge about reality.

Reese and Shoemaker (2016) offered that “journalistic representations have had an implicit ontological expectation that news hews close to something called reality” (p. 390). However, even Chernov and McCombs (2019) admitted that physical and social reality co-exist within a “pseudo-environment” (p. 77) created by the media. Thus, agenda setting research appears to adopt an ontology that drifts somewhere in between scientific realism and social constructivism. Framing research appears to be quite clear and comfortable with the constructivist approach. Consequently, this study employs the social constructivism of framing and nurses such an ontology through the additional theoretical frameworks of the Narrative

Policy Framework (NPF) and legitimacy – both of which will be explored in greater detail later in this chapter.

### ***Framing, Agenda Setting and Public Relations***

Decades of research has explored the role of public relations in the agenda-setting and framing processes (Cheng, 2016; Hallahan, 2009; Kioussis et al., 2007; Kioussis & Ragas, 2015; Zoch & Molleda, 2006). Early work addressed a specific tool of public relations, information subsidies, and its role as an influencing factor for journalists. Gandy (1982) conceptualized information subsidies as packages of information supplied by public relations practitioners to journalists that serve as exchange commodities, i.e., the source organization may receive more or more favorable coverage in part because the subsidy reduces the journalists' cost of newsgathering. Perhaps not coincidentally, Gamson and Modigliani (1989) used similar terminology to Gandy's by describing frames as "interpretive packages" (p. 2). Thus, Gandy concluded that information subsidies could be powerful tools in the agenda-setting process. Johnson et al. (1996), Walters & Gray (1996), and Corbett & Mori (1999) each proposed agenda building models that bundled the relationship between real-world events, media coverage, and influences on coverage.

The agenda building models failed to connect with the two-way, reciprocal public relations model popularized by the Excellence study (Grunig, Grunig, & Dozier, 2006). The study suggested that public relations, as a management function, was most effective and ethical when engaging in two-way symmetrical communication. This helped inspire a movement that valued dialogue as ethical public relations (Kent & Taylor, 2002), and that used relationships as an outcome variable (Ledingham & Bruning, 2000). Not all agreed that dialogue was the ultimate approach, however (Stoker & Tusinski, 2006). Hallahan et al. (2007) argued that the

dialogic movement failed to consider communication as the “conceptual and methodological apparatus” (p. 16) that connects an organization and its publics. Consequently, the authors advocated for research that explored the “process in which meanings are created and exchanged, or even shared, by the parties involved” (p. 23). Framing research can answer this call by examining media, one of the most important vessels for connecting organizations and audiences.

Public relations theories can also specifically address *audience frames*. One of the primary assertions of Situational Theory of Publics (Grunig & Grunig, 2008) is that people are more likely to seek information that is relevant to them. Rawlins (2006) stated that “effective strategies appeal to the self-interests of the priority publics”. Research on health news journalism has shown that journalists who presume to serve as audience advocates are more likely to adopt public relations resources “if they are perceived to serve the audience” (Len-Ríos et al., 2009, p. 326). Consequently, an organization is most effective at communicating with publics through media messages that are deemed relevant by satisfying the message recipient’s need for orientation (NFO).

### ***Framing***

Framing provides an appropriately broad theoretical framework to analyze public relations efforts and effects. This study examines the framing of sports betting legalization in three steps: public communication by the four major U.S. sports leagues (MLB, NBA, NHL, and NFL) in Congressional and court hearings, newspaper reporting on the legalization of sports betting, and an audience survey. Prior to articulating the methodologies, it is necessary to introduce three sub-frameworks that will guide each individual step of the study and integrate with the more general framing approach. The first step will borrow from the field of political communication to adopt the Narrative Policy Framework. The second step moves into critical

media studies to analyze newspaper reports through the lens of discursive power. The final step explores organizational legitimacy through survey responses collected from key publics for sports organizations. All three sub-frameworks operate within a social constructivist ontology and relate to the broader theoretical assumptions of framing.

### **The Narrative Policy Framework (NPF)**

The NPF has been increasingly adopted by scholars to analyze the role narrative plays in policy outcomes. The framework uses “scientific methods to study the variation in socially constructed realities” (Jones et al., 2014, p. 4), which pairs nicely with approaches to framing research. D’Angelo (2019) specifically called for more research into the relationship between narrative persuasion and framing in his essay that advocated for integrative theorizing. He noted “there is a close conceptual connection between narrative and a textual news frame” (p. 8). Scholars have incorporated both agenda setting (McBeth & Lybecker, 2018) and framing (Crow & Lawlor, 2016; Lawlor & Crow, 2018) into NPF studies. Shanahan, McBeth and Hathaway (2011) note that policy narratives contain frames but differentiate the two by claiming policy narratives require additional elements and strategies that may not be captured by framing analysis alone. Lawlor and Crow (2016) claim that the processes of narrative and framing are “important to the policy process itself as well as the formation and dissemination of knowledge in the process” (p. 473). NPF scholars contend that narrative, like framing, is highly context-dependent, but narrative contains four specific structures that may be generalized: setting, characters, plot, and moral (Jones et al., 2014; McBeth et al., 2014; Pierce, Smith-Walter, & Peterson, 2014; Shanahan, Jones, & McBeth, 2018). Further, the NPF rests on several core assumptions, namely:

- *Social construction*: meaning associated with public policy is socially constructed,

- *Bounded relativity*: social constructions vary but are bounded by beliefs and ideologies and these are stable over time (not random).
- *Generalizable structural elements*: Structures such as characters, plots, and settings can be identified across narratives.
- *Simultaneous operation at three levels*: micro (individual), meso (group), and macro (cultural/institutional).
- *Homo narrans*: narrative is highly influential in how individuals make sense of the world.

In short, it offers a scientific approach to analysis of how policy narrative affects social reality, which in turn influences how individuals arrive at policy decisions (Jones, McBeth, & Shanahan, 2014; Shanahan, Jones, & McBeth, 2018). Indeed, an edited volume on the NPF is appropriately titled *The Science of Stories* (Jones, Shanahan, & McBeth, 2014). The authors note that narrative is not the only factor in policy outcomes, but they and others (Weible & Schlager, 2014) contend that the role of narrative in influencing policy is understudied. Further, most NPF studies have focused on environmental policy issues, leaving a sizable opportunity for scholars to tackle a wider range of contexts (Pierce, Smith-Walter, & Peterson, 2014). Thus, this study introduces the NPF to sports communication and gambling policy. It will explore the four core elements of policy narrative: setting, characters, plot, and moral (McBeth, Jones, and Shanahan; 2014). This study analyzes these elements through a meso-level approach, i.e., assessing the function of policy narratives within a system. McBeth, Jones, and Shanahan (2014) note that the NPF “brings to the fore the idea that effective action at the meso level of policy systems requires communication” (p. 15). Thus, the public statements made by representatives of the sports leagues provide fertile territory for harvesting narrative elements.

Prior to beginning the study, several concepts need to be defined. First, *policy narrative*, which Shanahan, McBeth, & Hathaway (2011) describe as occurring when an “author or group strategically constructs a story to try to win the desired policy outcome” (p. 375). At its base, a policy narrative must contain at least one character and a reference to a policy solution (McBeth, Jones, & Shanahan, 2014). Policy narrative can be studied through its form and content. The form of policy narrative is defined by its four elements (paraphrased from: Jones, 2018; Pierce, Smith-Walter, & Peterson, 2014):

- *Setting*: context in which the narrative takes place; can include legal parameters, geography, evidence, etc.
- *Characters*: policy actors; do not have to be human; typically categorized as hero, villain, or victim
- *Plot*: relationship between characters and setting; often contains beginning, middle, & end
- *Moral*: policy preference or solution

In addition, the content of policy narrative draws upon the NPF’s assumption of bounded relativity and proposes that belief systems (ideology) and strategies (expanding or constraining possible policy solutions or outcomes) limit the scope of an individual’s approach to meaning-making (Jones, 2018).

Finally, this study employs a meso-level approach, which focuses on “how policy actors construct and communicate narratives to influence the policy process” (Shanahan et al., 2018, p. 334). Most NPF studies are conducted as the meso or micro levels (Pierce, Smith-Walter, & Peterson, 2014; Shanahan, McBeth, & Jones, 2018). The micro level examines the effect of narrative at the individual level, typically using narrative as an independent variable and attitudes, cognitions, or preferences as dependent variables (Pierce, Smith-Walter, & Peterson, 2014). Macro level NPF studies are rare and perhaps with good reason. Such efforts attempt to study narrative change or stability at the institutional or cultural level and how those changes may have influenced policy. Pierce, Smith-Walter, & Peterson (2014) suggested that critical

theory may be the best approach for macro-level studies. However, all three levels are interdependent and while this study may not specifically provide empirical evidence of macro influences on meso-level narrative structures, it is assumed that such influences exist. A meso level NPF study analyzes how competing coalitions use the elements of policy narrative – setting, character, plot, and moral – to communicate a policy preference (McBeth, Jones, & Shanahan, 2014).

This study will analyze which elements changed over a nearly 30-year period. The starting point for this project is June 26, 1991, when the U.S. Congress held a massive hearing titled “Prohibiting State-Sanctioned Sports Betting.” The study concludes with a similarly important congressional hearing on September 27, 2018, titled “Post-PASPA: An Examination of Sports Betting in America.” See Appendix B for the entire list of documents. The purpose of this portion of the study is to utilize a meso-level analysis of Congressional hearings and relevant court hearings to identify frames surrounding the legalization of sports betting, how those frames may have changed over time, and how those frames contributed to the structure of policy narrative. McBeth, Jones, and Shanahan (2014) offer a number of general hypotheses for NPF studies at the meso level. The following are adaptations of hypotheses that are relevant to this study.

The first proposed general hypotheses offered by McBeth, Jones, and Shanahan (2014) that will be adapted for this study is that “groups or individuals who are portraying themselves as winning on a policy issue will use narrative elements to contain the policy issue to maintain the coalitional status quo” (p. 244). At the time of the 1991 hearings, lottery and casino gambling were becoming more widespread in the United States. The only state that offered widespread, state-sponsored sports wagering was Nevada, though a few others dabbled in less popular sports

betting options (Holden, 2019). In addition, MLB was still stinging from the aftermath of levying a lifetime ban from baseball on Pete Rose for betting on the game while a manager for the Cincinnati Reds. Consequently, the four major sports leagues (MLB, NBA, NHL, NFL) had an interest in protecting the image of their sports by limiting the spread of sports betting, i.e., maintaining the status quo.

H1: U.S. sports leagues used narrative elements to contain the policy issue to maintain the coalitional status quo during 1991 hearings.

If the leagues were thought to be with the winning coalition in 1991, it is appropriate to consider them part of the losing coalition in 2018. The Supreme Court's decision to strike down PASPA was literally a loss for the leagues, who (with the NCAA) challenged the state of New Jersey's attempt to authorize sports betting. The leagues "lost" when the SCOTUS decision removed the federal ban on sports betting and opened the door for individual states to legalize the activity, if they wished. Thus, the second hypothesis is adapted from McBeth, Jones, and Shanahan (2014) that states "groups or individuals who are portraying themselves as losing on policy issue will use narrative elements to expand the policy issue to increase the size of their coalition" (p. 244).

H2: U.S. sports leagues used narrative elements to expand the policy issue to increase the size of their coalition in 2018.

The final step in this study is to answer a research question, rather than to test a hypothesis. This question stems from what McBeth, Jones, and Shanahan (2014) termed the "angel/devil shift" (p. 246). Whereas the authors originally posed this phenomenon as a hypothesis, empirical testing has produced inconsistent results (Jones, 2018). The devil shift proposes that "policy actors overstate the power and 'evilness' of their opponents while

simultaneously understating their own power” (McBeth, Jones, & Shanahan, 2014, p. 246). The angel shift (or hero shift) is just the opposite – “groups emphasize their own side as the hero, capable of fixing the problem” (p. 246). Given that the sports leagues expressed a dramatic narrative shift following Adam Silver’s 2014 op-ed in *The New York Times*, it is appropriate to examine how the angel shift emerged from claims the leagues made in 2018.

RQ1: In 2018, to what extent to the U.S. sports leagues employ the angel shift by emphasizing their own side as the hero capable of fixing problems associated with widespread legalized sports betting?

This study will describe and analyze a unique narrative shift by powerful characters that helped influence public policy on sports betting. The analysis will add to the maturation of the NPF by examining specific elements of narrative structure within the context of public hearings related to the legalization of sports betting. This step of the research project offers practical importance by illuminating the potential for narrative to influence policy outcomes and it offers a theoretical contribution by exploring how frames can be created and introduced by policy actors.

### **Newspaper Frames and Sources**

Whereas the NPF is an appropriate vehicle for exploring the potential for narrative to explicitly influence policy outcomes, a separate device is required to capture how those narratives and frames are reflected in the media and the potential influence those narratives and frames may have on a broader public. Jungherr, Posegga, and An (2019) define discursive power as the “ability of contributors to political communication spaces to introduce, amplify, and maintain topics, frames, and speakers that come to dominate political discourse” (p. 406). The topic of legalized sports betting was, and remains, highly political. Thus, viewing a framing study through the lens of discursive power can elucidate an important link between strategic

narrative-building and perception of those issues by key publics. The introduction of this term emerged in a contemporary media space that incorporates an increasing number of speakers, many of whom contribute from outside the institution of journalism. Thus, the application of classic communication theories such as agenda setting to contemporary phenomena has been challenged (Neuman et al., 2014). In a hybrid media environment, it is critical to consider multiple levels of influence, from both inside and outside traditional media systems and structures (Chadwick, 2017). However, Langer and Gruber (2020) found that legacy media, such as newspapers, still carry a heavy load, specifically in amplifying issues and in sustaining coverage. Thus, legacy media endures as an important vessel of discursive power. Hanitzch and Vos (2017) argued that the very identity of journalists is shaped through discourse, and that the institution of journalism exists as a product of “an ongoing struggle over discursive authority” (p. 129). Langer and Gruber (2020) used a mixed-methods in-depth case study of immigration policy in the United Kingdom revealed that legacy media still has an influential role in initiating, amplifying and sustaining issue salience and called legacy media, such as newspapers, the “core of national conversations” (p. 23). Thus, to employ a sports metaphor, legacy media are no longer the only game in town but still attract enviable crowds.

Jungherr, Posegga, & An (2019) proposed a model to analyze discursive power using three sets of data: topics, frames, and speakers. The *topic* element is most closely related to agenda setting. For example, one study analyzed the difference in topic selection between the @London2012 Twitter account and #London 2012 content (Frederick, Burch, & Blaszk, 2015). The study revealed a statistically significant difference between the topics selected by the official account and the topics discussed within the hashtag, lending further credence to the assertion that media and audience fragmentation limited the usefulness of classic agenda setting research. The

*topic* element is rendered largely irrelevant in this study due to the purposive nature of data collection. Articles were chosen specifically due to their relevance to a specific topic, namely the legalization of sports betting. Consequently, how that topic were contextualized through framing and which speakers contributed to the topic shouldered the entirety of the analysis.

Unlike the NPF, this model of discursive power explicitly employs *framing*. Framing has been widely utilized in contemporary media research, primarily “because framing connects on a fundamental level to the core processes of communication” (Entman & Usher, 2018, p. 299). In sports media research, framing has addressed gender issues (Kian & Hardin, 2009; Parker & Fink, 2008), sexuality (Kian, Anderson, & Shipka, 2015), fandom (Lewis & Weaver, 2015), identity (Billings & Eastman, 2003), race (Mercurio & Filak, 2010), mental health of athletes (Cassilo, 2020) and crime (Seate, Harwood, & Blecha, 2010). The discursive power approach studies the introduction, amplification, or maintenance of frames (Jungherr, Posegga, & An, 2019). Even with the diluted influence of legacy media in the 21<sup>st</sup> century, elite actors (such as commissioners of professional sports leagues) continue to execute the introduction, amplification, and maintenance of frames through traditional means. These elites flex power by granting “attention and affirmation” (Entman & Usher, 2018, p. 304) to specific frames and continue to utilize legacy news organizations that have embraced contemporary media logics (Jungerr, Posegga, & An, 2019). Further, research shows that sports public relations practitioners continue to use media coverage as a marker of evaluating programs (Stoldt, Miller, & Vermillion, 2009). Notably, Silver chose to announce the NBA’s changing stance on sports betting via an op-ed in a national newspaper rather than a press conference, a press release, or an emerging digital platform.

The *speaker* element refers to significant contributors to the discussion. Thus, which speakers are quoted on certain topics within specific media reports – and at different periods of time – may reveal expressions of discursive power (Jungherr, Posegga, & An, 2019). Mesikämmen (2016) argued that elite actors and mainstream media practices “form a ‘vicious cycle’ of two-way dependence which is hard to break for potential sources with less official status” (p. 733). Further, identifying potentially important speakers that have been omitted from media reports may provide vital insights into the (im)balance of discursive power. The hybrid media system, while making it easier for non-elite speakers to create content, appears to have strengthened the power of elites in sport. As newsrooms, even in the realm of sport, downsize they simultaneously ask more of the staff they retain. As Serazio (2019) described it, sports journalists must “do more, more flexibly, with less” (p. 80). That leaves journalists with little alternative but to pursue the most efficient means of obtaining content and increasingly the team or organization provides less direct access to journalists, which leaves a reporter with little to work with outside of public statements. Serazio (2019) wrote “teams are wielding that most valuable of advantage over the fourth estate – sourcing” (p. 99). Consequently, sports organizations wield tremendous potential to construct public discourse. Returning to Silver’s op-ed, the NBA commissioner used his status as an elite source to introduce himself as a modern champion for legalized sports betting.

Identification of frames and sources is a common approach to framing research. Liebler and Bendix (1996) analyzed sources, visuals, and summary remarks in television news reports of an environmental issue. Whereas the visuals were inconclusive, they found that reports were heavily weighted toward sources and summaries to one side of the issue that offered a simple, less-nuanced solution to problem. Takahashi (2011) examined an environmental issue, as

covered in Peruvian newspapers, through use of sources and frames. He found that official sources (government officials, international organizations, and researchers) dominated coverage. Hickerson, Joy, and Dunsmore (2011) produced similar results in their study of U.S. newspaper coverage of the Abu Ghraib torture scandal. Notably, they found that reliance on official sources increased over time. However, Speer (2017) analyzed newspaper coverage of the Iraq war and concluded that dramatic events often inspired journalists to include frames that reached beyond those supplied by official sources. Thus, while it is expected that sports journalists included and amplified frames from official sources, such as league representatives and elected officials, it is possible that events, such as the Supreme Court's decision to strike down PASPA, were dramatic enough to attract additional voices.

This leg of the study will explore which frames emerged and which speakers wielded discursive power critical points in the evolution of sports betting legalization in the United States. Findings will contribute to the study of framing within the context of political and corporate activity surrounding the legalization of an historically prohibited industry.

RQ2: What were the dominant media frames in newspaper coverage of legalized sports betting in 1991, 2014 and 2018?

RQ3: Who were the dominant speakers featured in newspaper coverage of legalized sports betting in 1991, 2014 and 2018?

RQ4: What themes emerged from the analysis of media frames and speakers?

### **Legitimacy**

The first two steps in this project should identify what frames and narratives directly influenced policy outcomes. The final step addresses the call from Waymer and Heath (2014) for more public relations research to incorporate organizational legitimacy, a concept they deemed

“foundational” (p. 1) to OPR scholarship. This study follows that call by using the concept of “legitimacy” as an outcome variable. This step in the research project is to test the professional sports leagues’ organizational legitimacy, as it pertains to the leagues’ self-proclaimed role as guardians of integrity. Suchman (1995) provided the standard definition of legitimacy as a “generalized perception or assumption that the actions of an entity are desirable, proper or appropriate within some socially constructed system of norms, values, beliefs and definitions” (p. 574). The first two steps of this study established a notable change in dominant narratives in public speech and elements of discursive power in mainstream media reports surrounding the legalization of sports betting. The extraordinary shift in tone by the sports leagues calls into question how “desirable, proper or appropriate” it is that they have embraced gambling on their respective games and prompts investigation into how key publics accept this shift in relation to society’s “norms, values, beliefs and definitions.” This examination provides vital insight for an industry that the leagues shunned for decades in the name of protecting the integrity of the games (Holden, 2019). Soebbing and Mason (2009) noted that sports are differentiated from other types of entertainment in that the outcome is unscripted and uncertain. Thus, wading in the uncharted waters of widespread legalized sports betting, it is imperative for the long-term health of the leagues that key publics continue to view game outcomes as legitimate. Further, given the history of sports betting prohibition in the United States, it is reasonable to consider gambling on sports as a controversial industry and, as such, “standards of scrutiny are much higher than for those classified as uncontroversial” (Reast et al., 2013). Finally, whereas emerging sports betting companies may rely, in part, on legitimacy established by the sports leagues in what Zimmerman and Zeitz (2002) called the “spillover effect,” it is worth considering whether such an effect also drains the leagues’ perceived legitimacy.

Suchman (1995) conceived of three types of organizational legitimacy: pragmatic, moral, and cognitive. Pragmatic legitimacy is conferred by an organization's most immediate publics based on their self-interests. This type includes legitimacy sanctioned through legal or political means but Dowling and Pfeffer (1975) noted that laws and social norms are not always congruent. Thus, sports fans may grant pragmatic legitimacy to the leagues because they have a desire to legally bet on game outcomes (and may have already been doing so illegally). Moral legitimacy is socially constructed and depends on publics' "conscious judgements" (Reast et al, 2013, p. 141) as to whether an organization's behaviors are morally justified. For example, sports fans may judge whether the leagues are morally justified in promoting the spread of sports betting. Cognitive legitimacy is passive support that views an organization's behavior as either inevitable in relation to cultural models or taken for granted that alternative behaviors are nearly unthinkable. Suchman (1995) noted the latter is the "most powerful and most subtle" (p. 583) form of legitimacy. Within the context of sports betting, the leagues hoped that key publics accepted Silver's claim in *The New York Times* op-ed that legalized sports betting was, indeed, inevitable, thus achieving the coveted cognitive level of legitimacy.

