

Shady Business:
A Role-Playing Game about Media Law

Design Documents

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Introduction

[Shady Business](#) is a single-player RPG designed for Rutgers University undergraduate students taking Media Ethics and Law (04:567:201), so they can practice applying their legal knowledge in realistic newsroom scenarios. The perfect mix of mystery, humor, and legal content, Shady Business provides many opportunities for the player to read about the law and make meaningful choices related to the content, as they try to research a story. The game covers wiretapping, the Freedom of Information Act, intrusion into seclusion, trespassing, defamation, and shield law. It is ideally used for content review, prior to Exam 1. Students can play the game as many times as they wish, spending approximately 15 minutes per game. Upon request, instructors are emailed a detailed report on game play for each student, documenting time spent playing, incorrect answers, and scores. Shady Business can be accessed by anyone who signs up for a free account at <https://gamification.egyan.rutgers.edu/sb/>.

Target Audience

Shady Business is designed for first- and second-year undergraduate students at Rutgers University who are taking Media Ethics and Law. Most will have no experience in a newsroom, been raised in New Jersey, and be between the ages of 19 and 24. An initial poll of 45 members of the target audience revealed that more than 96 percent had access to a laptop or desktop computer at home. Moreover, 74 percent of students polled said they that they enjoy playing online games. All students self-reported that they are technologically savvy enough to navigate their way through a browser-based game using a

mouse or trackpad. These findings are also supported by classroom observations of the target audience over the last four years.

Implementation Context

While the game is available to anyone who wants to play and have an Internet-enabled device, it was designed for Rutgers undergraduates taking Media Ethics and Law. In this particular context, students can play the game as many times as they wish, using any browser on a desktop or laptop computer. For those students who do not have a personal computer, desktop terminals with browsers are available in the computer labs on the Rutgers College Avenue campus, including labs in the two buildings where Media Ethics and Law courses are held.

Marketing Minute

In the secretive world of Shady Business, it's up to you to shine a light on the truth. This browser-based RPG casts you as a Summer intern reporter fresh out of story ideas, until a whistleblower contacts you promising a huge scoop. One big story could make your career but one small mistake could destroy it. You will need to gather the evidence without breaking the law. Each choice you make will either get you closer to the whole truth – or a lawsuit. Can you get the story published before your competitors without running afoul of the law?

Hooks

The main hook for Shady Business is the storyline, which will draw readers in with a mix of comedy and suspense. Students will also want to keep playing to find out what the scoop is and whether they can publish the truth before their competitors – without being sued. A secondary hook are the many paths of the story. Some players will also play repeatedly to see what happens when they play with Experience and Reputation points in mind. A third hook is the scoring system. Some players will keep playing to see if they can improve their Reputation score enough to see the bonus ending.

Learning Objectives

This game is designed to help students review content about wiretapping, the Freedom of Information Act, intrusion into seclusion, trespassing, defamation and shield law. Students will have already heard about all of these topics during lectures in their Media Ethics and Law course. Ideally, Shady Business is played by students before they take Exam 1, which assesses these topics in a more formal, written format.

U.S. Wiretapping Laws

Covered in [Scene 4](#), [Scene 4 Option 1](#) and [Scene 4 Option 2](#), [Scene 11](#), [Scene 11 Option 1](#), and [Scene 11 Option 2](#).

1. Should you ask the other party before recording an in-person conversation taking place in the state of New Jersey?

The law does not require you to ask. As long as one of the parties taking part in the conversation knows it is being recorded, the recording is legal.

2. Can you legally record a phone call without asking the other party?

If you are certain both parties are in New Jersey – where only one party must know the call is being recorded – than yes. However, some 11 states require all parties in the conversation consent to the call. It is therefore critical to consider their location.

Freedom of Information Act (FOIA)

Covered in [Scene 6](#), [Scene 6 Option 1](#), [Scene 6 Option 2](#) and [Scene 7 Option 1](#).

3. Who can file a FOIA request?

Anyone can file a FOIA request. Journalists have no special rights in this area.

4. How long does it take to receive the documents requested via FOIA?

It can take weeks or months before the requester gets a response.

Intrusion into Seclusion

Covered in [Scene 13](#) and [Scene 13 Option 2](#).

5. Would listening in on a conversation at a party be considered intrusion into seclusion?

It is unlikely because this law rests on the idea that the injured party must have had an expectation of privacy.

Trespassing

Covered in [Scene 13](#) and [Scene 13 Option 3](#).

6. Could a journalist entering a party uninvited be charged with trespassing?

Yes, it could be considered trespassing by a court. Journalists have no special rights to trespass beyond those of other citizens.

Defamation

Covered in [Scene 16](#), [Scene 16 Option 1](#), [Scene 17 Option 1](#), [Scene 17 Option 2](#), [Scene 18 Option 1](#), and [Scene 18 Option 2](#).

7. Can a statement be ruled defamatory if the statement is true?

No. Truth is a defense against defamation.

8. Can the plaintiff's standing in the community change the outcome of a defamation case?

Yes.

9. What makes it difficult for celebrities and public officials to prove defamation?

Celebrities and public officials must prove that the journalist acted with actual malice, intending to hurt the reputation of the plaintiff despite known that what they wrote was inaccurate.

Shield Law

Covered in [Scene 8](#), [Scene 8 Option 1](#), [Scene 8 Option 2](#), [Scene 8 Option 3](#), [Scene 9 Option 1](#), and [Scene 9 Option 2](#).

10. What is Shield Law?

Shield Law is a law that journalists can use to protect the identity of their source.

11. Does a journalist need to tell their source they are willing to use the shield law prior to starting the interview?

No, a journalist can decide to use the Shield Law at any time.