Lock et al. (2015) developed a framework to measure perceptions of legitimacy in sports organizations. Their framework, rooted in foundational literature on legitimacy (Bitektine, 2011; Dowling & Pfeffer, 1975; Elsbach, 1994; Suchman, 1995) proposed three steps to Capture Perception of Organizational Legitimacy (CPOL): a) define the organizational context, b) identify dimensions of organizational action, and c) test those dimensions in a quantitative survey. For the first step, this study defines the organizational context of an established entity - professional sports leagues - entering a nascent, potentially controversial industry - sports betting. For the second step, this study takes a different approach than that employed by Lock et

al. (2015), which determined the dimensions of organizational action through a series of qualitative interviews. This study will instead use frames identified in the NPF and newspaper framing studies to serve as testable dimensions. Research on legitimacy has incorporated framing into an experimental study on perceived legitimacy of the online casino gambling industry (Humphreys & LaTour, 2013) and in a study on perceived legitimacy of stem cell research (Yoon, 2005). Thus, results from the newspaper framing analysis revealed four dimensions: *economic*, *moral/social*, *legal/policy*, and *integrity*. The process of determining these dimensions will be articulated in greater detail in chapter three.

Research on characteristics of U.S. sports bettors is scarce, which is understandable given that the practice was either explicitly illegal or just another Las Vegas tourist attraction. Now that sports betting is legal in more than half of the states in the U.S. (Gouker, 2021), it is possible that preferences between bettors, non-bettors, and fantasy sports participants may emerge. Ruihley, Billings, and Buzzelli (2020) compared U.S. fantasy sports and U.S. sports bettors and discovered several significant differences based on type of fantasy sport (traditional, dynasty, guillotine, DFS) and frequency of betting behavior (daily, weekly, monthly, few times a year). Previous research has also revealed that those who are motivated by money are more likely to wager on games, but that fandom was not a significant predictor of intention to bet on sports (Cason et al., 2020; Wann et al., 2015, Wann et al., 2017). However, fantasy sports participants who engaged with leagues that required an entry fee exhibited *higher* levels of fandom (Drayer, Dwyer, & Shapiro, 2013), further illustrating that fantasy participation and wagering may attract different types of fans. Thus, not all sports fans will become bettors, yet teams and leagues will need to appeal to non-bettors to retain perceived legitimacy. Ruihley, Billings, and Buzzelli (2020), citing Purdum (2018), called for additional research into perceptions of integrity of the

games and perceptions that the sports betting industry is safe for consumers, i.e., that it is legitimate. Muddying the issue is that many gambling research studies rely on industry or governments that benefit from widespread gambling, thus clouding the validity of the results (Livingstone & Adams, 2019). Consequently, this research project was self-funded and posed the following hypotheses and research questions:

H3: Bettors will confer higher levels than non-bettors on each dimension of perceived legitimacy of U.S. sports betting.

H4: The more often bettors place wagers the more likely they are to confer high levels of perceived legitimacy of U.S. sports betting.

RQ5: Do fantasy sports participants differ from bettors in dimensions of perceived legitimacy of U.S. sports betting?

RQ6: To what extent are specific survey items perceived to pose a potential threat to the legitimacy of U.S. sports betting?

The final two research questions address the assertion by Cacciatore, Scheufele, and Iyengar (2016) that audience frames are shaped, in part, by existing cognitive schemas. Thus, it is possible that religious behavior and political identification may be related to perceptions of organizational legitimacy.

RQ7: What is the relationship between religiosity and dimensions of perceived organizational legitimacy?

RQ8: What is the relationship between political identification and dimensions of perceived organizational legitimacy?

These hypotheses and research questions will trace the evolution of sports betting discourse in the United States between 1991 and 2018. The study begins with an analysis of

public statements delivered in hearings and court cases using the Narrative Policy Framework, continues with an examination of newspaper reports on sports betting over the same period using framing analysis, and concludes with an audience study that explores perceptions of the legitimacy of sports betting in the U.S.

## **Chapter 3**

### **Methodology**

A multi-method approach is utilized to explore the relationship between public communication by representatives of professional sports leagues, media coverage, and current perceptions and evaluations of sport in an emerging age of widespread legalized wagering. Denscombe (2008) proposed that the mixed methods approach has drawn increasing attention in social science research to the point where it can be considered a “third paradigm,” following the positivist/post-positivist and interpretivist/constructivist movements (p. 271). Tashakkori and Creswell (2007) delivered an oft-cited definition of mixed methods as “research in which the investigator collects and analyzes data, integrates the findings, and draws inferences using both qualitative and quantitative approaches or methods in a single study or program of inquiry” (p. 4). This new approach has not come without criticism, however, as some view positivist and interpretivist research as inherently incompatible. Broadly, scholars who employ mixed methods argue that the use of multiple methods and/or triangulation allows the researcher to cover weaknesses inherent in each singular method and, therefore, provide a more holistic analysis (Bryman, 2007; Denscombe, 2008; Jick, 1979; Maxwell & Mittipalli, 2011; Tashakkori & Creswell, 2007). This chapter will first discuss the philosophical considerations relevant to mixed methods research. Then, each step of this study is detailed in both the construction of each individual step and in terms of how each step is integrated to provide a holistic analysis of frames related to sports betting legalization.

#### **The Philosophy of Mixed Methods**

Creswell and Tashakkori (2007) identified four perspectives related to mixed methods research: Method Perspective, Methodological Perspective, Paradigm Perspective, and Practice

Perspective. The *method perspective* refers to the nuts and bolts, the technicality of conducting research that involves both quantitative and qualitative components. The *methodological perspective* digs into the “larger process of research” (p. 304) that includes each individual component employed in a study. The *paradigm perspective* takes an even broader approach, with particular emphasis on the philosophical assumptions that drives the research project. The *practice perspective* reflects the use of mixed methods by investigators attempting to answer specific research questions designed for “traditional” (p. 306) research designs. This perspective was also described as the “pragmatic” (p. 306) approach.

Many investigators who utilize mixed methods self-identify as pragmatists (Bryman, 2007). Indeed, Denscombe (2008) referred to pragmatism as the “philosophical partner for the mixed methods approach” (p. 273). Whereas the connotative understanding of pragmatism gives the term an unseemly texture, the philosophical foundations of pragmatism reveal a more palatable definition. Feilzer (2010) drew from Creswell, Dewey, Rorty and others to argue that pragmatism “sidesteps the contentious issues of truth and reality, accepts, philosophically, that there are singular and multiple realities that are open to empirical inquiry and orients itself toward solving practical problems in the ‘real world’” (p. 8). Consequently, pragmatists recognize that phenomena may contain different layers and that those layers may be identified through quantitative, qualitative, or both methods.

The approach to solving “real world” research problems led Johnson, Onwuegbuzie, and Turner (2007) to “position mixed research between the extremes Plato (quantitative research) and the Sophists (qualitative research), with mixed research attempting to respect fully the wisdom of both of these viewpoints while also seeking a workable middle solution for

many (research) problems of interest” (p. 113). Importantly, the workable solution provided by mixed methods should also produce insights greater than those possible through quantitative or qualitative approaches alone – an outcome Bryman (2007) called “mutually illuminating” (p. 8). Further, Greene (2008) argued that the choice to use mixed methods should arise from the purpose of the study and the research questions that are posed. Maxwell and Mittipalli (2007) described this choice resulting from “dialogue across paradigm boundaries” (p. 147). Walsh (2004) employed a mixed methods approach in her study of how people make sense of politics and concluded “we should strive to develop methods appropriate to our questions, rather than design questions to fit the most revered methods” (p. 205).

Thus, a key feature of mixed methods research is that the seemingly dichotomous methods (quant/qual, positivist/constructivist, etc.) work together in some manner. *Triangulation* is term often used to describe this process. Investigators use triangulation to compensate for weaknesses inherent in individual methods and to reinforce their results with multiple sets of data (Jick, 1979). Berg (2001) touted triangulation as a “means of mutual confirmation of measures and validation of findings” (p. 5). Thus, the intent of triangulation is consistent with the mixed method goal of providing a more complete analysis. However, Hindman (2005) warned that the legs of the triangle must align philosophically and argued that the best approach is to simply keep separate methods separate from each other. This dissertation heeds Hindman’s warnings by orienting each step of the research project within the philosophical pragmatism tradition (Denscombe, 2008; Feilzer, 2010; Johnson, Onwuegbuzie, & Turner, 2007; Maxwell & Mittipalli, 2011), thus ensuring that each “leg” of the project respects each method’s ontology and epistemology. Specifically, this project employs qualitative analysis of documents and newspaper reports between 1991-2018 to trace the creation and evolution of frames pertaining to

sports betting legalization and a quantitative, present-day audience survey to analyze how those frames influence legitimacy of sports betting in the U.S. These combined methods are ideally situated to explore the broad topics of how frames developed over time and which frames confer or hinder legitimacy of legalized sports betting in the U.S.

### **The Narrative Policy Framework**

The purpose of this step in the study is to identify dominant narrative strategies regarding the legalization of sports betting, to compare narratives woven by major actors between four distinct time periods, and to show how the “winning” coalitions may have influenced policy outcomes.

#### ***Data Collection***

Shanahan, Jones, and McBeth (2018) noted that the NPF “has its roots” (p. 339) in content analysis, both quantitative and qualitative in nature. Bowen (2009) noted that qualitative analysis of documents can “provide background information as well as historical insight” (p. 29), which makes the qualitative approach appealing for this step in the project. The types of documents analyzed in previous NPF studies include media reports, press releases, organizational newsletters, YouTube videos, government reports and transcripts from public hearings (Pierce et al., 2014). This study will utilize the latter, beginning with transcripts from the Prohibiting State-Sanctioned Sports Betting Congressional hearing from June 26, 1991. Transcripts from the congressional hearings were accessed through Nexis Uni. For a full list of the 13 documents used in this study, see Appendix B. The first group (pre-PASPA) preceded the passage of PASPA, the law that prohibited states from enacting laws to legalize sports betting. The next group of documents (pre-UIGEA) preceded UIGEA, a long-gestating bill that was eventually passed in 2006. This law specifically protected fantasy sports as a non-gambling

activity, which opened the door for DFS to flourish. The third group (SCOTUS-era) began when the State of New Jersey challenged PASPA in 2012. The final group (post-PASPA) includes a notable hearing held slightly more than four months after the Supreme Court struck down PASPA. That hearing offered prominent voices an opportunity to share opinions on the future of sports betting regulation in the United States. In sum, these hearings and documents offer a record of sports leagues' strategic communication regarding sports betting at specific periods of time, thus satisfying the call from Pierce et al. (2014) that NPF research should include justification for the selected documents to facilitate replication of the study. Further, the sample was selected to satisfy the suggestion from Pierce et al. (2014) that the documents "should be at least representative and when possible inclusive of all documents collected for public consumption by interest groups" (p. 34). Thus, the researcher included all documents that resulted from Nexis Uni searches for the following terms: "PASPA", "UIGEA", and "sports betting". This process resulted in an uneven distribution of claims between time periods.

### ***Data Analysis***

The method of content analysis is appropriate and common for a meso-level NPF study (Shanahan et al., 2018). Each document served as the coding unit. This study was conducted using thematic content analysis, as employed by O'Leary et al. (2017) in their NPF exploration of e-cigarette regulation. They analyzed specific claims made by various characters and the regulatory outcomes. Their approach offered systematic, qualitative analysis of the identified texts. In this study, claims centered on cost-benefit distributions (economic, moral, and social) from the presence of legalized sports betting. Only unique claims from each policy actor were coded and those claims were then organized into four specific time periods: a) pre-PASPA (Table 1); b) pre-UIGEA (Table 2); c) SCOTUS-era arguments (Table 3); d) post-PASPA (Table

4). From these results, plots were identified and categorized by report, frequency and claim ID for each of the time periods (Table 5). Characters were then categorized by frequency within the claims as victims, villains, or heroes for each of the time periods (Table 6).

### **Newspaper Framing**

The purpose of this step in the study is to identify frames regarding the legalization of sports betting within newspaper reports, to analyze how those frames may have shifted over time, to identify sources used in these reports, and to analyze how the use of sources may have changed over time.

### ***Data Collection***

The unit of analysis will be newspaper articles (both physical and online) on sports betting at influential times between 1991 and 2018. Newspaper articles from the United States were accessed through the Nexis Uni database. The search was limited to newspapers in the United States and included a diverse population of papers including *The New York Times*, *Los Angeles Times*, *St. Louis Post-Dispatch*, *The Salt Lake Tribune*, *The Daily Oklahoman* (Oklahoma City, OK), *Dayton Daily News* (Ohio), *The Charleston Gazette-Mail* (West Virginia), and *USA Today*, among many others. The first period (June 26, 1991 – November 30, 1992) covered the initial Congressional hearings on the bill that would become PASPA, its passage through the House and Senate and when it was signed into law by President George H. W. Bush. The first search included the terms “sports betting” and “sports gambling”, which yielded 351 articles. News briefs, articles marked as “no headline in original,” and redundant results were removed. In addition, irrelevant results, i.e., those that did not discuss sports betting, specifically, were deleted from the analysis. For example, several articles detailed arrests in which the culprits were accused of involvement in illegal sports betting operations. If the article

merely mentioned this accusation and did not offer further discussion of sports betting, the article was dropped from the analysis. Consequently, 128 articles were retained for the first period. The second set of data (November 13, 2014 – November 20, 2014) was collected to analyze coverage that followed Silver's notorious *New York Times* op-ed. The search terms yielded 27 articles, of which 21 were retained for analysis. The third set of data was limited to three separate weeks to compensate for the overwhelming increase in available media sources from which Nexis Uni generated for the 2017-18 (685 articles) vs. 1991-92 (351 articles) time periods. The first set (June 27, 2017-July 3, 2017) captured the announcement that the Supreme Court agreed to hear arguments regarding PASPA. The second week (December 4, 2017-December 11, 2017) captured articles pertaining to the arguments made in front of the court. The third week (May 14, 2018-May 21, 2018) covered the Supreme Court's decision to strike down PASPA. These searches used the same criteria as the first two to identify and retain articles. The June 2017 search revealed 24 articles, of which 20 were retained. The December 2017 search revealed 28 articles, of which 23 were retained, and the May 2018 search revealed 303 articles, of which 248 were retained. Thus, 281 total articles were retained for the 2017-18 period.

The 2017-18 period likely generated so many more results due to the proliferation of digital news. It is also possible this period generated considerably more coverage due to the dramatic shift in policy predicted by the Supreme Court's decision. By contrast, the enactment of PASPA in 1992 merely solidified an environment that already existed. Sports betting was widely available in Nevada and only three other states (Delaware, Montana, and Oregon) offered anything that could be considered sports gambling. Further, in 1989 MLB banned Pete Rose for life from the game of baseball for purportedly betting on the sport while serving as a manager for the Cincinnati Reds. Finally, prohibition appeared manageable in pre-internet days when one had

to physically walk into a casino or sportsbook to place a bet. Each of these systems-based contextual factors contributed to the relatively unsurprising outcome that Congress might pass a federal ban on sports betting. By contrast, the Supreme Court's decision to squash PASPA suddenly offered states the opportunity to do something they never had been able to: legalize sports betting. The decision also arrived in a radically different media environment that valued click-bait hot-takes over traditional reporting, or as Serazio (2019) described "communication as feisty, give-and-take ritual rather than the chilly, disinterested transmission of incontrovertible information" (p. 91). Thus, the topic of a newly legalized vice offered plenty of space for provocative discussion from both the pro- and anti-gambling crowds. Further, the relationships between sport and media have converged and evolved into what Rowe (2013) termed the "media sports cultural complex" (p. 61). Consequently, the perpetually magnetic topic of change smashed into a media culture that thrived on sport and craved controversy.

### ***Data Analysis***

Lindlof and Taylor (2019) suggested three steps to data analysis in qualitative research: data management, data reduction, and conceptual development. Data management includes the formation of broad categories and more specific codes to logically sort the data. Whereas this process can be entirely iterative, Altheide (2013) suggests it can be helpful to utilize a preliminary protocol. The protocol for this study is formed from the two primary elements posed in the research questions, namely frames and sources. These categories were broad enough to welcome more precise codes to emerge from the data through a constant comparative method. Following a round of open coding, the researcher engaged in data reduction to produce a refined codebook (Appendix C). This process was intended to yield clear dimensions of each category, allowing the researcher to compare how framing and use of sources changed over time.

The first element of analysis was identification of *frames*. Jungherr, Posegga, and An (2019) differentiated *framing* from *topic* by suggesting a frame offers an interpretation of a topic. Thus, framing is a subtler element than topic and Jungherr, Posegga, and An recommended manual coding (vs. automated text analysis) to ensure the researcher appropriately identifies and categorizes frames. Broadly, the topic of most articles in this study was the legalization of sports betting, thus frames were differentiated by how the topic was interpreted and contextualized. The second element is *source*. This relatively straightforward element identifies the speakers or actors referenced in newspaper reports, which allows the researcher to draw conclusions about which people and organizations contributed to the discourse surrounding an issue or controversy. Sources could be human (e.g., Adam Silver) organizations (e.g., American Gaming Association), or institutions (e.g., The Supreme Court of the United States).

### **Legitimacy**

The final step in this study adapts the framework developed by Lock et al. (2015), which measured perceptions of legitimacy in sports organizations. Their framework, rooted in foundational literature on legitimacy (Bitektine, 2011; Dowling & Pfeffer, 1975; Elsbach, 1994; Suchman, 1995) proposed three steps to Capture Perception of Organizational Legitimacy (CPOL): a) define the organizational context, b) identify dimensions of organizational action, and c) test those dimensions in a quantitative survey. This study operates within the context of an established entity - professional sports teams - entering a nascent, potentially controversial industry – sports betting. In the study by Lock et al. (2015), the dimensions of organizational action were determined through a series of qualitative interviews. This study instead used frames identified in the NPF and media framing studies to serve as testable dimensions. Humphreys and LaTour (2013) utilized framing in their experimental study on perceived legitimacy of the online

gambling industry, as did Yoon (2005) in his study on stem cell research. Thus, results from the media framing content analysis revealed four dimensions: *economic*, *moral/social*, *legal/policy*, and *integrity*. Those dimensions were then be tested in a quantitative survey (Appendix D).

**Participants.** The IRB-approved online survey contained 19-21 questions, depending on respondents' answers to specific questions. Demographic questions (age, gender identity, race/ethnicity, etc.) were chosen and worded in line with the American National Election Studies (2020) and Pew Research Center (2021). Respondents were first required to read and agree to an online informed consent document, which assured respondents their participation was voluntary and as anonymous as all reasonable precautions allowed. They were then asked to verify that they were at least 18 years of age or older. Finally, each respondent was asked if they were a fan of sports, in general. This question narrowed the population from which the survey could be targeted to a relevant, purposive sample (Wimmer & Dominick, 2011). The next step splintered self-selected sports fans into one of four categories: a) fans who did not bet and did not play fantasy sports, b) fans who bet on and played fantasy sports, c) fans who bet but did not play fantasy sports, and d) fans who played fantasy sports but did not bet. Ruihley et al. (2021) found that fandom is expressed differently based on these categories and, further, based on frequency and type of betting behavior. Consequently, those who affirmed a proclivity to bet or play fantasy sports were asked to clarify how often they bet, whether they predominately bet with friends or a sportsbook, and (if they participated) what type of fantasy sports (e.g., leagues with a fee, leagues without a fee, or DFS).

**Design.** Once the respondents were placed in their proper category, they were asked to rate their level of agreement with a series of statements on a Likert-type scale with (1) as strongly disagree and (5) as strongly agree. The first set of statements was designed to test the

*economic* dimension of integrity. Thus, statements included the following examples: *Legal sports betting is a potentially valuable source of state tax revenue* and *The market for legal sports betting in the U.S. is huge*. The second set of statements was designed to test the *moral/social* dimension of legitimacy. These statements included the following examples: *Sports betting should be prohibited to protect our children* and *State governments should not sponsor sports betting*. The third set of statements was designed to test the *legal/policy* dimension of legitimacy. These statements included the following examples: *It is better to legalize, tax, and regulate sports betting than to keep it illegal* and *Sports betting should be regulated at the federal level, not the state level*. The final category tested the integrity dimension of legitimacy. These statements included the following examples: *Past scandals prove that sports leagues are not able to effectively protect their games from gamblers* and *If legal sports betting becomes widespread, fans will care more about the point spread than the outcome of the game*.

The survey was distributed through a Qualtrics research panel. A soft launch with 50 respondents revealed that the original survey appeared to correctly measure the dimensions of legitimacy (DV) and would yield an adequate sample of each type of sports fan (IV). Further quality checks included the removal of any responses completed in less than two-and-a-half minutes and one attention check inserted midway through the survey. A hierarchical regression analysis was planned for the analysis, with eight control variables and two predictors. The full survey launch was intended to elicit a sample of at least 485 responses, based on G\*Power analysis. *A priori* power analysis indicated that to have an 80% chance of attaining statistical significance with  $\alpha = .05$  and to detect what Cohen (1992) called a small effect size (.02), it would require a total sample size of 485. The final tally indicated 518 valid responses, collected between June 1-3, 2021, resulting in an achieved power rating of .827.

Descriptive statistics (Table 10) revealed a median age of 43.62 ( $SD = 19.26$ ), ranging from 18 to 87. The largest percentage of respondents reported an annual household income between \$20,000-\$49,999 (37.3%), followed by \$19,999 or less (30.3%), \$50,000-\$99,999 (22.4%), and \$100,000 or more (9.7%). The sample included respondents who had had obtained up to a high school education (29.4%), some college (24.9%), a 2- or 4-year college degree (33.2%), and a professional or doctoral degree (12.6%). White, non-Hispanic respondents accounted for 64.1% of the sample, followed by Black or African American (14.1%), White/Hispanic/Latin (13.7%), Asian (2.9%), American Indian or Alaska Native (1.4%), Native Hawaiian or Pacific Islander (0.4%), and 3.5% indicated “other.” The sample was heavily weighted toward females, who outnumbered males 63.3% to 35.1%. A small percentage (1.6%) marked non-binary/third gender or “prefer not to say.” Previous research, both academic and industry, has indicated that fantasy sports and sports betting are male-dominant (Billings & Ruihley, 2014; FGSA, 2020; Ruihley et al., 2020). Such was the case in this survey, as 67.7% of males reported that they had participated in fantasy sports, sports betting, or both, while only 50.6% of females reported participation in these activities.

Two additional questions were added to assess religiosity and political identity. The first question asked, “How important is religion in your life?”. The highest frequency of response was “very important” (22.4%), followed closely by “extremely important” (21.6%). “Moderately important” (18.9%), “slightly important” (18.7%), and “not at all important” (18.3%) all registered a nearly identical number of responses. The second question asked, “In general, how would you describe your political views?”. The highest frequency of response was “moderate,” with 43.1% of the responses. “Conservative” and “very conservative” accounted for 30.0% and “liberal” and “very liberal” accounted for 26.8%.

Finally, the sample was divided by those who lived in states where sports betting had been legalized and had begun taking bets at the time the survey was distributed (coded as “0”) and those who lived in states where they could not legally wager on game outcomes (coded as “1”). States that had legalized some form of sports betting by June 1, 2021, and that were already operating were: Arkansas, Colorado, Delaware, Illinois, Indiana, Iowa, Michigan, Mississippi, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Tennessee, Virginia, Washington, D.C., and West Virginia. The sample included 62.9% ( $n = 326$ ) who lived in states without legal sports betting options and 37.1% ( $n = 192$ ) who lived in states with legal sports betting options.

Principal components analysis (PCA) was used to determine which items from the legitimacy scales best fit the model of each dimension: *economic*, *legal/policy*, *moral/social*, and *integrity*. The *economic* dimension included scale items 1-4. Items #5 and #6 were dropped from the analysis as they did not satisfactorily contribute to the component. The PCA indicated that the model with items 1-4 was a good fit for the data, as each item registered a correlation of at least .765. These items explained 63.9% of the variance within the component. Reliability analysis produced a Cronbach’s alpha of .811. Eliminating items would not have improved the alpha. The *moral/social* dimension included items 7, 8, 10, and 11 (note: item #9 was an attention check). The PCA indicated that the model was a good fit for the data, with each item registering a correlation of at least .726 and these items explained 61.3% of the variance within the component. Reliability analysis produced a Cronbach’s alpha of .787 and, as with the economic dimension, deleting items would not have improved the alpha. The *legal/policy* dimension did not produce consistent results. The PCA indicated three different components from the five items, meaning that the items did not accurately test the dimension for which they

were designed. No combination of any of the five items produced a satisfactory component. The *integrity* dimension yielded two clear components. The first included items 17, 18, and 22, and the second included items 20 and 21. Item #19 did not load satisfactorily on either component, therefore was dropped from the analysis. Thus, the first integrity dimension was named *league control* as the three items addressed perceptions of the leagues' ability to directly protect the integrity of the games. Items 20 and 21 were named *economic integrity* because these items addressed the leagues' partnerships with DFS and gambling companies and the leagues' willingness to place teams in Las Vegas for the first time. The PCA indicated *league control* was not a strong component for while each item produced correlations of .611 or higher, these items accounted for only 51% of the variance within the component. Further, reliability analysis produced an alpha of .515 and deleting item #22 would only increase the alpha to .531. The PCA for *economic integrity* indicated a correlation of .864 and that items 20 and 21 accounted for 74.6% of the variance within the component. Reliability analysis produced a Cronbach's alpha of .659. Thus, the researcher chose to keep the following dimensions for the regression analysis: *economic, moral/social, league control, and economic integrity*.

## **Chapter Four**

### **Findings**

This chapter summarizes findings from the qualitative analyses of documents and newspaper articles covering the 1991 Congressional hearing on sports betting through a 2018 Congressional hearing that followed the Supreme Court's decision to strike down the Professional and Amateur Sports Protection Act (PASPA). The chapter culminates with results generated from a broadly distributed survey that assessed the perceived legitimacy of the legalized sports betting industry in the United States. Taken together, this data will illustrate the evolution of attitudes toward sports betting in the U.S. between the critical dates of 1991 and 2018.

#### **NPF**

Analysis of the texts produced four major findings: a) the professional sports leagues expressed strong support of continued prohibition of sports betting prior to the enactment of PASPA, b) by 2018, the leagues shifted the narrative to propose federal legalization and regulation of sports betting, c) the leagues then advocated for significant input and control in such legislation and regulation, and d) in all cases, public health concerns were secondary to contextual issues such as economic concerns, questions of federalism, and integrity of the games.

H1: U.S. sports leagues used narrative elements to contain the policy issue to maintain the coalitional status quo during the pre-PASPA through SCOTUS eras.

The first hypotheses proposed that U.S. sports leagues used narrative elements to contain the policy issue and maintain the coalitional status quo during 1991 hearings. The analysis showed that the sports leagues aggressively argued in favor of the status quo by employing the narrative elements of character and plot. Characters identified in the data reflected three primary victims (integrity of the game, youth, society), two primary villains (legal and illegal gambling),

and two primary heroes (state government, fantasy sports), as illustrated in the claims reported in Tables 1-4. In the pre-PASPA through SCOTUS-era documents, the integrity of the games was characterized as a victim of widespread sports betting. Transcripts from Congressional hearings during this time period produced 34 unique claims containing language that indicated public confidence in the games would erode in an environment that supported widespread wagering. In his 1991 testimony before Congress, Frank Robinson (then assistant general manager of the Baltimore Orioles) stated on behalf of MLB: “The public harm from destroying fan confidence in the integrity of sports is not worth the price of the revenue from sports gambling” (H.R. 74, p. 42). Paul Tagliabue, then the Commissioner of the NFL, proposed four reasons why the league opposed legalized sports betting. Two reasons echoed Robinson’s concern for the integrity of the sport and the final two reasons professed concern for youth (which was the second victim identified during data analysis). In a written statement to the committee, Tagliabue noted that legalized sports betting “sends a terrible message to youth” and “would promote gambling among young people” (H.R. 74, p. 15). Those statements were two of 11 during this period that specifically referred to potential damage to youth. The third victim identified from the data analysis was society-at-large. Valerie Lorenz, then the Executive Director of the National Center for Pathological Gambling, declared in a written statement to the committee that “[b]locking the spread of sports gambling... would make a major contribution to the fight against a corrosive social ill” (H.R. 74, p. 27). This was one of 10 statements from this period that argued expansion of gambling would have a significantly negative impact on society.

The primary villain identified during this period was gambling (in all forms). Robinson’s implication that even *legal* sports betting would negatively impact the games was a popular claim, with 39 statements during these three time periods suggesting that legal methods would

simply lead to more problems and further erode public perception of the games' integrity.

Tagliabue testified before Congress in 1991 that “[w]e do not want our games used as bait to sell gambling” (H.R. 74, p.12). Thus, gambling in all forms – illegal *or* legal – was characterized as the villain. Robinson added to his earlier statement by arguing state-sanctioned sports betting would significantly increase the “amount of money in play and focusing media attention on betting can only worsen the situation” (H.R. 74, p. 39). Richard Schulz, then the Executive Director the NCAA, was more pointed, stating “there is no legitimate governmental or societal purpose to be served by authorizing gambling on the outcome of intercollegiate or of performances in an intercollegiate athletics event” (H.R. 74, p. 45).

The primary hero identified in the pre-PASPA hearings was state government. Several arguments were made in favor of state regulation, to protect victims from villains. Richard May, representing the National Conference of State Legislatures, argued that “state legislators are equally well qualified to protect our children and to preserve the honesty of sport competitions” (H.R. 74, p. 60). The second hero emerged during the pre-UIGEA hearings. Marianne McGettigan, representing the Major League Baseball Players Association, proposed fantasy sports as a heroic alternative – and a phenomenon separate from – sports betting. She argued “fantasy baseball players represent our most avid fans” while noting “we do not believe fantasy sports leagues constitutes gambling” (H.R. 2380, p. 99). She further argued in a written statement that “no person’s financial well-being is threatened by such leagues, nor is the integrity of any sporting event or individual athlete’s performance” (H.R. 2380, p. 105). Thus, McGettigan affirmed MLB’s stance on gambling, as articulated by Robinson in the pre-PASPA hearings, while strongly advocating for the emergent game of fantasy sports.

H2: U.S. sports leagues used narrative elements to expand the policy issue to increase the size of their coalition in 2018.

The second hypothesis addressed the sports leagues' statements following the SCOTUS decision to strike down PASPA. McBeth, Jones, and Shanahan (2014) hypothesized that "groups or individuals who are portraying themselves as losing on policy issue will use narrative elements to expand the policy issue to increase the size of their coalition" (p. 244). In earlier periods, the leagues (then considered the winning coalition) attempted to reduce the narrative to a simple cry that the integrity of the games must be protected at all costs and that the only way to do so was to protect the status quo, which was near-total prohibition. During the 2017-18 period, the leagues were technically on the "losing" side of the issue in that the law they championed in 1992 faced a challenge in the Supreme Court. League representatives specified that the true villain was *illegal* sports betting and, consequently, expanded the leagues' coalition to include (legal) gaming industry advocates. The league proposed four heroes – federal regulation, requiring the use of official league data, consumer protection, and institution of an "integrity fee" – to protect them (i.e., the victims).

First, the leagues differentiated illegal sports betting from the suddenly more desirable legal, regulated sports betting. Dan Spillane (2018), senior vice president and assistant general counsel for the NBA, testified that illegal wagering on sports "cannot be monitored or regulated" (p. 1). Michelle Minton, representing the Competitive Enterprise Institute, echoed Spillane's argument in a written statement that argued "large, unregulated gambling markets are far more likely to attract would-be corruptors and generate the massive profits necessary to corrupt athletes and officials" (post-PASPA, p. 3). Such a coalition appeared unthinkable in 1991's pre-PASPA hearings when NBA representative "Red" Auerbach opined that "imagined associations

between the game and undesirables will become real when gamblers, first introduced to sports betting through state sanctioned gambling, realize that bookmakers offer better odds, credit and insulation from tax liability” (H.R. 74, p. 36). By partnering with pro-gaming advocates, the leagues abandoned an important member from their pre-PASPA coalition: advocacy groups for problem gambler protection and anti-gambling organizations. These new partnerships violated many earlier arguments, including a particularly strong statement Tagliabue made in his 1991 written testimony by arguing “nor should Congress be misled by claims that legalization of sports gambling would reduce illegal sports gambling in a state” (H.R. 74, p. 20). Forensic gaming expert Bill Holmes bolstered the NFL commissioner’s comments by claiming “legal sports gambling would actually facilitate illegal sports gambling operations” (H.R. 74, p. 29). By 2018, Les Bernal, Director of Stop Predatory Gambling, was speaking from outside the leagues’ coalition when he argued “the role of government... is not to go out and encourage citizens to gamble” (post-PASPA, p. 14). The NFL countered with a position articulated by Jocelyn Moore, then the league’s Executive Vice President for Communication, that “to protect consumers and game integrity we recommend federal legislation” (post-PASPA, p. 6). Sara Slane, representing the American Gaming Association (AGA), although advocating for state regulation over federal legislation, agreed that PASPA “provided zero protections for consumers and sports integrity, and zero tax revenues for government to work with” (post-PASPA, p. 8). Thus, instead of pairing with groups such as the National Center for Pathological Gambling, the leagues’ 2018 coalition consisted of the AGA and the Competitive Enterprise Institute.

The leagues further expanded the issue of legalization to include provisions that all legal wagers be subject to a 1% “integrity fee,” which would be paid to the leagues as compensation for increased oversight of betting activity, and by proposing that sports betting operators should

be required to use official league data for settling wagers. Spillane justified the integrity fee by testifying that it was necessary to “compensate leagues for the risk and expense created by betting and the commercial value our product creates for betting operators” (p. 3). This claim was soundly disputed by Minton from the Competitive Enterprise Institute – an organization that was otherwise a strong member of the regulate and tax coalition – when she testified in front of Congress in September of 2018 that “there is no rational justification to force gambling operators to rely only on league data for their bets” (p. 5). Moore, testifying in the same hearing on behalf of the NFL, doubled down on the request for an integrity fee while also decreeing that “timely, accurate, consistent” data “can only be assured if the data comes from sports leagues or their licensees” (p. 6). Spillane made a similar argument in January of 2018 by pitching the data requirement as consumer protection.

Thus, the second hypothesis was supported in that the leagues not only shifted but increased the size of their coalition when it appeared they were on the losing side of the policy argument. Further, they expanded the policy issue to include federal requirements of a 1% integrity fee and a mandate that sports betting operators use official league data.

RQ1: In 2018, to what extent to the U.S. sports leagues employ the angel shift by emphasizing their own side as the hero capable of fixing problems associated with widespread legalized sports betting?

The first research question addressed the sports leagues’ adoption of the angel shift. This phenomenon refers to a policy actor’s emphasis, or *over-emphasis*, on their ability to fix a problem (McBeth et al., 2014). Building upon the characters introduced through findings from the second hypothesis, analysis of post-PASPA claims showed two primary plots: 1) the leagues favored federal (vs. state) legislation, and 2) the leagues insisted on direct control of data and

financial compensation for additional oversight resulting from widespread sports betting. One of the primary arguments the leagues made in favor of federal regulation was the potential to require gambling operators to use data directly from the leagues. Spillane (January 24, 2018), echoed Adam Silver's 2014 op-ed by stating that the league's stance on sports betting had "evolved in recent years" (para. 4) and suggested that federal legislation should require sports books to use official league data to protect both consumers and the NBA's interests. Lawrence Ferazani, counsel for the NFL, (September 27, 2018) agreed by testifying that "[Integrity] can only be assured if the data comes from sports leagues or their licensees" – statement nearly identical to that delivered by Moore, the NFL's executive vice president of communications, at the same hearing. These statements clearly illustrate the leagues' attempts to employ the angel shift by proposing that only the leagues themselves could properly police the integrity of the games through control of official data and with direct reimbursement for expenses associated with these efforts via a 1% integrity fee.

### **Newspaper Framing**

The second stage of this dissertation is the analysis of frames and sources that appeared in newspaper articles at key time periods between 1991 and 2018. This stage of the study was intended to provide an important link between the strategic communication efforts of the leagues and perception of legitimacy by key publics. Specifically, this section employs the theoretical framework of discursive power, which Jungherr, Posegga, and An (2019) defined as the "ability of contributors to political communication spaces to introduce, amplify, and maintain topics, frames, and speakers that come to dominate political discourse" (p. 406).

### ***Topics***

Identification and categorization of topics was a straightforward process. Each of the time periods focused on only one or two specific topics; 1991-92: debate over the ban on sports betting and the New Jersey bill that intended to legalize sports betting in that state; November 2014: legalization of sports betting and reaction to the Adam Silver op-ed; June 2017: SCOTUS announced it would hear the appeal challenging PASPA's constitutionality and examination of the New Jersey bill that brought about the challenge; December 2017: SCOTUS heard oral arguments on PAPA; May 2018: SCOTUS announced decision to strike down PASPA.

### *Frames*

The identification and coding of frames was a more intricate process. The initial round of open coding produced an exhaustive jigsaw puzzle of arguments, assumptions, and wishful thinking. Using the constant comparative method, the codebook was refined until four major categories emerged: *economic*, *legal/policy*, *moral/social*, and *integrity*. A fifth category – *media* – was added for the final period (May 2018). Frequency of each category within each of the four time periods is reported in Table 7. Frequencies are provided as an illustrative, organizational tool and not intended as representative statistics to be generalized to a larger population. Examples of each category are illustrated in Table 8.

**Economic.** The *economic* category captured frames that considered the potential monetary impact of sports betting legalization. Any frames that included discussion of tax revenue, legal markets, illegal markets, or related industries that could be impacted by legalized sports betting were included in this category. During the 1991-92 period, most economic frames indicated frustration from state officials that a prohibition on sports betting would deprive cash-strapped states of a potential revenue source. This quote from a *New York Times* article illustrates the high stakes of the argument:

If Mr. Carver's estimates are accurate -- they are fiercely disputed by his opponents -- then \$3.4 billion bet on sporting events in a year could result in as much as \$100 million in gross revenue for the casino industry from the sports bets alone. That, along with a projected 10 percent increase in other gambling revenue generated as a result of having sports betting, could amount to a total increase in revenue of as much as \$400 million.

Economic frames were the most prevalent of the four categories for the 1991-92, November 2014, and June 2017 periods. They were the second-most prevalent frame for the December 2017 and May 2018 periods. Speculation that legalized sports betting would boost state coffers was a frequent assumption and this frame also included references to the robust *illegal* sports wagering market. Often the presence of a massive illegal market was used as justification for legalization, the “they’re-doing-it-anyway” argument. Many articles during the 2017-18 periods quoted a figure released by the American Gaming Association (AGA) that estimated Americans illegally wagered \$150 billion on sports each year. Whereas most articles included discussion of potential tax revenue, a few cautioned that the revenue from sports betting would not be significant. One staunchly opposed gambling expansion on purely economic grounds and was quoted in the May 14, 2018, edition of *The Blade* (Toledo, Ohio):

“I hope that leadership in this state will realize that some states have become addicts to gambling themselves,” Mr. Walgate said. “Gambling is a bad recipe when it comes to growing the economy of the state.”

Another theme contained within the economic frame that emerged by 2018 was the idea of competition. Whereas discussion of taxation and state revenue was constant over all periods, it was not until 2018 that journalists began to frame legalization of sports betting within the realm of competition, primarily competition with other states, with illegal methods of sports betting, or with other legalized methods of gambling (e.g., lottery) within the given state. Articles began to speculate whether their own state would move quickly (or at all) to adopt sports betting in order to keep up with or get ahead of neighboring states in the race to legalization. This quote from an

article in the May 15, 2018 edition of *The Beaumont Enterprise* (Beaumont, TX) represents this view: “If Texas lawmakers do nothing -- which is probably their inclination -- they will continue to lose tax revenues to neighboring states like Louisiana that have casinos, and which will likely add sports betting.” Others, instead of worry about corrupting influences of illegal sports betting, wondered if high tax rates would render legal avenues impotent against offshore sportsbook or underground local bookies. Some speculated if sports betting would fail to increase state coffers because it would cannibalize established tax revenue from other forms of gambling like the state lottery.

**Legal/Policy.** The second category was *legal/policy*. This frame included any discussions of regulation vs. prohibition, federal vs. state, ideological arguments surrounding states’ rights, and comparison to related legal or policy issues such as the legalization of recreational marijuana or comparison with regulation in other countries, particularly the United Kingdom and Australia. Legal/policy frames were least prevalent during the 1991-92 period, third (out of four) in 2014, and second (out of three) in 2017. Legal/policy frames became the dominant category in December 2017 and May 2018. This is understandable considering the Supreme Court was involved in delivering a landmark legal decision that then influenced individual states to consider new policies on sports betting. Within this category, the dominant theme during the May 2018 period was the description of states’ eagerness to adopt new legislation on sports betting. This capsule from the May 17, 2018, edition of the *Dayton Daily News* (OH) summarizes much of the speculation on how widespread sports betting would become:

Now, states have the power to decide whether or not they want to legalize sports betting. Almost 20 states have already proposed a bill that could legalize sports betting, according to the *Washington Post*, and 14 states could have legalized sports betting within two years, according to a Eilers & Krejcik Gaming report. New Jersey will be, in all likelihood, the first state to do so, but

ESPN predicts Connecticut, Iowa, Mississippi, New York, Pennsylvania and West Virginia could follow soon after.

Whereas the 1992 Senate vote to approve a federal ban on sports betting – but to grandfather in states with existing sports betting laws (e.g., Nevada) – was an overwhelming 88-5, Iowa Senator Charles Grassley identified the fatal flaw in PASPA, as captured in the June 3, 1992 edition of *The Capital Times* (Madison, WI): “He [Sen. Grassley] said the bill is unfair because it would allow five states to retain sports gambling, but deny a similar opportunity to other states hard-pressed for revenue.” That was precisely what the Supreme Court echoed 27 years later when they found that PASPA violated the 10<sup>th</sup> Amendment. Thus, it was clear from the very early days of PASPA that it could have difficulty passing a Constitutional test but it still flew through the House, Senate, and was signed into law.

**Moral/Social.** The third framing category was *moral/social* and included any discussion of moral objection to gambling (in general or specific to sports), potential social problems that could emerge from increased gambling opportunities (e.g., addiction), and concern over the affect widespread sports betting would have on children. This was an important frame during the 1991-92 period, accounting for 25% of the coded frames, but shifted to the least-used frame during the November 2014, June 2017, and December 2017 time periods. It was the fourth-used frame (out of five) during the May 2018 period. This June 2, 1992, *Washington Post* article quoted Senator Bill Bradley (who also was a former professional basketball player):

Bradley, who supports DeConcini's measure, added: "I don't want to see athletes turned into roulette chips. When gambling becomes an obsession, it wipes out savings, destroys careers, breaks up families as quickly and as surely as alcohol or drugs. Sanctioning gambling for purposes of revenue can only make the problem worse."

Bradley's comments were widely shared by other elected officials and, of course, representatives of the leagues. Indeed, USA Today reported in 1991 that the leagues partnered to

form a coalition that distributed promotional materials with the slogan “Don’t Gamble with Our Heroes.” This refrain merged fears of integrity with fears of negative social outcomes, particularly for children.

By the 2014-18 periods, the moral/social frames largely disappeared. Only 137 moral/social frames emerged from 302 articles over those three time periods, compared with 93 frames in 128 articles from 1991-92. Economic and legal/policy frames muffled any themes related to morality or social issues in the more contemporary time periods. Even when social issues were represented in the later time periods, they were often couched by implications that sports betting (or gambling, in general) had become normalized in U.S. culture. An article in the May 15, 2018, edition of *The Atlanta Journal Constitution* described sports betting as an activity “many Americans already see as a mainstream hobby”.