Note: There are 11 content-oriented questions but players can only earn a maximum of ten points because both options offered in the initial scene result in the loss of one Reputation Point. This question does not cover content. It was implemented to get the user accustomed to the process and provide levity.

Game Mechanics

Players are presented with text, images and background music that all work together to tell the story. To advance to the next part of the story, players will push a Next button displayed below the story text. At various points in the story, players will have to make decisions about what to say or do next in the game, by selecting from two to four options. Players will make their selection by clicking on the text link describing their preferred choice. No matter which choice the player makes, they will be presented with information about the possible legal ramifications and their Reputation points may change. To win the game, the player must publish the story before the competing paper, The Sentinel Sun.

Programming

Shady Business revolves around a player's choices. With each click, they plot their own course through the game.

Reputation Points: The key metric in the game is the Player's Reputation score, which is a real number from 0 to 10. The Player's initial Reputation Score is 0. Players have a maximum of 11 opportunities to earn a single Reputation point. (The initial choice, which is offered as a humor hook and unrelated to course content, results in the loss of a point regardless of the option selected.)

Police Variable: If the player decides to directly confront Paula Smythe, the police may be called. It's all dependent on the player's Reputation Score in [Scene 14 Option 2](#). If it is less than 4 the police will be called, the player taken to the police station, and the game will end. Otherwise, the Player will be tossed out of the party but be allowed to continue their quest.

Scooped Variable: In terms of the story, a player is scooped if another publication publishes their version of the story first. This variable is set in [Scene 18 Option 1](#). If, at that point, the player's score is less than 7, they are scooped by their Competitor, The Sentinel Sun, and the game ends. Otherwise, the Player publishes the story first. Players who finish the game by getting the scoop and with more than 6 Reputation points will be offered a fulltime job at the paper.

Final Scene Variable: This variable is set in [Scene 19](#). There are three options here. If the Sun Sentinel scoops the player, then they live to report another day but are only offered a few understanding words from their editor. If the player scoops but their score is less than

9, they are offered a hearty congratulations from their boss. If the player scoops and their score is more than 8, they are offered a fulltime reporting job – the ultimate reward for an intern.

Programming Languages: Shady Business was coded in HTML, CSS, and PHP. Account and game information is stored on a MYSQL server, with information retrieved as necessary by the game’s Web pages, via PHP.

Game Elements

The Player

The Player takes on the role of a twenty-something completing a Summer internship at The Jersey Post. Before landing at the Post, Player was a student at Rutgers University. He recently completed his undergraduate degree in Journalism Media Studies Department. Born and raised in New Jersey, Player rarely leaves the state except to go to Manhattan nightclubs with friends occasionally. Player often didn’t pay attention in class and is more of an on-



Figure 1. The main characters of Shady Business.

the-job learner. Knowing how hard the job market is and with considerable student loans to pay off, Player's heart is set on turning this internship into a full-time job.

Kenneth Ross

Ross is the editor of the Post's news section. He started out at the Post fresh from Rutgers' undergraduate journalism program, which is why he sometimes has a soft spot for Player. Most of the time, however, he is a gruff journalist dedicated to publishing the truth. Ideally, he would like your story in yesterday. He is always worried about losing a scoop to the Post's top competitor, The Sentinel Sun.

Mr. Business

The man who started it all – the whistleblower. He planted the seed for your story and periodically points you in the right direction. But he refuses to tell you his real name or his connection to the story. All you know is he has a job close to your offices in New Brunswick, New Jersey and is always in a rush to get back to his desk.

Ian Smythe

As the Mayor of Harlesville, Smythe has never had a scandal. He can be a bit intimidating at times, but he gets the job done. He rarely grants interviews – which might be how he has avoided scandal – and isn't keen on the press. He enjoys the race track and Atlantic City, in general.

Paula Smythe

Paula, a slender blonde, was been married to Ian for 25 years before the couple divorced in 2016. When she isn't shopping or horseback riding, she enjoys doing charitable work for agencies that help the homeless and those suffering from addiction. Before she married Ian, Paula was a purchaser for the clothing retail chain, TM Jaxx. Her own charity, Wonder Warmers, provides winter apparel to the homeless by acting as a middleman. She uses her old retail connections to put last year's fashions into the hands of agencies serving those in need.

Tamika Baxter

At 65 years-old, Baxter was happy to finally retire from the news business last month. She spent her entire career working as a newspaper reporter at The Post and her dedication paid off. She developed dozens of sources who trusted her to investigate wrongdoings they saw in the community. She's well versed in New Jersey media law and isn't afraid to offer her opinion to interns.

Story Overview

You are a fledgling reporter, interning at The Jersey Post for the Summer after graduating college. One day you get a call from a whistleblower who insists you investigate the Mayor, who he claims stopped making alimony payments months ago. You're skeptical, but file a FOIA request nonetheless. The more you dig, the more you find. After getting some legal advice from the newspaper's lawyer regarding shield law, you interview the

Mayor and sneak into a swanky benefit party for the charity run by his ex. Your reporter's nose tells you something is definitely up, but if you push too hard you might wind up in the back of a cop car and off the story altogether. Play your cards right and you'll avoid the fuzz, instead getting another tip from the whistleblower. This time, he tells you to do some surveillance at a local park. While there, you notice the contents of the charities' truck being loaded onto a TM Jaxx truck. It turns out that the Mayor's ex-wife has been taking donations of new clothing that was supposed to go to the homeless and reselling them to the retail chain where she once worked. When the Mayor found out he cut her off, threatening to expose her scam if she went after him for the alimony. The Mayor threatens to sue you for defamation of character but the truth is on your side. If you've answered enough legal questions correctly throughout the game, you'll publish your story before your competitor and even earn a permanent job as a reporter.

User Interface

Shady Business is browser-based game that is preferably played on a laptop or desktop computer. Players interact with the game by making a selection using a trackpad or mouse.

S H A D Y B U S I N E S S



Reputation: 0 / 10

"I'm working on a great lead right now," you respond. "But I'm going to need a day or two to sort out the details."

"A day or two? What's this story about?" Kenneth asks.

A feeling of dread washes over you.

Thankfully, the big black phone on your desk wails before you can answer. It's the first time you've actually heard it ring and the sound startles you.

NEXT

Figure 2. The red in the Next button will draw the learner's attention so they know what to click on to reveal the next part of the story.

On each screen, the player either clicks on the Next button (See Figure 2), or clicks on their preferred option, which is presented as a numbered text link (See Figure 3).

Reputation points are prominently displayed in gold. There is an auto-save feature which

ensures that if a player accidentally closes their browser or their Internet connection drops, they can pick up where they left off by logging in again.

SHADY BUSINESS



Reputation: 3 / 10

"You mean you snuck in! Do you have any idea how much trouble you could get in?" she whispers, sharply.

1. "It's all part of the job. It's fine. I'm a journalist. It's not an issue."
2. "Look, I know all about privacy law. Yes, I understand that this could, technically, be intrusion into seclusion. But that would require someone noticing that I don't belong here. Look at this suit!" you say with a wry smile. "I clearly belong here."
3. "Yes, I know it's technically trespassing. But if you keep your voice down, I won't get into any trouble now, will I?"

Figure 3. Each numbered option represents a different choice in the story and links to a different web page.

The Art Bible

Shady Business' art conveys the look and feel of an old mystery movie: it's largely black and white, with hidden figures lurking and vintage frames around important elements, such as the Next button.

Shady Business
Shady Business
Shady Business
Shady Business

Figure 4. Josefin Slab from Google Fonts

Together with the partly hidden letters of the title font and the darkened alley and newsroom scenes, this creates a suspenseful mood where things seem slightly off.

Title font: [Stripped Nervous Noir Light font from 123Rf.com](#)

Text font: [Josefin Slab from Google Fonts](#) (See Figure 4.)

Colors: white (#FFFFFF), black (#000000), blue (#3399CC), burnt red (#993333), yellow (#F9E50D). (See Figure 5.)



Figure 5. This image shows the game's five main colors as well as the Stripped Nervous Noir font used for the game's title.

The Game Minute

Reading the game text in [Scene 14](#), you learn that your character is at a lavish charity benefit, being lectured by the newspaper's lawyer. You answer her questions as best you can, by clicking on the option explaining that entering uninvited could be considered trespassing. When the next screen loads, you see you've earned a Reputation point for answering correctly (See Figure 6).

SHADY BUSINESS



Reputation: 3 / 10

"You mean you snuck in! Do you have any idea how much trouble you could get in?" she whispers, sharply.

1. "It's all part of the job. It's fine. I'm a journalist. It's not an issue."
2. "Look, I know all about privacy law. Yes, I understand that this could, technically, be intrusion into seclusion. But that would require someone noticing that I don't belong here. Look at this suit!" you say with a wry smile. "I clearly belong here."
3. "Yes, I know it's technically trespassing. But if you keep your voice down, I won't get into any trouble now, will I?"

Figure 6. Answers 1 and 2 are incorrect. Clicking on them would cause the player to lose a Reputation point. Clicking on option 3, however, will earn the player a Reputation point.

You read on, learning that the Mayor's ex is across the room. You click on the option to hang back and listen as she chats with her assistant and then asks her to toss out a small, white card.

SHADY BUSINESS



Reputation: 4 / 10

That's a private conversation you're listening to, but they're having it in a room full of people. While it's impossible to know how a court will rule in any instance, it's unlikely that a court would view this as an invasion of privacy.

"Get rid of this, will you?" whispers Ms. Smythe to her assistant. "My ex is such an idiot. Why doesn't he just write it on a banner and hang it up in the hallway!"

You watch her assistant toss the small, white note card into the trash bin beside the bar.



Figure 7. You earn a Reputation point, shown in gold, and read the text that explains you earned that point for recognizing the fact that the Mayor's wife wouldn't likely be able to file a case for invasion of privacy because she's in the middle of a party.

When the Web page for [Scene 14 Option 1](#) loads, you see an image of two shadows in evening gowns (See Figure 7). You can also see you've earned a Reputation point for recognizing that there can be little expectation for privacy in a room full of people at a party."

Further reading reveals that Ms. Smythe received a note from the Mayor that has left her slightly shaken and annoyed. It seems to contain a secret she'd rather others didn't know. Ms. Smythe's assistant tosses the small white card in the garbage and you realize it could be an important clue.

Game Progression

Scene 1

Coffee. Cellphone. Laptop.

Another day at The Jersey Post. Your third day, to be exact. On Monday you went to an actual dog and pony show. Yesterday, you covered a town hall meeting about a possible plastic-bag ban. It wasn't exactly Pulitzer Prize material. Still, you're grateful to have a desk in one of the busiest newsrooms in the country. It isn't just any desk, either. Your editor, Kenneth Ross, was quick to tell you that it had been the desk of the great Tamika Baxter: an old-school investigative reporter with an unimpeachable reputation who retired a few weeks before you arrived. You feel honored to be there, but also a little bored. Your editor strides into the newsroom. You have no stories, no leads, and no sources. You decide to:

- 1) [Crouch under the desk and hope he doesn't notice you.](#)
- 2) [Tell him the truth: you've got nothing.](#)

Scene 2 Option 1 (-1 Reputation Point)

“Ninja training?” Kenneth asks, with you still under the desk. “You’re going to need to work on your stealth mode, I think.”