**Integrity.** The final category was *integrity*. These frames included references to the leagues’ desire to protect the perception of their games as legitimate (i.e., free from the influence of gamblers hoping to fix the outcome of a sports contest), references to past sports betting scandals, and the NFL’s and NHL’s expansions into Las Vegas (which was long thought to be a pipe dream considering the city’s open relationship with sports betting). This was a consistently important frame, though the tenor of the arguments changed dramatically between the passage of PASPA and its eventual demise in federal court. This *New York Times* article from July 12, 1992, quoted Gary Bettman, who at the time represented the NBA and by the later time periods had become Commissioner of the NHL:

Gary R. Bettman, senior vice president and general counsel of the National Basketball Association, a member of the coalition, said that legalized sports betting “puts the game and the players under a cloud of suspicion.” It also, he said, “changes our fans into ‘point-spread’ fans” who are predominantly

concerned with the game's ultimate point differential, regardless of who wins or loses.

By 2018, representatives of the professional sports leagues painted a far more upbeat landscape of widespread sports betting. The May 21, 2018 edition of the *Lowell Sun* (MA) featured a lengthy interview with executives from MLB's Boston Red Sox that included the following quote:

Government regulation of sports betting will be a "positive thing," according to the president of the Boston Red Sox, and Major League Baseball is taking the lead on behalf of the 30 professional baseball franchises in talks with states over potential regulatory scenarios.

This dramatic shift actually began four years earlier with Silver's op-ed in the *New York Times* but until the Supreme Court's decision, Silver was a lone wolf among league commissioners. The *New York Daily News* reported in November 2014 that MLB declined to comment on Silver's proclamation, the NFL issued only a brief statement that their "stance had been articulated for years," and Bettman, by then the commissioner of the NHL, reiterated his concern that fans would become more interested in the point spread than the outcome of the games. Consequently, when the Red Sox executive provided the enthusiastic quote in 2018, it was surprising, at a minimum.

Integrity remained an important frame in the 2017-18 time periods, but instead of the long-standing thrust that prohibition of sports betting was vital to protecting the integrity of sports, the leagues proposed three new strategies: 1) broad federal regulation, 2) a mandate that U.S. sports betting companies use official league data, and 3) the leagues should be entitled to a 1% "integrity fee" of all legal wagers. Utah Senator Orrin Hatch, who voted for PASPA in 1992, led the charge for federal regulation following the SCOTUS decision. The *Salt Lake Tribune* published a quote that was shared across the country:

“The problems posed by sports betting are much the same as they were 25 years ago,” Utah’s outgoing senior senator said in a statement. “But the rapid rise of the internet means that sports betting across state lines is now just a click away. We cannot allow this practice to proliferate amid uneven enforcement and a patchwork race to the regulatory bottom. At stake here is the very integrity of sports.”

The leagues backed Hatch but unlike 1991, when the leagues won the hearts and minds of lawmakers, neither Congress nor the Senate had an appetite for what the leagues were cooking in 2018. As of July 1, 2021, no legislation proposing federal regulation sports betting had even been brought to a vote. The second tactic, that U.S. sportsbooks and betting operators should be required to use official (licensed) league data, was decidedly more successful. LNP (Lancaster, PA) published the entirety of the NFL’s official statement after PASPA’s demise in which commissioner Roger Goodell insisted regulatory efforts should include “official, reliable league data” (May 21, 2018). When placed against the request for a required integrity fee, the leagues insistence on requiring official data did not appear as far-fetched. However, several articles noted that legal sports betting had existed in Nevada for decades without the use of official data generated or licensed by the leagues.

On May 16, 2018, the Providence Journal (Providence, RI) quoted the vice president for the Professional Golf Association (PGA) as justifying the integrity fee by noting “leagues create the source of activity” and “bear the burden of integrity risk.” The same article documented skepticism from lawmakers that the fee was necessary with the argument that the games “do not belong to [the leagues], the belong to the fans.” In many cases, journalists and columnists recognized the integrity fee as nothing more than a money grab while others suggested the betting markets already monitored wagers for unusual activity, therefore there was no need for the leagues to collect an additional fee to cover purported costs associated with oversight of sports betting.

**Media.** The final category of frames emerged from articles collected in May 2018. These frames interpreted sports betting's relationship with media and technology and explored areas such as the effect expanded betting opportunities could have on broadcast ratings, a comparison of mobile vs. in-person betting (including speculation that mobile, in-game betting would soon become the norm), and discussion of how broadcasters such as ESPN might insert betting information into their programming. The latter topic was often contrasted with historical not-so-subtle acknowledgments of gambling by popular play-by-play broadcasters, as described in this *St. Louis Post-Dispatch* columnist on May 18, 2018:

“Al Michaels, first as the lead voice of ‘Monday Night Football’ and now in the same role on ‘Sunday Night Football,’ likes to sneak in lines such as ‘now it's really over’ when a tally late in a blowout hoists the number of points scored in the game over the total on the Las Vegas wagering line. Ditto for Brent Musburger, a former lead play-by-play announcer for CBS and ESPN who often would make not-so-veiled references to point spreads set by ‘my guys in the desert.’”

Thus, many articles predicted that as more states pass sports betting legislation, game broadcasts would more directly address gambling topics and programs dedicated to gambling would begin to pop up. Further, there was frequent speculation that mobile betting would converge with existing game broadcasts to allow in-game betting, e.g., accepting wagers on the outcome of the next pitch (in baseball) or the next play (basketball, football). Occasionally this speculation sparked fears that in-game betting would be *too* accessible and, therefore, potentially problematic for those who struggled to control their gambling behavior. Another concern was that gambling advertising would become unbearably pervasive as it did during the 2015 DFS advertising blitz (Chen, 2019) and as some have described the media environment in Australia (Hing, et al., 2017). The media category also included references to the movie *Back to the Future II*, in which the villain, Biff, uses a sports almanac from the future to build a fortune from sports wagers.

Whereas that story was fictional, the portrayal of a “bad guy” reaping the benefits of sports betting was used as a contrast for a new era of regulated, “safe” betting opportunities.

### *Speakers*

In determining sources of discursive power, it is also important to identify speakers. For example, a quote listed earlier revealed an official source (president of the Boston Red Sox) painting a rosy picture of widespread legalized sports betting and revealed a larger organization’s (Major League Baseball) explicit intention to exert influence over policymaking. As expected, newspaper articles often cited official sources. Table 9 lists categories of speakers by time period and frequency, including number of frames per article and number of unique categories.

Elected officials ( $n = 99$ ) and representatives of professional sports leagues ( $n = 66$ ) dominated the 128 articles from the 1991-92 period. Nearly every article reported on claims made during the Congressional hearings and rarely included novel quotes from direct interviews. Consequently, more than 55% of all sources identified in this period came from elected officials or the professional sport leagues. Law enforcement officers ( $n = 23$ ) were the next most frequent category of sources, followed by casinos/sportsbooks/racetracks ( $n = 14$ ), pro-gambling organizations ( $n = 14$ ), NCAA representatives ( $n = 13$ ) and anti-gambling organizations ( $n = 12$ ). This period covered four primary waves of coverage: Congressional hearings, Senate voting, House voting, and the President signing the bill. Typical coverage of the Senate vote, for example, noted PASPA passed by a vote of 88-5 and included quotes from Senators, albeit most often by the bill’s loudest supporters, such as New Jersey Senator Bill Bradley. Ironically, it was a suit initiated by the state of New Jersey that brought down PASPA in 2018.

The November 2014 period contained responses to Silver’s op-ed and therefore the NBA commissioner’s comments were heavily cited and contrasted with quotes from commissioners of

other professional sports leagues (MLB, NFL, NHL), which accounted for more than 53% of the total speakers from the 21 articles that were analyzed. “Elected officials” (13.7%) was the only other category that contributed more than 10% of the total number of frames. A few journalists during this period contacted operators of Las Vegas sportsbooks or gambling operations that offered sports betting in other countries to assess the potential for a legal sports wagering market in the U.S. The fact that Silver’s call was not tied to an actionable plan likely limited the scope of the responses.

Over the final three periods (June 2017, December 2017, and May 2018), the heavy reliance on official sources continued with elected officials (23.5%) and pro sports leagues (16.6%) once again dominating the coverage. Supreme Court justices (8.9%) moved up to third, with journalists often quoting the majority opinion written by Justice Samuel Alito. Journalists were also increasingly likely to use commentary or cite statistics from the American Gaming Association (AGA), rather than – or at least in conjunction with – individual operators of casinos, sportsbooks, and racetracks. A typical article would lead with the Supreme Court’s decision to strike down PASPA, insert a quote from Justice Alito, cite a statistic from the AGA that estimated illegal gambling in the U.S. at \$150 billion per year, and then attempt to localize the impact of the decision.

## Chapter Five

### Results

The final step of the study tested dimensions of perceived legitimacy. As noted in Chapter 3, the PCA yielded messy measures of the four dimensions of legitimacy. Thus, the results of the hierarchical regression may be of limited use. This will be addressed in the limitations section of Chapter 5. The following tests were conducted as if the components generated by the PCA produced statistically important measures. Thus, the first step was to compute new variables from the retained items that made up each component. This was accomplished by averaging the mean scores from each item and resulted in the following means and standard deviations: economic ( $M = 3.73$ ,  $SD = .88$ ), moral/social ( $M = 3.11$ ,  $SD = .97$ ), league control ( $M = 2.78$ ,  $SD = .82$ ), economic integrity ( $M = 3.30$ ,  $SD = .97$ ).

The hierarchical regression was designed to test three models tied to H3, RQ7, and RQ8. The first model controlled for the following demographic variables: age, gender identification, household income, race/ethnicity, and level of education. The second model introduced political affiliation and religiosity. The third model separated respondents by betting behavior (did not bet nor play fantasy, only bet, only played fantasy, both bet and played fantasy). There did not appear to be a problem with collinearity as all correlation coefficients were .493 or less and all VIF statistics were between 1.062 and 1.436, well below the 10 threshold (Pituch & Stevens, 2016).

#### *Economic Legitimacy*

The first dimension tested economic legitimacy as a dependent variable (Tables 11-12). The set of predictors in Model 1 included age, gender identification, household income,

race/ethnicity, and level of education, all of which were significant at  $p < .01$ . Together, these predictors accounted for significant variation in economic legitimacy,  $R\text{-square}=.086$ ,  $F(5, 511)=9.63$ ,  $p<.001$ . The  $R\text{-square}$  value indicates that the demographic variables accounted for 8.6% of the variance in perceptions of economic legitimacy, leaving 91.4% unexplained. The set of predictors in Model 2 included political identification and religiosity. The addition of these predictors was not statistically significant,  $p=.085$ , and indicated an  $R\text{-square}$  change of only .009, or a 0.9% increase of explanatory power. The final set of predictors tested betting behavior and it accounted for a statistically significant variation in economic legitimacy,  $p=.035$ , though it only accounted for an additional 0.8% of the variance. The entire model produced an  $R\text{-square}$  value of .103, indicating that these predictors accounted for 10.3% of the variance in perceived economic legitimacy. Thus, 89.7% of the variance in perceived economic legitimacy cannot be explained by these variables alone.

### ***Moral/Social Legitimacy***

The second dimension tested moral/social legitimacy as the dependent variable (Tables 13-14). The set of predictors in Model 1 accounted for significant variation in moral/social legitimacy,  $R\text{-square}=.036$ ,  $F(5, 511)=3.87$ ,  $p=.002$ . Age and education were negative predictors, both at the  $p < .05$  level, and annual income was a positive predictor, also at the  $p < .05$  level. The  $R\text{-square}$  value of the model indicates that the demographic variables accounted for 3.6% of the variance in perceived moral/social legitimacy. The addition of the predictors in Model 2 was also statistically significant,  $p=.007$ , with an  $R\text{-square}$  change of .019, meaning the variables in Model 2 accounted for an additional 1.9% of the total variance. Religiosity was negatively correlated with moral/social legitimacy at the  $p < .01$  level while political views were positively correlated at the  $p < .05$  level. The final set of predictors did not account for a statistically

significant variation in moral/social legitimacy,  $p=.157$ , as it added just 0.4% of explanatory power. Together, these models accounted for 5.9% of the variance in perceived moral/social legitimacy, meaning 94.1% of the variance could not be explained by these variables.

### ***League Control of Integrity***

The third dimension tested league control of integrity as the dependent variable (Tables 15-16). The set of predictors in Model 1 did not account for significant variation in this dimension of integrity,  $R\text{-square}=-.003$ ,  $F(5, 511)=0.64$ ,  $p=.668$ . However, all five demographic variables were statistically significantly correlated (gender, negatively) with league control at the  $p < .01$  level. The addition of the predictors in Model 2 was also not statistically significant,  $p=.825$ , and added an  $R\text{-square}$  change of .001. However, the final set of predictors accounted for a trace of statistically significant variation in perceived moral/social legitimacy,  $p=.038$ , with an  $R\text{-square}$  change of .008. Thus, betting behavior accounted for an additional 0.8% of the variance. Together, these models explained just 1.8% of the total variance in perceived moral/social legitimacy, leaving 98.2% unexplained.

### ***Economic Integrity***

The fourth dimension tested economic integrity as the dependent variable. The set of predictors in Model 1 did not account for significant variation in perceived economic integrity,  $R\text{-square}=.017$ ,  $F(5, 511)=3.92$ ,  $p=.002$ . However, age was negatively correlated with economic integrity at the  $p < .05$  level. The addition of the predictors in Model 2 approached statistical significance with a  $p\text{-value}$  of .052, though the  $R\text{-square}$  change was just .011. Political views as positively correlated with economic integrity at the  $p < .05$  level while religiosity was not statistically significant. The final set of predictors did reach statistical significance in variation of perceptions of economic integrity,  $p=.001$ , with an  $R\text{-square}$  change of .020. Thus, betting

behavior accounted for 2.0% of the total variance in perceived economic integrity. Together, these models accounted for 4.9% of the total variance, leaving 95.1% unexplained.

### *Hypotheses and Research Questions*

Hypothesis 3 proposed that “bettors will confer higher levels than non-bettors on each dimension of perceived legitimacy of U.S. sports betting.” The hierarchical regression indicated that, after controlling for demographics and the two attitudinal questions, betting behavior was a statistically significant predictor of two dimensions of perceived legitimacy: economic legitimacy and league control. A dummy variable was created to separate those who bet on sports from those who did not. Next, a one-way ANOVA indicated that those who bet on sports ( $M = 3.86, SD = 0.87$ ) conferred a higher level of economic legitimacy than those who did not bet on sports ( $M = 3.66, SD = 0.88$ ),  $F(1, 516) = 6.30, p = .012$ . The ANOVA also indicated that those who bet on sports ( $M = 3.02, SD = 0.66$ ) conferred a slightly higher level of economic legitimacy than those who did not bet on sports ( $M = 2.88, SD = 0.68$ ),  $F(1, 516) = 5.31, p = .022$ . Thus, the hypotheses were supported for economic integrity (Table 11) and league control (Table 15) but were not supported for moral/social (Table 13) and economic integrity (Table 17).

Hypothesis 4 proposed that “the more often bettors place wagers the more likely they are to confer higher levels of perceived legitimacy of U.S. sports betting.” Pearson’s correlation between betting frequency and each of the four dimensions of legitimacy indicated that only economic integrity generated a statistically significant relationship [ $r = -.205, p = .023$ ]. Since the relationship was negative, however, the hypothesis was not supported. The remaining dimensions, economic legitimacy [ $r = .020, p = .423$ ], moral/social legitimacy [ $r = -.035, p = .370$ ], and league control [ $r = -.022, p = .415$ ] did not produce statistically significant correlations.

Research Question 5 asked if fantasy sports participants differed from bettors on dimensions of perceived legitimacy of U.S. sports betting. A dummy variable was created to separate fantasy sports participants who did not also bet on sports ( $n = 92$ ) from bettors ( $n = 196$ ). A one-way ANOVA tested these groups on each dimension of legitimacy and results indicated only moral/social legitimacy produced a significant relationship. Those who played fantasy sports but did not wager on game outcomes ( $M = 3.20$ ,  $SD = 0.79$ ) conferred a statistically significant lower level of moral/social legitimacy than those who did bet on sports ( $M = 3.41$ ,  $SD = 0.84$ ),  $F(1, 286) = 4.07$ ,  $p = .045$ . There were not significant differences on economic legitimacy [ $F(1, 286) = 0.88$ ,  $p = .349$ ], league control [ $F(1, 286) = .681$ ,  $p = .410$ ], nor economic integrity [ $F(1, 286) = .001$ ,  $p = .973$ ].

Research Question 6 asked to what extent four items in the survey were perceived to be potential threats to the legitimacy of U.S. sports betting. This research question was answered by obtaining simple frequencies, means, and standard deviations of items 7 (Figure 1), 8 (Figure 2), 10 (Figure 3), and 11 (Figure 4) from the survey. Item 7 addressed the claim that sports betting should be prohibited to protect children. Most respondents did not perceive this as a concern ( $M = 2.88$ ,  $SD = 1.32$ ), with only 30.5% of respondents selecting “somewhat agree” or “strongly agree.” The highest percentage clicked “neither agree nor disagree.” Item 8 addressed the historical assumption that sports betting was tied to organized crime. This claim was also rejected ( $M = 2.49$ ,  $SD = 1.26$ ), with only 22.2% of the respondents clicking “somewhat agree or strongly agree.” More than 55% of the respondents selected “somewhat disagree” or “strongly disagree.” Item 10 addressed the claim that it was harmful for state governments to sponsor sports betting. This claim generated the strongest level of agreement, though it was slight ( $M = 3.17$ ,  $SD = 1.18$ ). Still, only 40.0% of the respondents selected “somewhat agree” or “strongly

agree” and most frequently selected option was “neither agree nor disagree” (32.2%). Finally, Item 11 addressed the claim that increased access to betting would create more social problems (e.g., bankruptcy, divorce). This item elicited a nearly perfect display of apathy ( $M = 3.04$ ,  $SD = 1.21$ ), with “neither agree nor disagree” the most frequently selected option (30.5%). The histogram indicated a nearly perfect normal curve. Consequently, the short answer to the research question is “none.” The survey of 518 sports fans statistically indicated that none of the four claims presented substantial problems.

Research Question 7 asked “what is the relationship between religiosity and dimensions of perceived organizational legitimacy?” The hierarchical regression analysis indicated that after controlling for demographics in the first block, religiosity had a statistically significant effect on two of the four dimensions. It did not have a significant effect on economic legitimacy,  $b = .02$ ,  $t(509) = 0.78$ ,  $p > .05$ , nor league control,  $b = -.01$ ,  $t(509) = -0.12$ ,  $p > .05$ . It had a significant, but negative, effect on moral/social legitimacy,  $b = -.08$ ,  $t(509) = -2.43$ ,  $p = .02$ ) and a significant, positive effect on economic integrity,  $b = .07$ ,  $t(509) = 2.29$ ,  $p = .02$ ). Thus, for every one-unit increase in religiosity there was a .08 decrease in perceived moral/social legitimacy and a .07 increase in perceived economic integrity.

Research Question 8 asked “what is the relationship between political identification and dimensions of perceived organizational legitimacy?” The hierarchical regression analysis indicated that political identification had a statistically significant effect on only one dimension, economic legitimacy,  $b = .08$ ,  $t(509) = 2.21$ ,  $p = .03$ . Thus, for every one-unit increase in political identification (towards conservatism), there was a .08 increase in perceived economic legitimacy. There were not significant effects on moral/social integrity,  $b = .06$ ,  $t(509) = 1.47$ ,  $p$

$> .05$ , league control,  $b = .01$ ,  $t(509) = 0.23$ ,  $p > .05$ , nor economic integrity  $b = -.01$ ,  $t(509) = -0.34$ ,  $p > .05$ .

This chapter presented findings from the qualitative analyses and results from the quantitative analysis of survey data. Taken together, these findings and results present a complicated picture of the evolution of perceptions of legalized in sports betting in the United States between 1991 and 2018. Implications will be discussed further in the concluding section of this dissertation.

## Chapter Six

### Discussion and Conclusion

The purpose of this study was to analyze 27 years' worth of public communication and newspaper coverage of arguments surrounding legalized sports betting in the United States. This is the first known scholarly study of the evolution of this discourse. In addition, a widely distributed survey of U.S. sports fans tested many of the claims introduced in the first two stages of this study to analyze perceptions of organizational legitimacy. The three-step process produced a rich collection of qualitative and quantitative data intended to reveal how the regulatory environment evolved to embrace legalized sports betting and attempted to gauge how key publics perceive the legitimacy of this new industry. The first stage analyzed comments made in public hearings between 1991 and 2018 to reveal an aggressive campaign from the four major professional sports leagues in the United States (MLB, NBA, NFL, NHL) to solidify prohibition of sports betting in the name of preserving the integrity of the games. Following the Supreme Court's decision to strike down the Professional and Amateur Sports Protection Act (PASPA), the campaign shifted to promote federal regulation, including stipulations that betting companies pay a 1% "integrity fee" to the leagues and that they use official, licensed data. A study of U.S. newspapers between 1991 and 2018 identified similar themes, in part due to a heavy reliance on official sources. Both data sets indicated waning concern for social problems stemming from increased access to sports wagering. The survey data appeared to show that key publics held few, if any, reservations about the prospect of widespread sports gambling. This chapter offers interpretations, implications, limitations, recommendations for future research, and a conclusion that attempts to answer: *How did we get here and where are we now?*

#### Interpretations

### ***Stage 1: Narrative Policy Framework***

The first stage of the study utilized the Narrative Policy Framework to reveal that the U.S. sports leagues aggressively advocated for the continued prohibition of sports betting in testimonies before Congress and various courtrooms between 1991 and 2018. The leagues weaved what was an apparently convincing narrative that the primary victim in an environment of widespread, legal sports betting would be the integrity of the games, i.e., a cloud of suspicion would be so dark as to cause sports fans to doubt the authenticity of player performances and game outcomes. The leagues asserted that such suspicion would result in deep economic consequences as well as social ramifications, e.g., children questioning the motivations of their heroes (what could be termed the “Say it ain’t so, Joe” argument). Further, the leagues formed a powerful coalition with anti-gambling organizations, such as the National Center for Pathological Gambling, and the NCAA. The leagues’ pleas were bolstered by claims from these allies that gambling was a “corrosive ill” (H.R. 74, p. 27) and that “there is no legitimate governmental or societal purpose” (H.R. 74, p. 45) to endorsing sports betting. The NPF aims to generate data for the analysis of narrative’s effect on policy outcomes. In this case, it appears that the coalition led by the U.S. sports leagues delivered a remarkably influential narrative in 1991-92, for PASPA coasted through Congress and was signed into law with little opposition. What is notable is that the law was clearly unconstitutional, as it prohibited most states from regulating and taxing an industry that other states were allowed to offer, and that its unconstitutionality was recognized in 1991. Yet, PASPA was easily passed and ruled for 27 years.