“Sorry boss. I dropped a quarter,” you reply, banging your head on the desk as you sit up.

“Second time this week, if I recall. For a millennial, you sure do carry a lot of change. Meet me in my office in ten minutes so we can talk about your plan for today.”

Kenneth is particular. He wants everything done the right way, fast. But he can also be quite kind. You’re pretty sure you got this job because you’d mentioned the death of your parents last year in a house fire. You’ve been published a few times in the university newspaper, but this job seemed like too plum an assignment for a B student.

“I’m working on a great lead right now,” you respond.

“Anything good?” he asks.

“I think it could be front page material, boss. But I’m going to need a day or two to sort out the details.”

“A day or two? Come into my office. Let’s discuss.”

A feeling of dread washes over you as you slowly rise from your desk and walk with him towards his office.

“So what’s this story about?” Kenneth asks.

Scene 2 Option 1b (+1 Reputation Point)

The big black phone on your desk wails before you can answer. It’s the first time you’ve actually heard it ring and the sound startles you.

“That must be the big call now,” Kenneth says with a smile before heading into his office.

As you lift up the receiver you hear a rushed whisper: “Tami? Meet me behind the Coffee Plus in 15 minutes. I’ve got something you need to see.”

Before you can respond, you’re listening to a dial tone and wondering what just happened. It must have been one of Tamika’s old sources. Someone who doesn’t know she’d retired. It sounds like a great story. You Google the closest Coffee Plus, grab your gear and head out the door. As you pass by Kenneth’s desk you yell: “Off to get that scoop!” From the other side of his glass wall, he gives you a thumbs up.

[NEXT](#)

Scene 2 Option 2 (-1 Reputation Point)

“Ken, can I talk to you a minute?”

“It’s Kenneth,” he says gruffly.

“Right. Sorry. Yes. Kenneth. Well, I’m having a little trouble getting going this morning.”

“Have you tried Miralax?” Kenneth asks, straight faced.

“No, I mean...”

“I get it. You mean you’re having trouble finding a story idea.”

The black phone on your desk rings – loudly. You practically jump out of your chair, you’re so surprised. You didn’t even realize that ancient beast of a phone was connected to anything.

You scramble to grab the phone, and just as you noticed the smirk on Kenneth’s face you lose your grip on the receiver and it crashes back down in the cradle. You pick it up again.

“Well, whoever it was is gone now.”

The phone rings again.

“I think I’ll leave you to it,” Kenneth says as he heads into his office.

“Hello? Hello?” you shout into the receiver.

“Where’s Tami?” says a worried voice on the other end of the line. “I need to speak to Tamika.”

“I’ve taken over her desk. She retired last month. I think she’s in Colorado now.”

“Colorado?” says the voice. “You said you took over her beat?”

“Yes, I’ve taken over her beat. I mean desk. I mean... How can I help you?”

“I can’t talk about this on the phone. Can you meet me in five minutes?”

“What’s this about?”

“Can you meet me?”

“I guess. How about the Post’s cafeteria?”

“Are you crazy? How about the alley behind Coffee Plus, on third.”

“Okay. I’ll see you in five.”

[NEXT](#)

Scene 3 from Scene 2 Option 1

By the time you get to the alley behind the Coffee Plus, there’s already someone there. A tall man in a tan fedora, with the rim so low you can barely see his eyes. His skin is complicated by age. Is that a scar or a deep-set wrinkle by the corner of his mouth? He

carries himself with the uncertainty of a 12-year-old boy who has suddenly found himself in the body of a man.

“I’m waiting for somebody, kid. Private meeting,” says the man.

“Tami’s not coming,” you say. “You’re stuck with me instead.”

“So... you come Tami approved?”

[NEXT](#)

Scene 3 from Option 2

By the time you get to the alley behind the Coffee Plus, there’s already someone there. A tall man in a tan fedora, with the rim so low you can barely see his eyes. His skin is complicated by age. Is that a scar or a deep-set wrinkle by the corner of his mouth? He carries himself with the uncertainty of a 12-year-old boy who has suddenly found himself in the body of a man.

“What did Tami think of you?” the man asks.

[NEXT](#)

Scene 4

“She didn’t know me. We never met. I’ve... I’ve just started at the Post.”

“Seriously? I shouldn’t have come. You’re just a kid, aren’t you? You don’t need any part of this.”

“Actually, sir: I do. More than that, I want to help you. I took this job because I want to bring the truth into the light. I’ll do right by you. I need this story – whatever it is.”

“The truth is I don’t have time to scout a new reporter. This story can’t wait. I guess I’m just going to have to trust you.”

You reach your hand into your pocket and feel around the side of your digital recorder. It’s got a pretty good mic. If you took a few steps forward, you could probably pick up the whole conversation with the recorder inside your pocket and your source would never know. You decide to:

- 1) [Flip the switch and start recording. You don’t want to miss a thing.](#)
- 2) [Pull out your recorder and ask him if it’s okay to record the conversation.](#)

Scene 4 Option 1 (+1 Reputation Point)

You remember from your Media Law course that since the interview is taking place in New Jersey, you don’t legally have to ask for permission to record. As long as one of the two parties involved in the conversation know it’s being recorded, it’s legal.

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Scene 4 Option 2

Your source looks at you skeptically and you realize you shouldn’t have asked. This is New Jersey, after all. The state’s one-party consent law means that as long as one of the people involved in the conversation knows it’s being recorded it’s legal.

“What? No. No notes. No recording. We’re not actually having this meeting. Do you understand?”

“Sure, no problem.”

NEXT

Scene 5

“Okay, good. I only have a few minutes before they’ll notice I’m not at my desk.”

“What’s your name?” you ask.

“My name is None of Your Business. But you can call me Mr. Business,” the man says.

“Now listen up: you know the Mayor of Harlesville? Mayor Smythe?”

“Sort of. What about him?”

“According to his divorce settlement, he was originally supposed to support his ex-wife to the tune of \$75,000 a year.”

“So?”

“So, he’s not. I’ve seen his bank records and those payments stopped going through eight months ago. As far as I can tell, she’s not hurting for cash either.”

- 1) “Maybe she’s got a new man with deep pockets in the picture? It’s not a crime to stop taking money from your ex. Frankly, this sounds like a private matter. We’re not supposed to publish private facts. I’m out of here.”
- 2) “Okay. Tell me you’ve got more than that though?”

Scene 5 Option 2 (-1 Reputation Point)

“Listen kid, Tamika taught me a thing or two about the law. That whole publication of private facts thing is weak. A lot of judges today feel like it shouldn’t apply to anything of interest to the public. And the guy is the Mayor, so people are going to want to know.”

[NEXT](#)

Scene 6

“Look: There’s something going on in the shadows. I just know it,” the sources says. “That charity his ex runs -- Wonder Warmers -- was supposed to supply the state with millions of dollars in winter coats and boots for the homeless. Without warning, the charity suddenly backed out of the project.”

“What does that have to do with the divorce settlement?”

“Kid, I’m telling you there’s a story here. File a request via the Freedom of Information Act, asking for anything the Mayor worked on in relation to Wonder Warmers.”

- 1) [“If you’re so sure something’s going on, why don’t you submit a FOIA request? You don’t have to be a journalist to request information from the government, you know.”](#)
- 2) [“Oh, I see where this is going. You’re just using me because I’m a member of the press, so I can submit the FOIA request for you!”](#)

Scene 6 Option 1 (+1 Reputation Point)

“Yeah, I know I could file a FOIA request but then my name would be on the request, wouldn’t it? I can’t risk that,” explains Mr. Business.

“Have you tried using your amazing alias?” you ask, jokingly.

“Oh, hardy, har, har. You’re really making me miss Tamika, kid.”

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Scene 6 Option 2 (-1 Reputation Point)

"Kid: Did you sleep through Journalism school?!?" exclaims Mr. Business. "Anyone can file a FOIA request. You don't need to be a reporter!"

- 1) "Fine. I'll file the FOIA request and call you tomorrow when I've got the records."
- 2) "No matter who files the FOIA request, it could take months to hear back. Do you have any documents at all that you can give me right now?"

Scene 7 Option 1 (-1 Reputation Point)

"It could take weeks, if not months, to get info back via FOIA. Put in the request, but see what you can find out on your own, too."

"Okay. I'll see if I can arrange to have a chat with the Mayor or his wife," you say.

"Sounds like a plan."

[NEXT](#)

Scene 7 Option 2

"I've got one file. One page from a file, actually. I don't like letting go of it... it's my only evidence so far but... I guess if you're on the story, I'll give it to you."

"I promise I'll keep it safe."

"That document can't be traced back to me. But I don't think I could get another copy. So don't let it out of your sight. And keep our little meetings secret for now."

NEXT

Scene 7B

“Okay, Business. How can I reach you again if I need you?”

“I’ll call you when it’s time,” Business explains.

“Stellar,” you say and head back to the newsroom.

NEXT

Scene 8

After you finish filling out the FOIA request, the newsroom’s lawyer, Jayla Monico asks you to come into his office.

“What’s up?” you ask, trying not to seem petrified.

“Kenneth says you’re working on a big story. One you can’t tell him about. Those kinds of stories also tend to be legally problematic. I wanted to go over a few things with you,”

Jayla says. “Do you think you’re going to need to use Jersey’s shield law?”

- 1) “I hope not! But you’ll act as my shield if I need you, right?”
- 2) “My source and I haven’t had a conversation yet about what I’ll do if I get called in to testify. But I have promised him that, for the moment, I’ll keep the details of the story and his identity a secret.”
- 3) “I’m torn. I want my name on this story. I need to establish myself as a hard-hitting reporter. But this story is big, so I might need protection. Do you think Kenneth will be mad if you use it to protect my identity and keep my name off of the story?”

Scene 8 Option 1 or 3 (-1 Reputation Point)

Jayla looks at you like you've sprouted a third ear and shakes her head. "Umm, I don't think you understand shield law. Take my copy of the Associated Press style guide. Read over the section on shield law when you have time. I'll give you the quick explanation for now. Shield law isn't about protecting your name," she says. It's about protecting the name of your source, the information you collect, and the process you used to collect it, if you're called in to court to testify."

"Right, right. It's all coming back to me," you say.

"So have you promised your source you'll use the shield law to protect them?" she asks.

"Sort of. I promised I'd keep everything a secret for now. But we haven't talked about what I'll do if I'm subpoenaed yet. I'm not even sure there's a real story here, yet!"

NEXT

Scene 8 Option 2

"That's fine," Jayla says. "I just want to make sure you know what you're doing."

- 1) "The truth is, I'm not sure if I'd use shield law or not. But I don't need to tell my source in advance, regardless. I can decide at the very last minute to use the shield law, without ever telling my source."
- 2) "You're right. I'm going to have a conversation with my source about it as soon as she calls me back. We need to decide whether or not I'll use the shield law to protect him before I get hit with a subpoena!"

[NEXT](#)

Scene 9 Option 1 (+1 Reputation Point)

“You’re right,” says Jayla. “There’s no need to decide now. But you might want to mull over whether you’re willing to sit in jail to protect the source’s identity.”