Thus, it should not have been a surprise when the Supreme Court struck down PASPA in 2018, but the leagues’ communication post-PASPA reflected those of a once-great heavyweight boxer who suddenly sparred with a formidable challenger. They responded with a furious

combination of demanding federal legislation, required use of league data, and a so-called “integrity fee” to offset expenses tied to expanded oversight of sports wagers. They broke from previous allies (anti-gaming organizations) and attempted to expand the issue on which they suddenly found themselves on the losing side. Instead of proposing the simple, one-note solution of prohibition, they instituted the “angel shift”, proposing that federal regulation that required use of league data and reimbursed the leagues with an integrity fee would be the only way for the leagues maintain the coveted integrity of the games. The previous 27 years had perhaps convinced the leagues that they could dictate such terms. However, there was little appetite for sweeping federal legislation in 2018 for several reasons: 1) it was a midterm election year, 2) states were steadily legalizing a similarly disparaged vice, marijuana, despite the fact that it remained federally prohibited, and 3) the very reason PASPA failed was due to the U.S. Constitution’s anti-commandeering policy, which pitted the sovereignty of state governments vs. federal government at the forefront of this conflict. Thus, the leagues failed to build a new coalition for while organizations such as the American Gaming Association (AGA) and Competitive Enterprise Institute (CEI) agreed with the leagues that illegal, unregulated sports betting was more harmful than a legal, regulated market, they would not endorse league data mandates nor integrity fees.

The data and analysis from the NPF stage of the study indicate that leagues wielded tremendous power and influence over sports betting policy in the United States for several decades. The SCOTUS decision in 2018 left the leagues scrambling to build new coalitions and wildly communicating new strategies while failing to maintain narrative control of the issue. The leagues pitched themselves as guardians of integrity while groups such as the AGA and CEI flatly rejected the notion that such guardians were necessary, even as they all appeared to agree

that a legal, regulated market benefitted everyone. In short, a massive shift in narratives surrounding sports betting occurred between 1991 and 2018. Specifically, the long-standing perspective that prohibition was the only way to protect the integrity of the games surrendered to arguments that regulation of a legal market was the most desirable strategy.

### ***Stage 2: Framing of Newspaper Coverage***

The second stage of the study analyzed frames and speakers identified from newspaper coverage at purposively selected periods between 1991 and 2018. This portion of the study intended to build upon findings from the first portion. That is, if the leagues drove the narrative in hearings and courtrooms until 2018, what frames and speakers populated in the press? Did frames and speakers undergo a similar transformation between 1991 and 2018? This set of data provided an integral bridge between the NPF data and the audience survey in step three. Framing analysis indicated there were four categories of frames across all periods – *economic*, *legal/policy*, *moral/social*, and *integrity* – and one additional category that emerged in the 2017-18 period – *media*. Analysis of speakers revealed a heavy reliance on official sources, typically representatives of the leagues and elected officials.

**Frames.** The five categories of frames were remarkably similar to the themes identified in Chapter 1 that summarized the dominant arguments on regulating gambling throughout history: *religion*, *morality*, *pathology*, and *economics*. It is notable that the one frame that emerged from the framing analysis that does not conform is *integrity*. This powerful category (just a single phrase, really: “integrity of the games”) helped distinguish sports betting as a species of gambling that required unique, delicate handling. PAPSA flew through Congress at a time when state lotteries were viewed as the savior of state budgets and casino-style gambling in Indian Country was just beginning to proliferate. All the usual arguments for and against state-

sponsored gambling were present: economic, social, moral, and – to a lesser extent – religious criteria were considered. The leagues’ plea to protect the integrity of the games was commonly amplified in the press. Considering that this plea was the one major difference between sports betting and state lotteries or casino gambling, this simple assertion appeared to give the leagues an extraordinary degree of discursive power.

It was also striking that many of the arguments for legalization in 2017-18 were made – and ignored, presumably losing to the integrity plea – in earlier periods. For example, a 1992 article in *Forbes* stated that “there is scarcely a town or hamlet in the U.S. where you can't place a bet on tonight's basketball game if you want to.” Thus, it was widely known that illegal sports betting was pervasive, even before PASPA. By 2017-18, this well-understood fact (bolstered by the oft-quoted statistic from the AGA that Americans illegally wagered \$150 billion per year on sports) became the primary rationale for legalization – the “they’re doing it anyway” argument. Further, articles in *The New York Times*, *USA Today*, and others recognized in 1991-92 that legalizing and taxing sports betting could join lotteries and casinos to boost state revenues. On June 27, 1991, the *Atlanta Journal-Constitution* quoted then-MLB Commissioner Fay Vincent as declaring “[T]here is a fundamental difference between *illegal* sports betting, which baseball tries to monitor and contain, and *state-sponsored* betting, which confers public approval on a system that is inherently corrupting” (emphasis added). In that same newspaper, nearly 27 years later on May 15, 2018, quoted a state representative who said that the SCOTUS decision “creates an opening to bring an activity out of the shadows that many Americans already see as a mainstream hobby.” As this quote demonstrates, the “fundamental” delineation between illegal wagering and state-sponsored, legal wagering largely evaporated by 2018.

Perhaps the primary reason for this shift was due to the importance of the *economic* category. This category was consistently the most prevalent across time periods and often focused on the potential for legalization to absorb the lucrative illegal market, thus providing a rush of new state tax revenue. A second sub-category emerged from the 1991-92 data in which struggling commercial casinos, primarily in Atlantic City, New Jersey, pitched legalized sports betting as a way to save their businesses. That assertion was dropped from the conversation by 2017-18. The later period introduced a new sub-category, which was the discussion of competition with other states. The emergence of competition frames could have easily been predicted, given the work of previous scholars who detailed competition between countries (Orford, 2011) and between states within the context of lotteries and casino gambling (Melnick, 2009). Another, albeit rare, argument that fell in the competition sub-category was an argument against legalization. These claims proposed that legalized sports betting would not add meaningful revenue because it would cannibalize revenue from other taxable games, such as the lottery. Others speculated that legal markets could not compete with the established illegal sportsbooks if tax rates were too high. Finally, the 2017-18 period also contextualized legal sports betting around its impact on casino stocks. As Navin (2021) noted, the fact that casino stocks are openly traded lends the industry an aura of legitimacy and, therefore, contributes to the overall normalization of gambling.

Consequently, the framing of legalized sports betting as an economic issue appeared to be considerably more effective in 2017-18 than in 1991-92, despite many of the same conditions and arguments existing in both periods. Specifically, states sought revenue from sources other than direct taxation in 1991, just as they did in 2018. Even the competition issue occasionally popped up in 1991-92 as certain states (notably, New Jersey) expressed frustration that Nevada

enjoyed a robust legal market while other states were forbidden from capitalizing on the same activity. By 2017-18, nearly every article in the study addressed the potential for legalized sports betting to contribute to starved state budgets. The primary argument had shifted from the need to protect the integrity of the games at all costs to the need to legalize, tax, and regulate sports betting to fill state coffers and protect consumers. Even using the term “consumer” (vs. “gambler” or “sports bettor”) indicated a normalization of the once-taboo practice.

The *moral/social* category also underwent a significant shift. First, the integration of moral/social and economic frames was greater in 2017-18 than in 1991-92. The later period often presented economic benefits as moral/social benefits, much in the way Collins (2003) proposed that prohibiting gambling was immoral by suffocating individual liberty. Further, the moral/social category was the least-used framing category in the November 2014, June 2017, and November 2017 and the fourth (out of five) used category in May 2018. As in the economic category, sports betting was often presented as a normalized activity, as expressed in a May 15, 2018 *Atlanta Journal-Constitution* article that labeled sports betting a “mainstream hobby.” Members of Congress who spoke against sports betting in 1991-92 often claimed the moral/social high ground, such as when the June 2, 1992 *Washington Post* quoted Senator Bill Bradley as claiming that expanded gambling “wipes out savings, destroys careers, breaks up families as quickly and as surely as alcohol or drugs” and that state-sponsored gambling “can only make the problem worse.” How did these issues disappear by 2017-18? It seems far-fetched that negative consequences from gambling ceased to exist within the quarter century of PASPA’s rule. Instead, it appears that the moral/social discourse transformed from one of protecting vulnerable populations to one of protecting “consumers” so that they might gamble in a “safe”, regulated environment while contributing taxes to the state. Thus, the pro-gaming movement

soundly defeated the moral/social (and religious) arguments that historically have inspired prohibition (Reith, 2003).

Those moral/social arguments traditionally connect with *legal/policy* issues, the fourth framing category. As noted above, in the early periods the policy of prohibition was driven by the desire to protect vulnerable populations (i.e., children) and protect the integrity of the games. On June 27, 1991, *USA Today* reported that a coalition that included the four major professional sports leagues unveiled a variety of promotional items carrying the slogan “Don’t Gamble with Our Children’s Heroes.” This frame permeated the data from 1991-92, including this example from the June 2, 1992 *Washington Post* that quoted Senator Bradley as pleading “I don’t want to see athletes turned into roulette chips.” With little opposition to PASPA, there was little discussion of the legal or policy implications. That changed by 2017-18 when the SCOTUS decision marked a radical departure from the norm. Frames in this category turned to almost giddy speculation about if (or when) a state might legalize sports betting and reports of the overwhelming admonishment by the Court of a law that blatantly violated the 10th Amendment. The May 17, 2018 *Dayton Daily News* (Ohio) expressed that “[N]ow, states have the power to decide whether or not they want to legalize sports betting.” Such a triumphant tone was common during the later periods, perhaps building upon the similar liberalization of marijuana laws. Several articles noted the similarity between the increasing draw of marijuana money and the desire to capitalize on newly legal sports betting. The expanded focus on legal/policy issues in the later period can also be attributed to the implications of enacting PASPA in 1992 vs. the implications of PASPA’s demise in 2018. When the law passed in 1992, it simply cemented an environment that already existed, i.e., Nevada enjoyed a robust legal sports industry while the remaining states in the country (mostly) prohibited the practice. The fall of PAPS in 2018

radically altered the landscape and, understandably, prompted much more policy discussion and speculation.

The final category, *media*, emerged from the May 2018 period as speculation expanded to areas beyond policy and legal implications. This category related directly to the concept of mediatization as it included discussion of how sports betting could result in increased engagement that would boost sagging television ratings. Further speculation included how the media would incorporate betting information into sports programming and reporting. Some of these articles noted that sports broadcasters historically were discouraged (if not outright forbidden) to discuss betting but would nevertheless drop subtle references. In a post-PASPA environment, many speculated that sports broadcasting giant ESPN and play-by-play broadcasters would be free to mention betting odds and points spreads with unprecedented enthusiasm. This idea also set up discourse on the benefits and pitfalls of mobile vs in-person betting. Whereas there was nearly unanimous agreement that sports betting should be legal and regulated, there was far less symmetry in how mobile/online wagering should be instituted. The recognition of technological advances in media also connected with at least one Senator's push for federal regulation. Utah's Orrin Hatch (despite representing one of only two states in the U.S. with no state-sponsored gambling) told the *Salt Lake Tribune* that "the rapid rise of the internet means that sports betting across state lines is now just a click away." Perhaps the greater threat remained offshore sportsbooks that operated mobile and online methods of betting that were just as easy to access (if not easier) than those in neighboring states. Though almost completely ignored in the 2017-18 articles, the emergence of mobile technology surely contributed to the "they're doing it anyway" perception. It is easier to prohibit gambling when one must physically walk into a casino or sportsbook, rather than place a bet on their smartphone.

**Speakers.** The second research question posed in the newspaper framing analysis addressed the use of speakers. Across all periods, official sources dominated the discourse. Most often, these sources included representatives of the leagues and elected officials. Given that the purposive samples were selected because of their relationship to major legal or discursive (in the case of the Silver op-ed) moments between 1991 and 2018, it was expected that official sources would be most prevalent. Thus, the most important findings came from analysis of types and frequency of additional sources who, presumably, shaped how claims from official sources were contextualized. In the 1991-92 period, law enforcement representatives were often consulted when questions arose of sports betting's ties with organized crime. However, over the final four periods (Nov. 2014, June 2017, December 2017, May 2018), only once – in more than 300 articles – was a member of law enforcement included as a source. This finding appears to suggest once again that sports gambling had reached a level of normalization by the mid-to-late 2010's as law enforcement was entirely ignored as a potential source for stories on sports betting. That is, perhaps sports betting was perceived to be so entirely normalized that there was no need to reach out to law enforcement.

The later periods were more likely to include additional experts, such as research firms and university professors, than the 1991-92 period. Research firms typically provided economic estimates or demographics of sports bettors while professors were typically consulted on legal matters. The willingness to seek sources outside of the leagues and elected officials is commendable, though it is apparent the expansion was limited to economic and legal/policy topics. This limitation is even more apparent due to the lack of speakers who addressed moral/social issues. A prime example is the glaring lack of attention given to psychologists. As Dickerson (2003) and Hoffmann (2009) noted, the U.S. model of assessing pathology treats it as

an individual (vs. sociological) problem. Thus, it would be expected that newspapers would attempt to elicit comments from psychologists who treat pathological gamblers. That almost never happened. Out of 440 articles across periods, only four psychologists were acknowledged. Much to dismay of Dickerson and Hoffmann, undoubtedly, not a single sociologist was included as a source in any period.

Analysis of frames and speakers in purposively selected newspaper articles between 1991 and 2018 reveals consistent use of official speakers and consistent implementation of economic, integrity, and legal/policy frames. This data reflects historical patterns of perceptions and policy related to gambling while offering insight into factors specific to sports betting in the United States. The most notable of these factors, the integrity frame, was once the dominant force in U.S. sports betting policy but required a reimagining after the fall of PASPA. The leagues, intent on maintaining control, proposed federal regulation, mandates that betting companies use official league data, and requested direct revenue in the form of an “integrity fee.” As noted in the NPF study, the leagues attempted to expand the issue as it became apparent that they were on the losing side and the scope of newspaper coverage also expanded. Newspapers included a wider variety of sources and a broader selection of frames (including the introduction of the media category), but even this expansion was limited primarily to questions related to policy and economics.

### ***Stage 3: Legitimacy***

The final stage of the study presented 518 respondents with a survey intended to test the perceived legitimacy of legalized sports betting in the U.S. Suchman’s (1995) definition of legitimacy as a “generalized perception or assumption that the actions of an entity are desirable, proper or appropriate within some socially constructed system of norms, values, beliefs and

definitions” (p. 574) guided the research. Narratives, frames, and themes were collected from the NPF and newspaper framing studies and adapted to the sports organization legitimacy scale developed by Lock et al. (2015). Whereas the hierarchical regression produced some statistically significant results, even these were not theoretically significant and lacked sufficient explanatory power. For instance, in the most notable category, economics, the items tested accounted for just 10.3% of the variance in perceived economic legitimacy. Consequently, Hypothesis 3 was partially supported, and Hypothesis 4 was not supported. Research Question 5 found that fantasy sports participants and sports bettors differed only moral/social legitimacy and none of the other categories. Responses to Research Question 6 revealed that none of the major arguments historically cited as reasons to prohibit sports betting (e.g., organized crime, social consequences) warranted concern in 2021. This is consistent with the notion that sports betting had been normalized in the U.S. The final two research questions explored the relationship between religiosity and perceived legitimacy and political identification and perceived legitimacy. As with previous results, any statistical significance was so slight as to be unremarkable.

Results from this survey may indicate one of the few times when a lack of statistical significance still holds meaning. Of course, one explanation for the bland results could be that the survey did not measure what it intended to measure. This will be addressed later in the limitations section of this chapter. Another possible explanation is that sports fans simply do not perceive any potential problems with legitimacy. Consider that none of the four items intended to measure perception of potential problems associated with sports betting, not one produced anything approaching even moderate agreement. The claim that generated the strongest level of agreement, that state governments should not sponsor sports betting, still only produced a mean

of 3.17 on a 1-5 scale. Such apathy was consistent across all four proposed dimensions of legitimacy and across variables such as betting behavior, political identification, and religiosity. Consequently, assuming these results can be taken at face value, sports fans indicated no significant concerns with the legitimacy of a legal sports betting market in the U.S.

### **Implications**

The three stages of this study each offer theoretical and practical implications. The first stage introduced the NPF to sports communication research. The NPF provided a sound framework to explore the temporal use of narrative as it has pertained to sport betting policy in the U.S. The framework continues to move toward maturity and the two hypotheses adapted from those proposed by Jones, Shanahan, and McBeth (2014) were supported in this study. Further, this study found evidence that leagues employed the “angel shift” once they suddenly found themselves on the losing side of the issue. The existence of this phenomenon has generated conflicting results (Jones, 2018). Finally, this study shows that qualitative analysis has a place in NPF research by merging the identification of narrative elements with thematic analysis that articulates connections between these elements.

The second stage utilized a traditional qualitative framing analysis to dissect changes in newspaper coverage over time. Whereas the importance and utility of legacy media studies have been called into question (Usher & Entman, 2018), others have contended that legacy media still play an important role (Langer & Gruber, 2020). The expansion of frames and speakers in the later periods (2014-2018) suggests that a wider range of frames and speakers have access to modern media ecology. Thus, legacy media – such as the newspapers studied in this project – can generate news through traditional means or by amplifying frames and speakers found elsewhere. It is perhaps one of the primary reasons Adam Silver chose to announce the NBA’s

“evolving” stance on sports betting in 2014 via an op-ed in a newspaper rather than via any number of other types of information subsidies found in the PR toolkit. Indeed, the op-ed was amplified in newspapers across the country in 2014 and continued to be frequently referenced in the 2017-18 periods.

The third stage is potentially theoretically interesting as it appears to reveal broad apathy toward the perception of sports betting as a legitimate enterprise in the U.S. If the data is truly sound, the results make a strong case that sports betting is already normalized. The fears expressed in 1991-92 that state-sponsored sports betting would tarnish the games to an unrecoverable degree or that greater access to sports betting would create devastating social problems appear to have vanished. This may have broad social implications that reach beyond sports fandom.

### **Limitations**

Despite its contribution, this study is not without its limitations. The NPF stage of the project faced the challenge of attempting to compare documents of widely varying length at different points in time and in different contexts. Many connections tied these documents together. However, many documents included a great deal of content that was irrelevant to the topic of sports betting (particularly in the pre-UIGEA period when the discussion focused more broadly on internet gambling rather than sports betting). Other limitations include those inherent in qualitative research, namely limitations in generalizability. Whereas it is believed that the researcher collected a census of available documents, the data was not collected to meet assumptions of quantitative analysis. Further, this was a study of a unique phenomenon over a specific time period and, as such, does not lend itself to replication (though the process does).

Similarly, the newspaper framing study did not produce statistically generalizable results.

Some effort was made to quantify frequencies of frames and speakers, but this was not intended to imply that these frequencies were ready for robust statistical analysis. There are three primary reasons for this: 1) the population was limited to what was available in the digital database, 2) redundant articles were dismissed from the study, and 3) no attempt was made to add a second coder. The first problem is not unique to this study and is widely recognized as a limitation in this type of research (Lindlof & Taylor 2016). The database clearly did not access *every* newspaper available in the U.S. over the 27-year period. Even though the goal was not to generalize, the researcher still sought a mixture of newspapers by size and region and, in general, was satisfied with the reach of the database. The second reason also stemmed from the choice not to seek generalizable data. Articles that appeared in more than one newspaper (or more than one edition of the same newspaper) were only included in their first appearance. Had the goal of the project been to gauge salience, the additional occurrences would have been retained. The last reason, that no other coders were employed by the study, again arose from the choice not to pursue statistical measures that could be generalized. The researcher attempted to obtain reliability of the results by conducting several rounds of coding.

The survey faced unanticipated limitations in obtaining statistical significance. As described above, one explanation is that the mild results reflect an audience that is apathetic to the topic of legitimacy. Another possibility is that the scale items were not adequately conceptualized. The items were adapted from a sports organization scale developed and validated by Lock et al. (2015), but there were two key differences in the survey for this study: 1) the “organizations” in this study were professional sports leagues in the U.S., whereas the organization in the study by Lock et al., was a nonprofit, community sport organization, and 2) the items in the survey by Lock et al., were developed from in-depth interviews whereas the

items in this survey were developed from the narrative elements identified in the NPF study and the frames and speakers identified in the newspaper framing study. The first difference may be significant as the goals of a non-profit community organization that attempts to engage local citizens in sport likely differ from those of professional sport leagues that command billions of dollars of revenue. The second difference is less clear in this regard. Certainly, it is possible that a series of in-depth interviews with sports fans who fall into each of the categories presented in this study (bettors, non-bettors, fantasy-only, and fantasy+bettors) could produce meaningful data. Whether such interviews would identify topics outside of those identified in the document and newspaper analyses is less certain. Regardless, the PCA did not result in satisfactory measures of the four dimensions of legitimacy, meaning conceptualization is not complete and requires further testing. Additional testing on the scale, specifically, should adjust the items to at least a 7-point scale to better capture potentially subtle variances in the responses.

### **Recommendations for Future Research**

This study is intended to promote further research into the blooming legal sports betting industry in the U.S. Given the unsatisfactory results of the survey, one obvious step forward is to revise the survey. A valid scale is needed to assess perceptions of legitimacy, as it pertains to the legalized sports betting environment. Such a scale could help evaluate related research areas, such as crisis communication. It is seemingly only a matter of time before a scandal related to sports betting shakes the nascent industry. Sports leagues and betting operators will only be successful as long as the key publics confer legitimacy. Thus, another potential research area involves the deep (financial) partnerships that have developed between betting operators, leagues, and media companies. Equity deals that reach far beyond mere sponsorships have tied

these three industries closer than they have ever been. The media deals may be most troublesome as it begs the question: *Who is the watchdog?*

A more optimistic research agenda may include examinations of expanded sports betting and its effect on women's sport fandom. One 2018 article speculated that perhaps the Women's National Basketball Association (WNBA) could significantly expand its fan base by attracting sports bettors to the game. The quickly emerging esports industry could reap similar benefits, though the sport is dominated by minors, which may rekindle debates about protecting children from the harms of gambling. Another optimistic view is that the U.S. has finally "caught up" with the U.K. and Australia, which have enjoyed legal sports betting for decades. The effect on global sport, now that sports betting is legal in more than half of U.S. states, could be impactful.

Gambling advertising has attracted a wealth of academic research and sports betting provides new opportunities to assess its influence, particularly on vulnerable populations. One such population that was commonly identified in the newspaper articles for this study was college students. As the NCAA shifts from a model of pure amateurism to an era when college athletes can be compensated, at the very least, for their name, image, and likeness (NIL), it is possible that college athletes could still be tempted by offers to affect point spreads or game outcomes. Finally, it is worth pursuing what it means that the popularity of sports betting is overwhelmingly driven by white males. Such a line of research could provide uncomfortable, but profound, sociological insights.

## **Conclusion**

This dissertation attempted to trace how the environment changed between 1991, when a federal ban on sports betting was born, and 2018, when the Supreme Court laid the ban to rest.

This study appears to demonstrate that in the decades since PASPA was enacted, the leagues and (more broadly) the anti-gambling movement went down on three strikes:

Strike 1 – Moral/social opposition waned.

Strike 2 – The importance of economic issues swelled.

Strike 3 – Media technology advanced to make prohibition unrealistic.

As baseball fans know, it's three strikes and you're out. Thus, the leagues' age-old dogma that prohibition was necessary to protect the integrity of the games went down swinging in the Supreme Court. In less than three years following the Court's decision, more than half of U.S. states had legalized some form of sports betting, which left the leagues scrambling to elbow their way back to the table where they had long enjoyed a seat of honor.

The emerging environment of widespread legalized sports betting promises fertile opportunity for academic inquiry. It was first necessary to explain and contextualize how the environment underwent a massive transformation between 1991 and 2018. As this dissertation explained, the dominant frame in the early 1990's was that the integrity of games must be protected at all costs, which included prohibition at the expense of state tax dollars. By 2017-18, illegal sports betting had become so widespread that, combined with popular legal wagering in Nevada, sports betting was almost entirely normalized in the U.S., despite roughly 150 years of tradition and policy that forbid the practice. Thus, betting on sports joined other federal, state, or tribal government-supported methods of gambling, such as state lotteries and casino-style gambling. Legal sports betting soundly defeated its challengers: concern for youth, opposition to state-sponsored gambling, worry over sociological or psychological consequences, and the reigning champ – integrity of the game.

The first two stages of this study explained this journey. The final stage attempted to

provide a baseline for post-PASPA perceptions of legitimacy. Those perceptions could be the single most important driver of future strategic communication efforts from the leagues and the industry. If there are questions of legitimacy, it inspires a very different communication program than if, as the survey results suggest, sports betting is fully normalized as a mainstream pastime. It appears historical fears of gambling, deeply rooted in religious and moral condemnation, have faded. But have they disappeared or are they merely latent? The future is unknowable but without further research, the expansion of sports betting is nothing but a gamble.

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**Table 1**

## Truncated pre-PASPA claims

ID	Truncated claim text
1	It is a matter of integrity
2	There has to be a bright line between gambling and our games
3	There are other ways to raise revenue
4	We do not think it's an issue of States' rights
5	We do not want our games used as bait to sell gambling
6	We should not gamble with our children's heroes
7	Sports gambling threatens the character of team sports
8	Sports gambling threatens the integrity of, and public confidence in, team sports
9	Legalized sports gambling sends a terrible message to youth
10	Legalized sports gambling would promote gambling among young people
11	Nor should Congress be misled by claims that legalization of sports gambling would reduce illegal sports gambling in a state
12	[PASPA] the most positive piece of legislation I have seen in federal or state government in recent years from the standpoint of stemming compulsive gambling
13	Particularly alarming is the preponderance of young gamblers who are now addicted, and the rise of gambling, especially illegal sports gambling, among young single men
14	Blocking the spread of sports gambling... would make a major contribution to the fight against a corrosive social ill
15	Legal sports gambling would actually facilitate illegal sports gambling operations
16	[Legal sports gambling] would breed a new class of gamblers, some of whom would "graduate" to illegal sports gambling
17	We just can't have any suspicion to this game
18	I think we must preserve the integrity of sports
19	Legalized sports gambling sends the wrong message to our children
20	Gambling and sports do not mix
21	Gambling jeopardizes the integrity of sports
22	Giving State sanction to sports betting, increasing significantly the amount of money in play, and focusing media attention on betting can only worsen the situation
23	The public harm from destroying fan confidence in the integrity of sports is not worth the price of the revenue from sports gambling.
24	We're interested in protecting the integrity of the sport
25	Gambling and intercollegiate sports just don't mix
26	Illegal gambling, according to some of these studies, expands as legal gambling is provided
27	There is no legitimate governmental or societal purpose to be served by authorizing gambling on the outcome of or performances in an intercollegiate athletics event
28	What would a profusion of state sports lotteries tell our young people about the purpose of intercollegiate athletics?
29	The issue is not one of states' rights but of the character and integrity of sport
30	This is not the kind of message that Government should be giving to our young people
31	This is our government pushing gambling
32	The whole concept of sports lotteries and the profit-motive of the gambling industry must be tempered with social concern and accountability
33	The regulations do not stop compulsive gamblers
34	NCSL strongly believes that States, not the Federal Government, should decide the merits of whether sports lotteries are a proper means of raising nontax revenues
35	State legislators are equally well qualified to protect our children and to preserve the honesty of sport competitions
36	The issues of lotteries and wagering have traditionally been issues for the States to resolve
37	The hypocrisy of the professional sports leagues in seeking this legislation is also troubling
38	The professional sports leagues do not even police their own
39	States must remain free to seek new sources of revenue
40	Don't let organized crime continue to control gambling on our children's heroes

- 41 The leagues continue to grow and expand despite the existence of a national network of illegal gaming operations
- 42 What this legislation would prevent us from doing is focusing our sights on trying to get some of that illegal sports pool wagering diverted to useful purposes here
- 43 I think that you have a much greater danger of affecting the outcomes of games from head-to-head betting
- 44 The act of betting on an athletic contest – or anything else for that matter – is something that the majority of people of the United States do not consider, per se, an illegal activity
- 45 These bills will deprive the states of a potential source of significant new non-tax revenue
- 46 The professional sports leagues for decades have reaped the benefits of the interest in sports created by wagering
- 47 Millions of Americans already wager billions of dollars annually on sports events; this fact has not resulted in the demise of professional sports
- 48 In truth, professional sports leagues have tacitly encouraged wagering on professional sports
- 49 Sports pool lotteries will not increase the amount of illegal gambling but rather will divert existing wagering to a public good.

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Authors of claims:

Claims 1-11 Paul Tagliabue, Commissioner of the National Football League

Claims 12-14, 30-33 Valerie C. Lorenz, Ph.D., Exec. Dir. National Center for Pathological Gambling, Inc.

Claims 15-16 William L. Holmes, M.F.S.

Claims 17-20 Arnold “Red” Auerbach, President, Boston Celtics on behalf of National Basketball Association

Claims 21-23 Frank Robinson, Ass’t General Manager, Baltimore Orioles on behalf of Major League Baseball

Claims 24-29 Richard D. Schultz, Exec. Dir., National Collegiate Athletic Association

Claims 34-35 Richard May, National Conference of State Legislatures

Claims 36-38, 42 Thomas O’Heir, Director, Massachusetts State Lottery on behalf of North American Association of State and Provincial Lotteries

Claims 39-40, 43 William C. Byrne, Athletic Director, University of Oregon on behalf of State of Oregon

Claims 41, 44 Thomas D. Carver, President, Casino Association of New Jersey

Claims 45-49 James E. Hosker, President, North American Association of State and Provincial Lotteries

**Table 2**

## Truncated pre-UIGEA claims

ID	Truncated claim text
1	Sports gambling has always been a threat to the college game
2	Internet gambling may stand in the way of [students] obtaining their college degree
3	Wagering on college sports is inconsistent with the basic concept of amateurism
4	Congress has long recognized that sports wagering has no place in professional or amateur athletics
5	With regulation, we gain some control
6	Prohibition: black market, no jurisdiction, it continues to grow, children participate, or
7	Regulation: licensing, taxation, minimized children impact, look at problem gambling issues
8	Fantasy baseball players represent our most avid fans
9	The MLBPA wants to go on record as being strongly opposed to gambling on sporting events
10	We do not believe fantasy sports leagues constitutes gambling
11	No person's financial well-being is threatened by such leagues, nor is the integrity of any sporting event or individual athlete's performance
12	No individual athlete is going to change their swing or whiff at a ball that could have hit out of the park because of a fantasy baseball league
13	Since its inception, the National Football League has sought to protect the integrity of its games from the threat presented by sports gambling.
14	Sports gambling breeds corruption and undermines the values our games represent especially for our youngest fans, for whom our players are heroes.
15	We have advised the television markets that neither sports gambling-related commercials nor the dissemination of point-spread information is acceptable on NFL game broadcasts.
16	Internet sports gambling threatens to become a serious national problem, especially for our young people.
17	The NFL strongly supports this bill because it would strengthen and extend existing prohibitions on gambling on sports events.
18	Simply put, sports and gambling do not mix.
19	Sports gambling threatens the integrity of our games.
20	The Internet Gambling Prohibition Act is a necessary and appropriate federal response to a growing problem that, as the State AGs have testified, no collection of states can adequately address.
21	Studies have shown that sports betting is a growing problem for high school and college students, who develop serious addictions to other forms of gambling.
22	[Internet gambling's] effects on the integrity of professional and amateur sports and the values they represent are pernicious.
23	Just as Congress intervened to stem the spread of legalized gambling in 1992, so it must intervene to stem the spread of Internet gambling today.

## Authors of claims:

Claims 1-2 Bob Frederick, Chairman, NCAA Committee on Sportsmanship and Ethical Conduct

Claims 3-4 William S. Saum, Gambling and Agent Representative NCAA

Claims 5-7 Frank Miller, Past President North American Gaming Regulators Association

Claims 8-12 Marianne McGettigan, Counsel, Major League Baseball Players Association

Claims 13-16 Jeff Pash, Executive Vice President, National Football League

Claims 17-23 Gerard J. Waldron, representative of the National Football League

**Table 3**

## Truncated SCOTUS-era claims (2012-2016)

ID	Truncated claim text
1	We don't look at fantasy sports as gambling
2	Based upon our studies and analysis, we know that [sports betting] will negatively impact our long-term relationship with our fans, negatively impact the perception of our sport across the country
3	The Leagues assert that the integrity of their games and reputation with their fan bases will be injured by the implementation of the Sports Wagering Law.
4	[The Leagues] stated, "legalizing gambling does not regulate illegal gambling, it fuels illegal gambling"
5	Defendants argue that since the Leagues have enjoyed success despite the existence of legalized sports betting, it is implausible that Plaintiffs will suffer harm should the Sports Gambling Law take effect
6	While the five Plaintiff Sports Leagues were strong supporters of PASPA immediately prior to its enactment, one or more of them may now be experiencing buyer's remorse
7	PASPA can plausibly be viewed as a barrier to a sports league's potential monetization of sports betting domestically
8	If the NFL believed that sports gambling would allow it to increase its revenue, the NFL would engage in that activity.
9	We think the idea that any sportsbook can be helpful to us, again, is completely dishonest.
10	[Gambling] is evil, it creates doubt and destroys your sport.
11	Gambling would be No. 1 on my list [of threats to the integrity of pro football in the U.S.]

## Authors of claims:

Claims 1,11 Roger Goodell, Commissioner National Football League, Nov. 12, 2012 deposition

Claim 2 Lawrence Ferazani, Counsel, National Football League, 2012

Claims 3-4 Complaint filed by NCAA, NFL, NHL, NBA, and MLB ("the Leagues") Aug. 7, 2012

Claim 5 Defendants for New Jersey's Sports Wagering Law, 2012

Claims 6-7 Ryan Rodenberg, Ph.D., Amicus Curiae, 2016

Claim 8 Lawrence Ferazani, NFL Counsel, Nov. 5, 2012 deposition

Claim 9 Thomas Ostertag, MLB Sr. VP and General Counsel, Nov. 6, 2012 deposition

Claim 10 Bud Selig, Commissioner Major League Baseball, Nov. 9, 2012 deposition

**Table 4**

## Truncated post-PASPA claims

ID	Truncated claim text
1	The NBA's position on sports betting has evolved in recent years
2	[Illegal] bets are taken in a black market that does not support local businesses, cannot be taxed, and most important from our perspective, cannot be monitored or regulated
3	We believe a federal approach is the simplest way to create clear and uniform protections for the integrity of our games
4	The NBA's first and paramount responsibility is to protect the integrity of professional basketball and preserve public confidence in the league and our sport
5	To compensate leagues for the risk and expense created by betting and the commercial value our product creates for betting operators, we believe it is reasonable for operators to pay each league 1% of the total amount bet on its games
6	Consumer protection requirements: include the use of official league data by gaming operators to ensure the accuracy and consistency of betting outcomes
7	Legalization gives authorities the ability to begin the process of undermining and supplanting the vast illicit sports betting market created by prohibition
8	States are best suited to develop the regulatory regimes that achieve this goal
9	[PASPA] utterly failed to stop sports betting
10	Large, unregulated gambling markets are far more likely to attract would-be corruptors and generate the massive profits necessary to corrupt athletes and officials
11	There is no rational justification to force gambling operators to rely only on league data for their bets
12	To protect consumers and game integrity we recommend federal legislation
13	It is unlikely the mere existence of a legal market will, on its own, minimize the illegal market
14	Customers who choose to place wagers should know data is timely, accurate, consistent across markets, which can only be assured if the data comes from sports leagues or their licensees
15	It's not just the integrity during the game and making sure that the public has confidence, but it's also in protecting all personnel... we have to be sure that that protection extends beyond the game
16	Adding sports betting to the mix (\$118 billion in government-sanctioned gambling) is going to make these financial losses [to citizens] even more severe
17	The role of government... is not to go out and encourage citizens to gamble
18	Who are we doing this for? It's being done to benefit some powerful media companies, professional sports team owners, and especially gambling interests in this country
19	We believe legal, transparent sports betting regulated by states and tribes is a better system than the previous federal ban that provided zero protections for consumers and sports integrity, and zero tax revenues for government to work with
20	[Sports betting] doesn't return meaningful tax revenue to the state
21	We don't look at fantasy sports as gambling
22	Based upon our studies and analysis, we know that [sports betting] will negatively impact our long-term relationship with our fans, negatively impact the perception of our sport across the country

## Authors of claims:

Claims 1-6 Dan Spillane, Senior VP and Assistant General Counsel, NBA (Jan. 24, 2018)

Claims 7-11 Michelle Minton, Competitive Enterprise Institute (Sept. 27, 2018)

Claims 12-15 Jocelyn Moore, Executive VP Communication, National Football League (Sept. 27, 2018)

Claims 16-18 Les Bernal, Director, Stop Predatory Gambling (Sept. 27, 2018)

Claim 19 Sara Slane, Senior VP Public Affairs, American Gaming Association (Sept. 27, 2018)

Claim 20 Jon Bruning, Attorney General, State of Nebraska (Sept. 27, 2018)

Claim 21 Roger Goodell, Commissioner National Football League (Sept. 27, 2018)

Claim 22 Lawrence Ferazani, Counsel, National Football League (Sept. 27, 2018)

**Table 5**

Plots by report, frequency, and claim ID (sports leagues' claims in bold).

Plots	pre-PASPA (N=49)		pre-UIGEA (N=23)		SCOTUS-era (N=11)		post-PAPSA (N=22)	
	n	ID	n	ID	n	ID	n	ID
Prohibition protects integrity of the game	15	<b>1,2,5,7,8,17,18,20,21,23,24,25,29,40,43</b>	11	<b>1,3,4,5,13,15,17,18,19,22,23</b>	4	<b>2,3,4,5,8,9,10,11</b>	2	<b>1,22</b>
Prohibition protects youth/children/problem gamblers	7	<b>6,9,10,13,19,28,30</b>	4	<b>2,14,16,21</b>	x		1	16
Legalization won't reduce illegal betting	7	<b>11,15,16,22,26,32,33</b>	x		x		1	13
Governments should not promote or profit from gambling	4	3,12,14,27,31	x		x		3	17,18,20
State governments should regulate & benefit from betting/gambling	7	34,35,36,39,42,45,49	x		x		2	8,19
Sports leagues are not effective regulators/ profit from illegal betting	6	37,38,41,46,47,48	x		x		1	11
Sports betting is already normalized	1	44	x		x		x	
It is not a question of states' rights	1	<b>4</b>	1	<b>20</b>	x		x	
Federal regulation is the only way to protect integrity of games	x		x		x		4	<b>2,3,4,12</b>
Prohibition encourages illegal betting/ legalization thwarts illegal market	x		3	5,6,7	x		2	7,9
Fantasy sports is not gambling	x		4	<b>8,10,11,12</b>	1	<b>1</b>	1	<b>21</b>
Prohibition hurts leagues financially	x		x		1	7	x	
Leagues' position on PASPA evolved	x		x		1	6	1	1
Leagues should be compensated for legal wagering regulation	x		x		x		4	<b>5,6,14,15</b>
Illegal wagering threatens integrity	x		x		x		1	10

**Table 6**

Characters and roles by time period and frequency

Characters and roles	pre-PASPA	pre-UIGEA	SCOTUS-era	post-PAPSA
Victim – integrity of the game	15	11	8	1
Victim – youth	7	4	-	-
Victim – State governments	4	-	-	1
Victim – public/society	7	3	-	2
Victim – legal gambling consumers	2	-	-	1
Villain – Illegal sportsbooks	3	-	-	1
Villain – Gambling (all forms)	22	13	5	2
Villain – Sports leagues	5	-	1	2
Hero – Sports leagues	-	-	-	6
Hero – Legal gambling industry	-	2	1	3
Hero – State governments	4	-	-	2
Hero – Federal government	1	-	-	2
Hero – Fantasy sports	-	4	1	1

**Table 7***Frequency of frames by time period*

Frames	1991-92 (n = 128)	2014 (n = 21)	June 2017 (n = 20)	Dec. 2017 (n = 23)	May 2018 (n = 248)	Total (n = 440)
Economic	120	57	45	34	415	671
Legal/Policy	66	28	31	49	465	639
Moral/Social	93	12	-	4	121	230
Integrity	98	37	10	18	223	386
Media	-	-	-	-	48	48

*Percentage of frames by time period*

Frames	1991-92 (n = 128)	2014 (n = 21)	June 2017 (n = 20)	Dec. 2017 (n = 23)	May 2018 (n = 248)	Total (n = 440)
Economic	.32	.43	.52	.32	.34	.34
Legal/Policy	.18	.21	.36	.47	.38	.32
Moral/Social	.25	.09	.00	.04	.10	.12
Integrity	.26	.28	.12	.17	.18	.20
Media	-	-	-	-	.04	.02

**Table 8***Newspaper Framing*

Frame	Example
Economic State revenue	“The decision had been eagerly anticipated by gamblers and also states that hope their cut of legalized sports betting can help solve budget problems.” – The Bismarck Tribune (5.15.18)
Legal/Policy States’ rights	”’I think states are flexing their muscles and being able to say, ‘Hey, we’re sovereign states and we can make these decisions and have these deliberations in our legislative bodies - and federal government, we don’t need you to play babysitter,’ Hughes said.” – Deseret Morning News (5.15.18)
Moral/Social High social cost	“They say that legalizing sports betting will actually increase illegal gambling activities and will send a signal to youths that such activities are socially acceptable.” – The New York Times (7.12.92)
Integrity Protect integrity of games	”When the state sanctions sports gambling it is essentially, no matter what anybody will say about policing it, nodding in the direction of the gamblers’ game.” – The New York Times (11.20.91)
Media Historical references	Al Michaels, first as the lead voice of ‘Monday Night Football’ and now in the same role on ‘Sunday Night Football,’ likes to sneak in lines such as ‘now it’s really over’ when a tally late in a blowout hoists the number of points scored in the game over the total on the Las Vegas wagering line.