“Fair enough. Thanks for the chat. It’s good to know I can come to you with questions.”

“Of course,” she says. “Anytime.”

[NEXT](#)

Scene 9 Option 2

“There’s no need to discuss it with your source now,” says Jayla. “You can decide even after you are served with a subpoena. I just thought you might want to mull over whether you’re willing to sit in jail to protect the source’s identity.”

“Right. Thanks, Jayla,” you say, embarrassed.

[NEXT](#)

Scene 10

As you stand up to leave, you notice an invitation on the top of Jayla’s inbox: “Winter Warmers Gala Benefit Dinner. 8pm at the Imperial Ballroom. Tickets \$150 per person.”

“Are you going to the gala, tonight?” Jayla asks.

“Nope,” you tell her. “I’m only just hearing about it now.”

“I’ll be there. Remind me next year, and I’ll bring you as my guest,” Jayla offers, warmly.

“I like that idea, mostly because it implies I’ll still be here in a year!”

“Fingers crossed!”

NEXT

Scene 11

By the time you get back to your desk, you realize it’s almost time for that phone interview you scheduled with the Mayor. You call his receptionist, as planned.

“I’m going to need to put you on hold,” she explains. “The Mayor is at an urban planning conference in Massachusetts and his session is running a little late. But he should be ready for the call in just a minute or two.”

Thank goodness he’s delayed, you realize. You still have to start the app on your cell phone to record the call.

- 1) You’ll ask him if you can record it before you hit the red button, obviously. But you want to have the app open and ready to go.
- 2) You press record immediately so you don’t forget. You’re in New Jersey, anyway. The state’s one-party recording law means you don’t need to ask him for permission.

Scene 11 Option 1 (+1 Reputation Point)

Good thinking! You might be in New Jersey, but he’s in Massachusetts. You remember from your media law class that it’s one of the 11 states with an all-party consent law, so everyone being recorded needs to agree to it. Whether the recording is deemed illegal will

depend on which court takes the case and it could be tried in either state since there are people on the call in each. Let's face it, if the Mayor was going to drag you into court, he'd do it where he knew he had a good shot at winning: Massachusetts.

[NEXT](#)

Scene 11 Option 2 (-1 Reputation Point)

Hold on! You might be in New Jersey, but he's in Massachusetts. It's one of the 11 states with an all-party consent law, so everyone being recorded needs to agree to it. Whether the recording is deemed illegal will depend on which court takes the case and it could be tried in either state since there are people on the call in each. Let's face it, if the Mayor was going to drag you into court, he'd do it where he knew he had a good shot at winning: Massachusetts.

- 1) [You decide to take your chances. You don't want to let the Mayor know you're on to a big story.](#)
- 2) [You ask him if you can record the call as soon as he gets on the line.](#)

Scene 12-1

"Thanks so much for agreeing to speak with me," you tell the Mayor. "I know you're in between conference sessions so let me get straight to the point. Why aren't you making your alimony payments?"

"What? Who says I'm not?" asks the Mayor. "And what business is it of yours, anyway? This is a personal matter. I could sue you for publication of private facts!"

“The truth is sir, I’m not interested in the fact that you’ve stopped paying. I’m interested in how your wife is maintaining her beachfront mansion without that cash. Is she working now, sir?”

“No, not that I know of. She’s kept quite busy with her volunteer work. And there’s her investments. Look, if you want to know about her cash flow, talk to her. It’s true that we’ve come to a new arrangement regarding alimony. Beyond that, she can speak for herself.”

“I’ve been trying to reach her, sir,” you say. “But she’s not responding to my emails.”

“Perhaps that’s a sign you’re barking up the wrong tree. By the way, I saw your story the other day about the dog show. Maybe stick with that sort of fluff. Let the grown ups do their work.”

[NEXT](#)

Scene 12-2

He agrees and you are relieved. But he seems on edge. “Thanks so much for agreeing to speak with me,” you tell the Mayor. “I know you’re in between conference sessions so let me get straight to the point. Why aren’t you making your alimony payments?”

“What? Who says I’m not?” asks the Mayor. “And what business is it of yours, anyway? This is a personal matter. I could sue you for publication of private facts!”

“The truth is sir, I’m not interested in the fact that you’ve stopped paying. I’m interested in how your wife is maintaining her beach front mansion without that cash. Is she working now, sir?”

“No, not that I know of. She’s kept quite busy with her volunteer work. And there’s her investments. Look, if you want to know about her cash flow, talk to her. It’s true that we’ve come to a new arrangement regarding alimony. Beyond that, she can speak for herself.”

“I’ve been trying to reach her, sir,” you say. “But she’s not responding to my emails.”

“Perhaps that’s a sign you’re barking up the wrong tree. By the way, I saw your story the other day about the dog show. Maybe stick with that sort of fluff. Let the grown ups do their work.”

[NEXT](#)

Scene 13

As soon as you hang up the phone, you rush back home, toss on your best suit and drive to the Imperial. The party is already in full swing but there’s still a man at the door checking invitations, so you avoid that route entirely. Instead, you sneak around back to the staff entrance and grab two glasses of champagne on the way in to the ballroom. You spot Jayla almost immediately.

“Champagne, madam?” you say, in your snootiest voice.

“No thank... Wait! What are you doing here? I thought you didn’t have tickets?” Jayla asks, surprised.

“I didn’t. I don’t! I’m working.”

“You mean you snuck in! Do you have any idea how much trouble you could get in?” she whispers, sharply.