**Table 9***Frequency of speakers by time period*

Speaker	1991-92 (n = 128)	2014 (n = 21)	June 2017 (n = 20)	Dec. 2017 (n = 23)	May 2018 (n = 248)	Total (n = 440)
Elected officials	99	7	24	19	166	315
Pro Sports League Reps	66	27	13	3	117	226
Pro-gaming org.	14	-	11	9	57	91
Justice(s)	4	5	-	10	63	82
Casino/sportsbook/track	14	3	1	1	53	72
NCAA Reps	13	-	5	4	49	71
Attorney/State AG	9	3	7	8	30	57
Anti-gambling org.	12	-	-	-	22	34
State gaming/lottery org.	6	-	1	1	25	33
Research firm	1	-	-	2	28	31
Professor	2	2	1	2	23	30
Journalist/media org.	2	1	-	-	26	29
Law enforcement	23	-	-	-	1	24
Tribal organization	3	-	-	-	20	23
Citizen	7	-	-	-	5	12
Bettor/bookie	2	-	-	-	5	7
Religious org./leader	6	-	-	1	-	7
College student	3	3	-	-	-	6
Psychologist	3	-	-	-	1	4
Other	9	-	1	-	15	25
<b>TOTAL</b>	298	51	64	60	706	1179
<b>SPEAKERS/ARTICLE</b>	2.3	2.4	3.2	2.6	2.8	2.7
# of unique categories	25	8	9	11	29	36

**Table 10***Sociodemographic Characteristics of Participants based on Fantasy and Betting Experience*

Baseline characteristic	Fantasy Only		Betting Only		Fantasy + Betting		Neither	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
<b>Gender</b>								
Female ( <i>n</i> = 328)	49	14.9	63	19.2	50	15.2	166	50.6
Male ( <i>n</i> = 182)	41	22.5	32	17.6	50	27.5	59	32.4
<b>Race/Ethnicity</b>								
White/Non-Hispanic/Latin	52	15.7	63	18.9	56	18.9	161	48.5
White/Hispanic/Latin	14	19.4	16	22.2	19	26.4	23	31.9
Black or African American	19	26.0	11	15.1	17	23.3	26	35.6
Other	8	19.0	5	11.9	9	21.4	20	47.6
<b>Highest educational level</b>								
High school grad or less	29	19.1	30	19.7	28	18.4	65	42.8
2- or 4-year college degree	52	17.3	51	16.9	57	18.9	141	46.8
Professional or doctoral degree	11	16.9	14	21.5	16	24.6	24	36.9
<b>Household Income</b>								
\$19,999 or less	28	17.6	24	15.1	20	12.6	87	54.7
\$20,000-\$49,999	37	19.2	28	14.5	46	23.8	82	42.5
\$50,000-\$99,999	47	40.5	20	17.2	25	21.6	24	20.7
\$100,000+	14	28.0	6	12.0	24	48.0	6	12.0
<b>Religiosity</b>								
Not important	38	19.8	36	18.8	34	17.7	84	43.8
Moderately important	16	16.3	17	17.4	27	27.6	38	38.8
Important	38	16.7	42	18.4	40	17.5	108	47.4
<b>Political Identity</b>								
Conservative	39	25.0	27	17.3	19	12.2	71	45.5
Moderate	41	18.4	50	22.4	30	13.5	102	45.7
Liberal	27	19.4	32	23.0	23	16.6	57	41.0

*Note.* *N* = 518. Participants were on average 43.6 years old (*SD* = 19.3).

**Table 11***Hierarchical Regression Analysis for Variables Predicting Economic Legitimacy.*

Variables	$\beta$	$t$	$b$	$R$	$R^2$	$\Delta R^2$
MODEL 1				.293	.086	.086***
Income	.12	2.59*	.065			
Age	.07	1.57	.003			
Race/Ethn. <sup>a</sup>	.11	2.40*	.040			
Gender <sup>b</sup>	-.10	-2.22*	-.163			
Education	.08	1.72	.050			
MODEL 2				.308	.095	.009
Income	.12	2.55*	.064			
Age	.08	1.72	.004			
Race/Ethn.	.13	2.76**	.047			
Gender	-.11	-2.42*	-.179			
Education	.07	1.51	.044			
Religion <sup>c</sup>	.03	0.73	.020			
Politics <sup>d</sup>	.10	2.21*	.081			
MODEL 3				.321	.103	.008*
Income	.12	2.55*	.063			
Age	.12	2.28*	.005			
Race/Ethn.	.13	2.82**	.048			
Gender	-.09	-2.06*	-.154			
Education	.06	1.32	.038			
Religion	.03	0.71	.020			
Politics	.11	2.42*	.088			
Bet behavior <sup>e</sup>	-.10	-2.12*	-.073			

Note:  $N = 511$ ; \* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$ <sup>a</sup> White/non-Hispanic/Latin = 1, White/Hispanic/Latin = 2, Black or African American = 3, American Indian or Alaska Native = 4, Asian = 5, Native Hawaiian or Pacific Islander = 6, Other = 7.<sup>b</sup> Male = 1, female = 2.<sup>c</sup> Not at all important = 1, Slightly important = 2, Moderately important = 3, Very important = 4, Extremely important = 5.<sup>d</sup> Very conservative = 1, Conservative = 2, Moderate = 3, Liberal = 4, Very liberal = 5.<sup>e</sup> Played fantasy but have not bet on games = 1, Bet on games but not played fantasy = 2, Bet on games and played fantasy = 3, Not bet on games and not played fantasy = 4.

**Table 12***Descriptive Statistics and Correlations for Economic Legitimacy*

Variable	<i>n</i>	<i>M</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9
1. Control Integ.	517	2.78	0.82	—								
2. Annual Income <sup>a</sup>	517	2.40	1.67	.20**	—							
3. Age	517	43.62	19.26	.16**	.11	—						
4. Race/Ethnicity <sup>b</sup>	517	5.29	2.47	.18**	.18	.38**	—					
5. Gender ID <sup>c</sup>	517	1.67	0.53	-.15**	-.22**	-.13**	-.07	—				
6. Education level <sup>d</sup>	517	3.61	1.45	.18**	.39**	.27**	.14**	-.12**	—			
7. Religion <sup>e</sup>	517	3.10	1.42	.01	-.01	.15**	-.07*	.11**	.06	—		
8. Political Views <sup>f</sup>	517	2.93	1.08	.04	-.01	-.20**	-.20**	.07	.02**	-.20	—	
9. Bet Behavior <sup>g</sup>	517	2.90	1.15	-.06	-.04	.27**	.11**	.14**	-.02	.03	.04	—

<sup>a</sup> \$19,999 or less = 1, \$20,000-\$49,999 = 2, \$50,000-\$99,999 = 3, More than \$100,000 = 4

<sup>b</sup> White/non-Hispanic/Latin = 1, White/Hispanic/Latin = 2, Black or African American = 3, American Indian or Alaska Native = 4, Asian = 5, Native Hawaiian or Pacific Islander = 6, Other = 7.

<sup>c</sup> Male = 1, female = 2.

<sup>d</sup> Less than high school = 1, high school graduate = 2, some college = 3, 2-year degree = 4, 4-year degree = 5, professional degree = 6, doctorate = 7.

<sup>e</sup> Not at all important = 1, Slightly important = 2, Moderately important = 3, Very important = 4, Extremely important = 5.

<sup>f</sup> Very conservative = 1, Conservative = 2, Moderate = 3, Liberal = 4, Very liberal = 5.

<sup>g</sup> Played fantasy but have not bet on games = 1, Bet on games but not played fantasy = 2, Bet on games and played fantasy = 3, Not bet on games and not played fantasy = 4.

\* $p < .05$ . \*\* $p < .01$ .

**Table 13***Hierarchical Regression Analysis for Variables Predicting Moral/Social Legitimacy.*

Variables	$\beta$	$t$	$b$	$R$	$R^2$	$\Delta R^2$
MODEL 1				.191	.036	.036**
Income	.12	2.37*	.067			
Age	-.05	-2.21*	-.005			
Race/Ethn.	.06	1.29	.024			
Gender	-.06	-1.33	-.110			
Education	-.13	-2.59*	-.085			
MODEL 2				.235	.055	.019**
Income	.12	2.41*	.068			
Age	-.07	-1.47	-.004			
Race/Ethn.	.05	1.12	.021			
Gender	-.05	-1.09	-.091			
Education	-.13	-2.65**	-.087			
Religion	-.11	-2.43*	-.076			
Politics	.07	1.47	.060			
MODEL 3				.242	.059	.004
Income	.12	2.41*	.067			
Age	-.05	-0.99	-.003			
Race/Ethn.	.06	1.16	.022			
Gender	-.04	-0.85	-.071			
Education	-.14	-2.76**	-.091			
Religion	-.11	-2.45*	-.076			
Politics	.07	1.60	.066			
Bet behavior	-.07	-1.42	-.055			

Note:  $N = 511$ ; \* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

**Table 14***Descriptive Statistics and Correlations for Moral/Social Legitimacy*

Variable	<i>n</i>	<i>M</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9
1. Moral/Social	517	3.11	0.97	—								
1. Annual Income <sup>a</sup>	517	2.40	1.67	.08*	—							
2. Age	517	43.62	19.26	-.10*	.11**	—						
3. Race/Ethnicity <sup>b</sup>	517	5.29	2.47	.03	.18**	.38**	—					
4. Gender ID <sup>c</sup>	517	1.67	0.53	-.06	-.22**	-.13**	-.07	—				
5. Education level <sup>d</sup>	517	3.61	1.45	-.09*	.39**	.27**	.14**	-.12**	—			
6. Religion <sup>e</sup>	517	3.10	1.42	-.15**	-.01	.15**	-.07*	.11**	.06	—		
7. Political Views <sup>f</sup>	517	2.93	1.08	.09*	-.01	-.20**	-.20**	.07	.02**	-.20	—	
8. Bet Behavior <sup>g</sup>	517	2.90	1.15	-.08*	-.04	.27**	.11**	.14**	-.02	.03	.04	—

<sup>a</sup> \$19,999 or less = 1, \$20,000-\$49,999 = 2, \$50,000-\$99,999 = 3, More than \$100,000 = 4

<sup>b</sup> White/non-Hispanic/Latin = 1, White/Hispanic/Latin = 2, Black or African American = 3, American Indian or Alaska Native = 4, Asian = 5, Native Hawaiian or Pacific Islander = 6, Other = 7.

<sup>c</sup> Male = 1, female = 2.

<sup>d</sup> Less than high school = 1, high school graduate = 2, some college = 3, 2-year degree = 4, 4-year degree = 5, professional degree = 6, doctorate = 7.

<sup>e</sup> Not at all important = 1, Slightly important = 2, Moderately important = 3, Very important = 4, Extremely important = 5.

<sup>f</sup> Very conservative = 1, Conservative = 2, Moderate = 3, Liberal = 4, Very liberal = 5.

<sup>g</sup> Played fantasy but have not bet on games = 1, Bet on games but not played fantasy = 2, Bet on games and played fantasy = 3, Not bet on games and not played fantasy = 4.

\*  $p < .05$ . \*\*  $p < .01$ .

**Table 15***Hierarchical Regression Analysis for Variables Predicting League Control Legitimacy.*

Variables	$\beta$	$t$	$b$	$R$	$R^2$	$\Delta R^2$
MODEL 1				.098	.010	.010
Income	.07	1.43	.035			
Age	-.05	-1.01	-.002			
Race/Ethn.	.01	0.18	.003			
Gender	.07	0.04	.056			
Education	-.06	-1.27	-.036			
MODEL 2				.099	.010	.001
Income	.07	1.42	.035			
Age	-.05	-0.92	-.002			
Race/Ethn.	.02	0.19	.003			
Gender	.07	0.78	.056			
Education	.03	-1.27	-.036			
Religion	.03	-0.12	-.003			
Politics	.04	0.23	.008			
MODEL 3				.133	.018	.008*
Income	.07	1.41	.034			
Age	-.02	-0.29	-.001			
Race/Ethn.	.01	0.24	.004			
Gender	.06	1.10	.080			
Education	-.07	-1.45	-.041			
Religion	-.01	-0.14	-.004			
Politics	.02	0.43	.015			
Bet behavior	-.10	-2.02*	-.068			

Note:  $N = 511$ ; \* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

**Table 16***Descriptive Statistics and Correlations for League Control*

Variable	<i>n</i>	<i>M</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9
1. Control Integ.	517	2.78	0.82	—								
1. Annual Income <sup>a</sup>	517	2.40	1.67	.20**	—							
2. Age	517	43.62	19.26	.16**	.11**	—						
3. Race/Ethnicity <sup>b</sup>	517	5.29	2.47	.18**	.18**	.38**	—					
4. Gender ID <sup>c</sup>	517	1.67	0.53	-.15**	-.22**	-.13**	-.07	—				
5. Education level <sup>d</sup>	517	3.61	1.45	.18**	.39**	.27**	.14**	-.12**	—			
6. Religion <sup>e</sup>	517	3.10	1.42	.01	-.01	.15**	-.07*	.11**	.06	—		
7. Political Views <sup>f</sup>	517	2.93	1.08	.04	-.01	-.20**	-.20**	.07	.02**	-.20	—	
8. Bet Behavior <sup>g</sup>	517	2.90	1.15	-.06	-.04	.27**	.11**	.14**	-.02	.03	.04	—

<sup>a</sup> \$19,999 or less = 1, \$20,000-\$49,999 = 2, \$50,000-\$99,999 = 3, More than \$100,000 = 4

<sup>b</sup> White/non-Hispanic/Latin = 1, White/Hispanic/Latin = 2, Black or African American = 3, American Indian or Alaska Native = 4, Asian = 5, Native Hawaiian or Pacific Islander = 6, Other = 7.

<sup>c</sup> Male = 1, female = 2.

<sup>d</sup> Less than high school = 1, high school graduate = 2, some college = 3, 2-year degree = 4, 4-year degree = 5, professional degree = 6, doctorate = 7.

<sup>e</sup> Not at all important = 1, Slightly important = 2, Moderately important = 3, Very important = 4, Extremely important = 5.

<sup>f</sup> Very conservative = 1, Conservative = 2, Moderate = 3, Liberal = 4, Very liberal = 5.

<sup>g</sup> Played fantasy but have not bet on games = 1, Bet on games but not played fantasy = 2, Bet on games and played fantasy = 3, Not bet on games and not played fantasy = 4.

\* $p < .05$ . \*\* $p < .01$ .

**Table 17***Hierarchical Regression Analysis for Variables Predicting Economic Integrity Legitimacy.*

Variables	$\beta$	$t$	$b$	$R$	$R^2$	$\Delta R^2$
MODEL 1				.131	.017	.017
Income	.09	1.90	.054			
Age	-.08	-1.60	-.004			
Race/Ethn.	-.05	-0.99	-.019			
Gender	.01	0.23	.019			
Education	-.03	-0.70	-.023			
MODEL 2				.169	.029	.011
Income	.09	1.87	.053			
Age	-.10	-2.06*	-.005			
Race/Ethn.	-.03	-0.70	-.013			
Gender	-.01	-0.05	-.004			
Education	-.04	-0.74	-.025			
Religion	.11	2.29*	.073			
Politics	-.02	-0.34	-.014			
MODEL 3				.221	.049	.020**
Income	.09	1.87	.053			
Age	-.05	-1.03	-.003			
Race/Ethn.	-.03	-0.62	-.012			
Gender	.02	0.48	.041			
Education	-.05	-1.03	-.034			
Religion	.10	2.27*	.072			
Politics	-.01	-.01	-.001			
Bet behavior	-.15	-3.29**	-.129			

Note:  $N = 511$ ; \* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

**Table 18***Descriptive Statistics and Correlations for Economic Integrity*

Variable	<i>n</i>	<i>M</i>	<i>SD</i>	1	2	3	4	5	6	7	8	9
1. Economic Integ.	517	3.30	0.97	—								
1. Annual Income <sup>a</sup>	517	2.40	1.67	.06	—							
2. Age	517	43.62	19.26	-.10*	.11**	—						
3. Race/Ethnicity <sup>b</sup>	517	5.29	2.47	-.07	.18**	.38**	—					
4. Gender ID <sup>c</sup>	517	1.67	0.53	.01	-.22**	-.13**	-.07	—				
5. Education level <sup>d</sup>	517	3.61	1.45	-.03	.39**	.27**	.14**	-.12**	—			
6. Religion <sup>e</sup>	517	3.10	1.42	.09*	-.01	.15**	-.07*	.11**	.06	—		
7. Political Views <sup>f</sup>	517	2.93	1.08	-.01	-.01	-.20**	-.20**	.07	.02**	-.20	—	
8. Bet Behavior <sup>g</sup>	517	2.90	1.15	-.17**	-.04	.27**	.11**	.14**	-.02	.03	.04	—

<sup>a</sup> \$19,999 or less = 1, \$20,000-\$49,999 = 2, \$50,000-\$99,999 = 3, More than \$100,000 = 4

<sup>b</sup> White/non-Hispanic/Latin = 1, White/Hispanic/Latin = 2, Black or African American = 3, American Indian or Alaska Native = 4, Asian = 5, Native Hawaiian or Pacific Islander = 6, Other = 7.

<sup>c</sup> Male = 1, female = 2.

<sup>d</sup> Less than high school = 1, high school graduate = 2, some college = 3, 2-year degree = 4, 4-year degree = 5, professional degree = 6, doctorate = 7.

<sup>e</sup> Not at all important = 1, Slightly important = 2, Moderately important = 3, Very important = 4, Extremely important = 5.

<sup>f</sup> Very conservative = 1, Conservative = 2, Moderate = 3, Liberal = 4, Very liberal = 5.

<sup>g</sup> Played fantasy but have not bet on games = 1, Bet on games but not played fantasy = 2, Bet on games and played fantasy = 3, Not bet on games and not played fantasy = 4.

\*  $p < .05$ . \*\*  $p < .01$ .

**Table 19**  
*Frequencies for Perceptions of Potential Problems*

Survey Item	<i>M</i>	<i>SD</i>	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Somewhat disagree
Protect children	2.88	1.32	18.1%	23.2%	28.2%	13.9%	16.6%
Organized crime	2.49	1.26	26.4%	29.3%	22.0%	13.1%	9.1%
State sponsorship	3.17	1.18	10.2%	17.6%	32.2%	25.3%	14.7%
Social problems	3.04	1.21	12.4%	21.0%	30.5%	22.8%	13.3%