- 1) [“It’s all part of the job. It’s fine. I’m a journalist. It’s not an issue.”](#)
- 2) [“Look, I know all about privacy law. Yes, I understand that this could, technically, be intrusion into seclusion. But that would require someone noticing that I don’t belong here. Look at this suit!” you say with a wry smile. “I clearly belong here.”](#)
- 3) [“Yes, I know it’s technically trespassing. But if you keep your voice down, I won’t get into any trouble now, will I?”](#)

Scene 13 Option 1 (-1 Reputation Point)

“I should have given you a written exam in media law before I let you leave my office! Journalists don’t get any special protections,” says Jayla, rolling her eyes. “If they do something that would normally be illegal, it still is -- even if they are doing it in order to get a story.”

[NEXT](#)

Scene 13 Option 2 (-1 Reputation Point)

“Nice try. Wrong law. Does this space look secluded to you? No one has an expectation of privacy in this crowded ballroom. It’s not intrusion into seclusion. It’s trespassing! You don’t have a ticket!”

[NEXT](#)

Scene 13 Option 3 (+1 Reputation Point)

“I’m glad you know about trespass laws but I’m still worried you’re going to get caught.

Finish your drink, hand me your glass, and get out of here!”

NEXT

Scene 14

“Thanks for the advice but I think I’ll take a stroll around the ballroom and see if I can find... ah, there she is! If you’ll excuse me.”

- 1) You walk cautiously over to Ms. Smythe and listen in on her conversation with her assistant.
- 2) You walk right up to Ms. Smythe and interrupt her conversation with her assistant.

Scene 14 Option 1 (+1 Reputation Point)

That’s a private conversation you’re listening to, but they’re having it in a room full of people. While it’s impossible to know how a court will rule in any instance, it’s unlikely that a court would view this as an invasion of privacy.

“Get rid of this, will you?” whispers Ms. Smythe to her assistant. “My ex is such an idiot.

Why doesn’t he just write it on a banner and hang it up in the hallway!”

You watch her assistant toss the small, white note card into the trash bin beside the bar.

You wait impatiently for a minute, then make a bee line for the bin and snatch up the card from underneath a speared olive.

You rush out the back door and don't stop to read it until you're sitting in your car, a block away.

"Two reporters came to see me today," it reads. "If you want to keep your secret, make them both go away."

You drive home and have a restless sleep, unsure of what it all means.

[NEXT](#)

Scene 14 Option 2 (-1 Reputation Point)

You could have listened in on that conversation. It is, after all, happening in a ballroom full of people so it's unlikely that a court would view it as an invasion of privacy. But today, you're going for it with gusto!

"Excuse me, Ms. Smythe. I'm with the Jersey Press. I've heard you're no longer cashing alimony checks. Could you tell me how you're managing to keep your mansion, personal trainer, housekeeper, and chef without any income?"

"You are not excused!" she yells. "Get out. This is a private party. Steven? Where's Steven?" A burly man stuffed into a small suit ambles over, takes you by the arm and escorts you out of the party.

On NEXT →

If the Player has less than 7 Reputation Points, [the cops are called](#).

If the Player has more than 7 Reputation Points, [the cops are not called](#).

The cops are called (-1 Reputation Point)

You find the police waiting to greet you on the front steps. They take you to the precinct, and call your editor.

"I'm sorry kid," he tells you, as you both wait in a room for questioning. "I'm taking you off the story. It's for your own good," he explains. "Hopefully we can get you out of here in time to cover the cat show tomorrow morning."

THE END

[If the cops are not called](#)

Steven tosses you out the front door while women in gowns gawk and whisper.

"Thank you, ladies and gentleman," you announce to the gathered crowd. "For my next trick, I'll be catching my breath by my car."

With Steven's eyes fixed on you, you walk across the parking lot and sit down on the hood of your 1998 Toyota Corolla. Its rusty body creaks as you stoop down and put your head between your knees.

That was close. Too close.

"I tried to warn you!" says Jayla, heels in hand. "Is this your car? You really do need this job, don't you?"

"I'm willing to suffer for my art," you say, smiling. "The question is, how do I get this story?"

"I don't know, kid. But I don't think you're getting any more intel tonight."

[NEXT](#)

Scene 15

The next morning, Mr. Business calls.

"I heard about the party but I didn't see anything in the paper today," he says.

"I still don't know what's going on. But I do believe you now. Something's definitely fishy."

"No kidding," says Business. "I think you'll catch a big one down at the Highland Park pier today. 10am."

Without any further explanation, he hangs up.

[NEXT](#)

Scene 16

Donaldson Park is fairly empty in the middle of a Thursday afternoon. A handful of joggers, stroller-pushers, and cyclists don't provide a lot of cover, so you take up residence behind the dumpster. You watch as a large, white TM Jaxx truck pulls up. The driver waits in the cab, until a second truck pulls up with the bright blue Wonder Warmers logo painted on the side. A man you don't recognize gets out of the first vehicle, while a second buff dude lowers himself down from the second truck. It's Steven, Ms. Smythe's muscle man. Both men load hundreds of winter coats into the TM Jaxx truck. They don't say much as they work, but shake hands before they each get back into their trucks.

"Pleasure doing business with you," Steven tells the other man. As he closes the door on his truck, your cellphone starts blaring. It's Mayor Smythe.

"I heard about the party last night," he says.

“Who hasn’t?” you respond. “The real news just got loaded into a TM Jaxx truck. Care to comment?”

“Listen here, kid,” Smythe yells, clearly irate. “Think twice before writing something defamatory about me in your little paper.”

- 1) “Go ahead and sue. It’s not defamation if it’s true.”
- 2) “I’m not afraid of you, Smythe. Defamation statements have to be written down. If I can’t write it, I’ll make a video about it for our Website.”

Scene 16 Option 1 (+1 Reputation Point)

Smythe pauses, realizing what you’ve said is true.