Note: *n* = 518

Figure 1

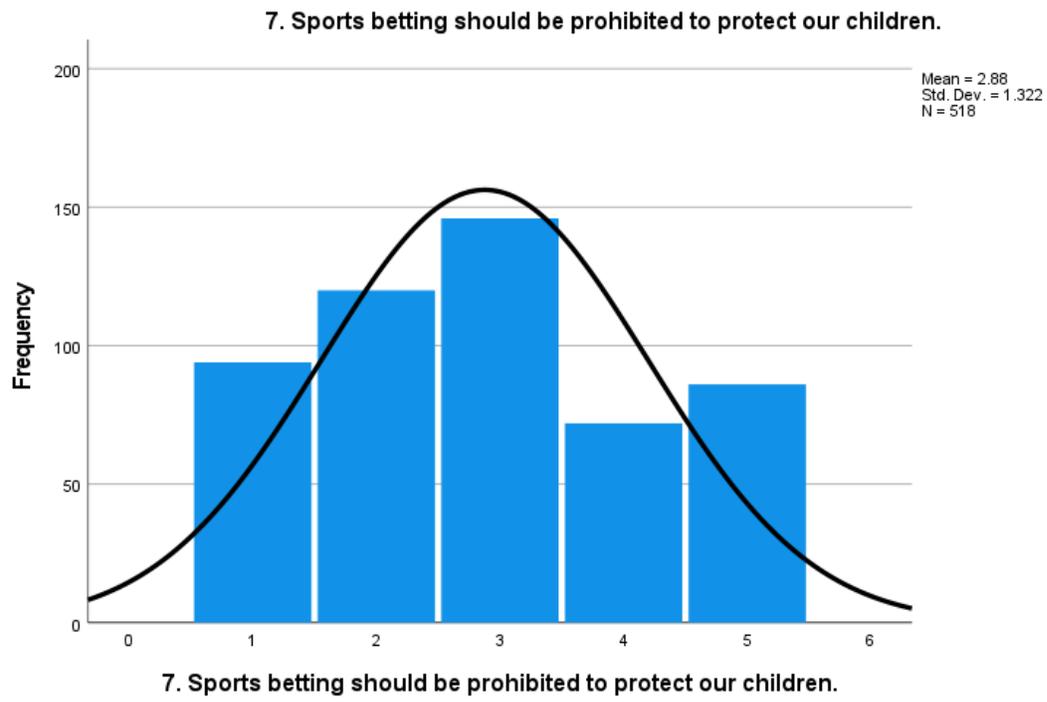


Figure 2

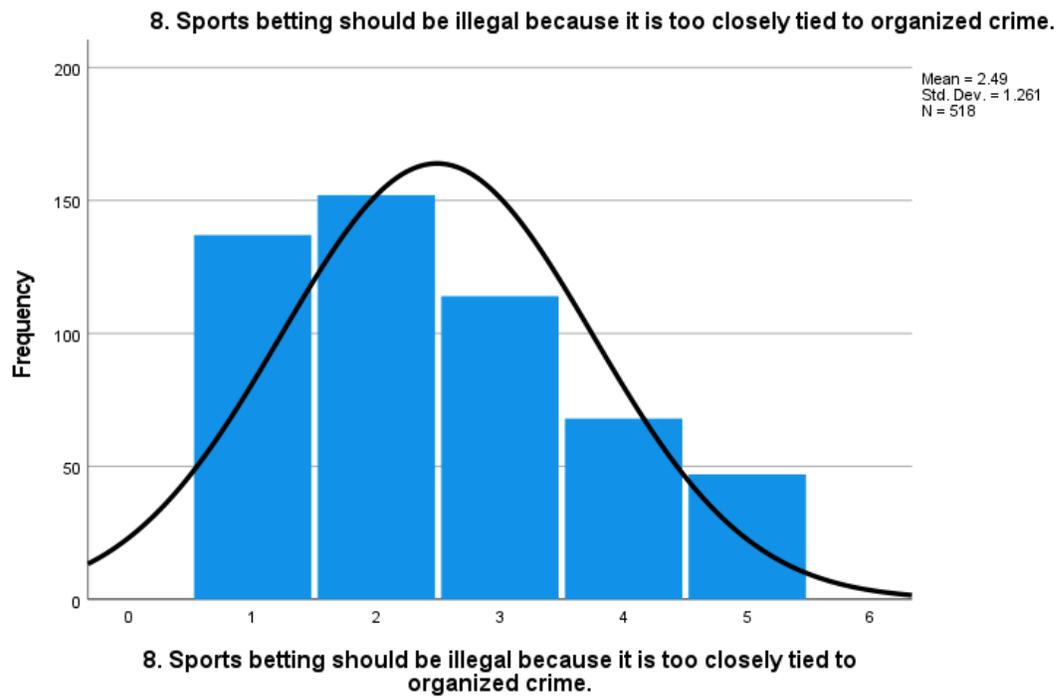


Figure 3

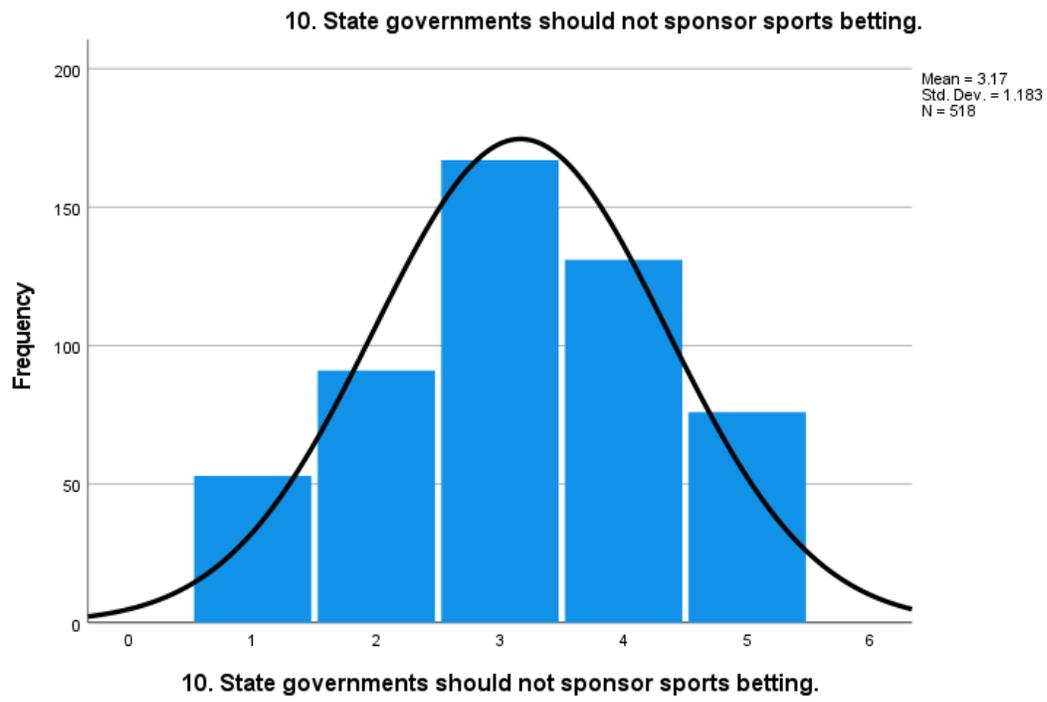
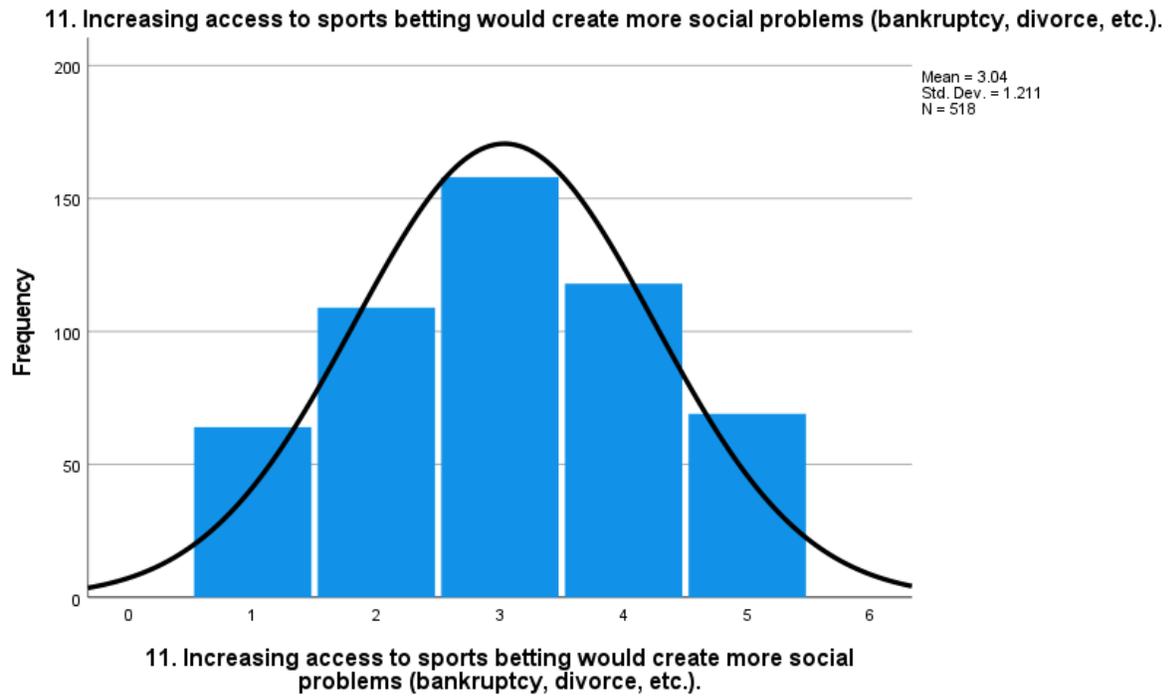


Figure 4



## APPENDIX A

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### Timeline of major milestones in the legal history of sports betting

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- 2018: Sports Wagering Integrity Monitoring Assoc. (SWIMA) & U.S. Sports Betting Forum born
  - May 14, 2018: SCOTUS strikes down PASPA (*Murphy v. NCAA*)
  - 2017: NFL's Oakland Raiders announce intention to relocate to Las Vegas
  - 2016: NHL announces it has awarded expansion franchise to Las Vegas
  - 2015: DFS companies spend more money on advertising than beer companies during NFL's opening weekend
  - 2014: "Christie II" National Collegiate Athletic Association v. Christie
  - 2014: American Broadcasting Cos., Inc. v. Aereo, Inc.
  - 2012: "Christie I" National Collegiate Athletic Association v. Christie
  - 2009: Delaware reintroduces sports lottery (pro leagues filed injunction Office of Commissioner of Baseball v. Markell)
  - 2007: NBA referee Tim Donaghy fired for fixing point spreads (including playoff games)
  - 2007: C.B.C. Distribution & Marketing, Inc. v. Major League Baseball Advanced Media, LP
  - 2006: UIGEA
  - 2003: NFL rejects Las Vegas tourism ad, claiming it was against league policy
  - 1998: Maloof family buys Sacramento Kings after agreeing their LV casinos would not accept bets on the Kings
  - 1997: National Basketball Association v. Motorola
  - 1992: PASPA
  - 1989: Oregon creates "Sport Action" lottery product. Stopped in 2007. (NBA sued)
  - 1989: Pete Rose banned for baseball while betting on games while a manager for the Reds
  - 1988: IGRA: Indian Gaming Regulatory Act
  - 1986: National Football League v. McBee & Bruno's, Inc.
  - 1986: Baltimore Orioles, Inc. v. Major League Baseball Players Association
  - 1983: Congress reduces excise tax to 0.25 percent
  - 1981 Boston College point-shaving scandal
  - 1978: IHRA: Interstate Horse Racing Act
  - 1977: National Football League v. Governor of Delaware
  - 1976: Delaware State Lottery creates game based on NFL results – folds later that year
  - 1975: First "significant" race & sports book in Nevada (Union Plaza Hotel & Casino)
  - 1974: Congress reduces excise tax to 2% of handle
  - 1973: Montana legalizes sports pool wagering (still in effect today)
  - 1963: NFL stars Paul Hornung and Alex Karras suspended for betting on football
  - 1961: The Federal Wire Act
  - 1960: U.K. legalizes sports betting (10,000 shops open within 6 months)
  - 1959: Grant Sawyer elected Gov. of NV; created Nevada Gaming Commission
  - 1951: Revenue Act
  - 1949: NV first state to legalize regulated sports wagering
  - 1920: Judge Kenesaw Mountain Landis named MLB's first commissioner
  - 1919: Chicago "Black Sox" World Series scandal
-

**APPENDIX B**

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**List of documents analyzed in the NPF study**

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Prohibiting State-Sanctioned Sports Betting Congressional hearing, June 26, 1991

Professional and Amateur Sport Protection Act Congressional hearing, September 12, 1991

Gambling on the Internet Congressional Testimony, July 28, 1997

Internet Gambling Prohibition Act of 1997 Congressional hearing, June 24, 1998

Internet Gambling Congressional Testimony, June 15, 2000

Unlawful Internet Gambling Funding Prohibition Act and other internet gambling proposals, July 24, 2001

Unlawful Internet Gambling Funding Prohibition Act and the Combating Illegal Gambling Reform and Modernization Act Congressional hearings, November 29, 2001

*Office of the Commissioner of Baseball v. Markell*, U.S. Court of Appeals for the Third Circuit, August 31, 2009

Federal depositions from MLB and NFL, November 6-12, 2012

*NCAA v. Christie* memorandum opinion, December 21, 2012

Brief of Professor Ryan M. Rodenberg as Amicus Curiae in Support of Petitions for Writ of Certiorai, November 4, 2016

NBA's Statement to New York State Senate Standing Committee on Racing, Gaming and Wagering, January 24, 2018

Post-PASPA: An examination of sports betting in America, September 27, 2018

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## APPENDIX C

### Newspaper Framing Codebook

#### **Stage 1 – Open coding**

##### **Headline**

Definition: Primary headline used in an article.

Examples: *Sports Betting Advocates See Momentum Building*, *Sports Betting: Senate Says No*,

##### **Newspaper Title**

Definition: The title of the newspaper.

Examples: *The New York Times*, *Dayton Daily News* (Dayton, Ohio)

##### **Publication Date**

Definition: Date the article was published.

Examples: 5.14.18; 11.21.91

##### **Topic**

Definition: The general topic of the article.

Examples: Supreme Court decision; Silver op-ed; Senate votes on PASPA

##### **Frames**

Definition: Interpretation of a topic; how sports betting is contextualized.

Examples: protect integrity of the games; states' rights; protect youth; social problems

##### **Sources**

Definition: An actor or speaker linked to an opinion or factual information.

Examples: Senator, American Gaming Association, the Leagues, NCAA, professor, research firm

#### **Stage 2 – Framing Dimensions**

##### **Economic**

Definition: Any frames that primarily contextualize sports betting as an economic issue.

Examples: legalization creates new legal markets, legalization boosts state tax revenue, social problems associated with gambling addiction result in economic problems (e.g. bankruptcy), estimates of illegal sports betting market, description of partnerships between leagues and DFS or gambling companies

### **Moral/Social**

Definition: Frames that primarily contextualize sports betting as a moral or social issue.

Examples: prohibition protects youth from the perils of gambling, religious objections to gambling, opposition to state-sponsored gambling of any kind, more betting options = more gambling problems/addiction, protect individual freedom, descriptions of gambling normalization, prevalence of college student gambling, legalization and taxation funds social programs

### **Legal/Policy**

Definition: Frames that directly contextualize sports betting from a legal perspective or that refer directly to policy.

Examples: history of PAPSA, history of leagues' victories in court, regulation is safer than prohibition, comparisons with other countries' policies, comparison to marijuana (or other controversial product/service) policy, legalization does not stop illegal betting

### **Integrity**

Definition: Frames that contextualize sports betting as affecting (or not) the "integrity of the game," as often asserted by the pro sports leagues and the NCAA.

Examples: Direct quotes that refer to integrity, leagues asking for "integrity fee" post-PASPA, hypocrisy of sports leagues, legalization as progressive, referencing leagues' "180-degree" turnabout by embracing sports betting, fear that fans will value point spread above game outcomes, description of past sports betting scandals

## **State 3 – Categorization of Sources**

### **The leagues**

Definition: Professional and amateur sports leagues, teams, or schools.

Examples: NBA, NFL, MLB, NHL, NCAA, PGA Tour, NASCAR, WNBA, Southeastern Conference (SEC), current athletes, former athletes, coaches, commissioners, university presidents, professional sports league's player's association

### **Elected officials & Law enforcement**

Definition: Any local, state, or national holder of elected office or law enforcement representative.

Examples: President, Governor, Senator, Representative, Mayor, state senator, police spokesperson, FBI, attorneys general,

### **Justices & Attorneys**

Definition: Any individual local, state, or national judge or reference to the office

Examples: Supreme Court, District Court, Neil Gorsuch

### **Pro-Gaming Organizations**

Definition: Any organization (or individual affiliated with the org.) that promotes legal, regulated gambling.

Examples: American Gaming Association (AGA), Sports Betting Coalition, pro-legalization lobbyists, Indian gaming organizations, Casino Associated of New Jersey, state gaming commission

### **Anti-Gaming Organizations**

Definition: Any organization (or individual affiliated with the org.) that opposes gambling (in any form), promotes assistance for problem gamblers, or individuals associated with such groups.

Examples: Religious groups, anti-legalization lobbyists, social services organization

### **Independent Analysts**

Definition: Individuals or groups identified as experts or that supply factual information.

Examples: Research firms, college professors, attorneys, other journalists/media entities cited as experts or as having first reported a story, Wall St. broker, psychologist, doctor, policy expert, tech company

### **Gaming professionals**

Definition: Individuals or organizations with direct ties to the gambling industry (legal or illegal).

Examples: Spokespersons for gaming companies, casinos, racetracks, DFS/fantasy, state lottery, sportsbooks, oddsmaker, professional gambler

**Average Joes**

Definition: Individuals who are not directly connected to leagues or gambling industry.

Examples: “person the street”, students, columnists

**Disgraced ex-athletes**

Definition: Individuals identified in an article as having been punished for gambling-related transgressions.

Examples: Tim Donaghy, Pete Rose

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## APPENDIX D

### **Institutional Review Board for the Protection of Human Subjects Approval of Initial Submission – Exempt from IRB Review – AP01**

**Date:** May 25, 2021 **IRB#:** 13451

**Principal Approval Date:** 05/25/2021

**Investigator:** Brian Petrotta

**Exempt Category:** 2

**Study Title:** Integrity or the Inevitable? Assessing the legitimacy of legalized sports betting in the U.S.

On behalf of the Institutional Review Board (IRB), I have reviewed the above-referenced research study and determined that it meets the criteria for exemption from IRB review. To view the documents approved for this submission, open this study from the *My Studies* option, go to *Submission History*, go to *Completed Submissions* tab and then click the *Details* icon.

As principal investigator of this research study, you are responsible to:

- ☐ Conduct the research study in a manner consistent with the requirements of the IRB and federal regulations 45 CFR 46.
- ☐ Request approval from the IRB prior to implementing any/all modifications as changes could affect the exempt status determination.
- ☐ Maintain accurate and complete study records for evaluation by the HRPP Quality Improvement Program and, if applicable, inspection by regulatory agencies and/or the study sponsor.
- ☐ Notify the IRB at the completion of the project.

If you have questions about this notification or using iRIS, contact the IRB @ 405-325-8110 or [irb@ou.edu](mailto:irb@ou.edu).

Cordially,  
Lara Mayeux, Ph.D.  
Chair, Institutional Review Board

## APPENDIX E

### Integrity Survey

# Sports Betting and Fandom

---

#### Start of Block: Default Question Block

**Q1 Consent to Participate in Research at the University of Oklahoma** [OU-NC IRB Number: xxx Approval Date: xxx] \_ You are invited to participate in research about U.S. sports fandom. In the past three years, more than 20 states have legalized betting on sports. We want to know your opinions about being a sports fan in this new environment. If you agree to participate, you will **complete this approximately 15-minute online survey**. There are no risks or benefits. If you participate, you will be compensated for your participation in accordance with your agreement with Qualtrics Panels. Your participation is voluntary and your responses will be **anonymous**. After removing all identifiers, we might share your data with other researchers or use it in future research without obtaining additional consent from you. Even if you choose to participate now, you may stop participating at any time and for any reason. Data are collected via an online platform not hosted by OU that has its own privacy and security policies for keeping your information confidential. No assurance can be made as to their use of the data you provide. If you have questions about this research, please contact: **Brian Petrotta, M.A., [brian.a.petrotta@ou.edu](mailto:brian.a.petrotta@ou.edu) and Dr. Glenn Leshner, [leshnerg@ou.edu](mailto:leshnerg@ou.edu)**. You can also contact the University of Oklahoma – Norman Campus Institutional Review Board at 405-325-8110 or [irb@ou.edu](mailto:irb@ou.edu) with questions, concerns or complaints about your rights as a research participant, or if you don't want to talk to the researcher. *Please print this document for your records.*

*Do you agree to participate in this research?*

- Yes, I agree. (1)
- No, I do not agree. (2)

*Skip To: End of Survey If Consent to Participate in Research at the University of Oklahoma [OU-NC IRB Number: xxx ... = No, I do not agree.*

---

Page Break

---

End of Block: Default Question Block

---

Start of Block: Block 1

Q2 Are you at least 18 years old?

Yes (1)

No (2)

*Skip To: End of Survey If Are you at least 18 years old? = No*

---

Page Break

---

End of Block: Block 1

---

Start of Block: Block 2

Q3 Are you a fan of sports, in general?

Yes (1)

No (2)

*Skip To: End of Survey If Are you a fan of sports, in general? = No*

---

Page Break

---

End of Block: Block 2

---

Start of Block: Block 3

Q4 First, we would like to know about your familiarity with fantasy sports and sports betting.

Which of the following best describes your involvement *in the last year* with the following activities:

- I have played fantasy sports but NOT wagered on game outcomes. (1)
- I have wagered on game outcomes but have NOT played fantasy sports. (2)
- I have wagered on game outcomes AND played fantasy sports. (3)
- I have NOT wagered on game outcomes and I have NOT played fantasy sports. (4)

End of Block: Block 3

---

Start of Block: Block 11

Q28 What best describes the type fantasy sports league(s) that you played? (Select all that apply.)

- Traditional, season-long league with NO entry fee (1)
- Traditional, season-long league with an entry fee (2)
- Daily Fantasy Sports (FanDuel, DraftKings, etc.) (3)
- Traditional, season-long league and Daily Fantasy Sports (4)

End of Block: Block 11

---

Start of Block: Block 12

Q29 How do you place most of your wagers?

- I primarily bet with friends. (1)
  - I primarily bet through a sportsbook or casino that I visit in person. (2)
  - I primarily place bets online or through a mobile app. (3)
- 

Q31 How often do you wager on game outcomes?

- Several bets per day (1)
- Several bets per week (2)
- Several bets per month (3)
- Several bets per year (4)

End of Block: Block 12

---

Start of Block: Block 5

Q8 Next, we would like to know more about your attitudes toward legalized sports betting in the U.S. Please rate your level of agreement with the following statements:

	Strongly disagree (1)	Somewhat disagree (2)	Neither agree nor disagree (3)	Somewhat agree (4)	Strongly agree (5)
Legal sports betting is a potentially valuable source of state tax revenue. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Widespread legalized sports betting will have a positive impact on gambling companies' stock prices. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
U.S. bettors should place their wagers with legal U.S. companies, not offshore sportsbooks. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The market for legal sports betting in the U.S. is huge. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sports betting should be regulated and operated by state or federal governments in the U.S. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sports betting should be regulated and operated by private companies in the U.S. (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

---

Page Break

Q30

Please rate your level of agreement with the following statements:

	Strongly disagree (1)	Somewhat disagree (2)	Neither agree nor disagree (3)	Somewhat agree (4)	Strongly agree (5)
Sports betting should be prohibited to protect our children. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Sports betting should be illegal because it is too closely tied to organized crime. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Please select "somewhat disagree" for this row. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
State governments should not sponsor sports betting. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increasing access to sports betting would create more social problems (bankruptcy, divorce, etc.). (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Page Break

End of Block: Block 5

---

Start of Block: Block 7

Q10 Please rate your level of agreement with the following statements:

	States (not federal government) should control whether to allow sports betting. (1)	Sports betting should be regulated at the federal level, not the state level. (2)	It is better to legalize, tax, and regulate sports betting than to keep it illegal. (3)	It is better to prohibit sports betting than to legalize it. (4)	Regulation of sports betting should be similar to regulation of the marijuana industry. (5)
Strongly disagree (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Somewhat disagree (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neither agree nor disagree (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Somewhat agree (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Strongly agree (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

---

Page Break

---

End of Block: Block 7

---

Start of Block: Block 8

Q11 Please rate your level of agreement with the following statements:

	Strongly disagree (1)	Somewhat disagree (2)	Neither agree nor disagree (3)	Somewhat agree (4)	Strongly agree (5)
If legal sports betting becomes widespread, fans will care more about the point spread than the outcome of the game. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Past scandals prove that sports leagues are not able to effectively protect their games from gamblers. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Illegal sports betting was already popular, so it doesn't matter if it is legalized. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pro sports leagues' willingness to partner with betting companies (e.g., FanDuel, DraftKings, BetMGM) indicates that legal sports betting poses no threat to the games. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Pro sports leagues' willingness to expand or move teams to Las Vegas indicates that legal sports betting poses no threat to the games. (5)



Widespread sports betting is a bigger threat to NCAA/amateur sports than professional sports. (6)



---

Page Break

End of Block: Block 8

Start of Block: Block 9

Q12 Finally, we would like to know a little more about you.

What is your age?

---

Q13 What is your race, ethnicity or origin?

- White/non-Hispanic/Latin (7)
  - White/Hispanic/Latin (1)
  - Black or African American (2)
  - American Indian or Alaska Native (3)
  - Asian (4)
  - Native Hawaiian or Pacific Islander (5)
  - Other (6)
- 

Q14 What is your gender identity?

- Male (1)
  - Female (2)
  - Non-binary / third gender (3)
  - Prefer not to say (4)
-

Q15 What is your highest level of education?

- Less than high school (1)
- High school graduate (2)
- Some college (3)
- 2 year degree (4)
- 4 year degree (5)
- Professional degree (6)
- Doctorate (7)

---

Page Break

Q16 What is your annual household income?

- Less than \$10,000 (1)
  - \$10,000 - \$29,999 (2)
  - \$30,000 - \$49,999 (3)
  - \$50,000 - \$74,999 (4)
  - \$74,999 - \$99,999 (5)
  - \$100,000 - \$149,999 (6)
  - More than \$150,000 (7)
- 

Q17 How important is religion in your life?

- Not at all important (1)
  - Slightly important (2)
  - Moderately important (3)
  - Very important (4)
  - Extremely important (5)
-

Q18 In general, how would you describe your political views?

Very conservative (1)

Conservative (2)

Moderate (3)

Liberal (4)

Very Liberal (5)

---

Page Break

Q19 In what state do you live?

▼ Alabama (1) ... Washington, D.C. (50)

End of Block: Block 9

---