“I’m an important person in this town!” he shouts, clearly grabbing at straws. “I’ve got lawyers. Lots of lawyers. They’ll make this work.”

- 1) “You are an important person,” you respond. “That’s the other reason I’m not worried.”
- 2) “Oh, please. You’re Mayor. You’re not a Kardashian.”

Scene 17 Option 1 (+1 Reputation Point)

“Yes! You are an important person, Mayor Smythe. That means it would be even harder for you to win a case of defamation because...

- 1) You have to prove not only that it isn’t true but that I acted with actual malice.”
- 2) As a member of the government, you won’t be able to testify on your own behalf.”

Scene 17 Option 2

“I’m not going to be taken down by someone as clueless as you! Anything broadcast can still be considered defamatory,” says Smythe.

You flash back to a page from that book Jayla loaned you. Anything spoken is slander. Anything broadcast or written is libel. He’s right. Both are types of defamation.

[NEXT](#)

Scene 18 Option 1 (+1 Reputation Point)

At that moment, you realize Jayla’s been standing over your desk the whole time listening to your conversation. She gives you a big thumbs up.

“I’m done talking,” you tell the Mayor. “Be sure to log on to NJPost.com tomorrow to read my story!”

On NEXT →

If the Player has less than 7 Reputation Points, [the cops are called](#).

If the Player has more than 7 Reputation Points, [the cops are not called](#).

Scene 18 Option 2 (-1 Reputation Point)

At that moment, you realize Jayla’s been standing over your desk the whole time listening to your conversation. She passes you a note that reads: “Celebrity / Politician = same thing with defamation. Both must prove actual malice.”

It doesn’t matter. You know he did it and truth *is* a defense against a defamation suit.

“I’m done talking,” you tell the Mayor. “Be sure to log on to NJPost.com tomorrow to read

my story!”

On NEXT →

If the Player has less than 7 Reputation Points, [the Sentinal Sun scoops you](#).

If the Player has more than 7 Reputation Points, [the Player gets the scoop](#).

[If the Sentinel Sun scoops you \(-1 Reputation Point\)](#)

Kenneth stops by your desk. He looks concerned.

“I heard about the party,” he says.

“Was there an emergency text about it from the President or something??!” you say, exasperated. “If you called to give me a hard time about it, you’ll be happy to know Jayla already took care of that.”

“No, I’m calling to ask if you’ve seen the Sentinel Website in the last hour. If your story was about the Smythe’s, I think they might have beat you to it.”

You quickly pull up the Sentinel’s Web site. The top story leaves you feeling crushed.

[NEXT](#)

[If the Player gets the scoop \(+1 Reputation Point\)](#)

You work straight up through the rest of the day, going over papers Mr. Business sent over by courier. Proof that what you thought was happening, was definitely happening. You file your story 30 minutes before the deadline, then take a moment for yourself. You hold your head in your hands and take a moment to catch your breath. It’s been a crazy week.

You’re about to head into your bosses office, when you see him coming your way.

[NEXT](#)

Scene 19

“Mayor Smythe Blackmailing Ex-Wife over Charity Wrongdoing”

Mayor Ian Smythe of Harlesville has been withholding alimony payments to his ex-wife as a form of blackmail. According to published documents, Paula Smythe stopped receiving alimony payments eight months ago. She says that was shortly after her husband found out she was reselling the clothing she collected from department stores. Out of season but still unworn, the clothing was supposed to be distributed to the homeless via her charity, Winter Warmers. Instead, our investigations show she used connections she'd made in the retail business years before she married the Mayor in order to set up the transactions.

“She was essentially making money off the homeless,” said an anonymous source who works at TM Jaxx. “It would have been a nice little cherry on her sundae, but then her husband found out and cut off the alimony, swearing he'd tell everyone what she was up to if she raised a stink.”

That left Paula in a financial bind.

“I couldn't stop at that point!” she said, as she was taken into police custody for questioning. “I wanted to. But what was I supposed to do? Get a regular job, with regular people? I don't think so!”

On NEXT →

[If Sentinel Sun Scooped.](#)

[If Player Scooped and Reputation Score is less than 9.](#)

[If Player Scooped and Reputation Score is more than 8.](#)

Scene 20a

Maybe you didn't get the scoop, but you learned a lot along the way. There will be other stories, other scoops.

Kenneth isn't about to fire you... yet.

"Better luck next time, kid."

THE END

Scene 20b – Reputation Score is less than 7

"You bet!" you tell him.

"Great. You should get out of here and celebrate," suggests Ken. "See you next week."

As you head out of the newsroom, you jump up and smack the top of the door frame.

You did it. You brought the truth into the light.

THE END

Scene 20c - Reputation Score is more than 6

"Have you finished your degree yet?" he asks.

"Yeah. I graduated in May," you tell him. "Why?"

“I just met with the publisher about your story. We were wondering if, when your internship is over in August, you’d consider coming on as a full time staff reporter.”

“You bet!” you tell him.

“Great. You should get out of here and celebrate,” suggests Ken. “See you next week.”

As you head out of the newsroom, you jump up and smack the top of the door frame.

You did it. You brought the truth into the light.

THE END

Implementation Artifacts and Guidelines

The first step to implementing this game is emailing the creator, Prof. Rachel Kremen, at r.k@rutgers.edu. Please include all ten digits of your course code in your email and the start and end dates for the assignment. Using this information, she will ensure the database collects information on your students and have a statistics sheet emailed to you the day after the end date. The statistics sheet will include the following information for every game played by each student: the amount of time they played the game, their score, and their final scene. (See [Appendix A](#).)

Allow 2 business days for Prof. Kremen to ensure the database will capture the details for your class. Once you have received a confirmation message, you can easily incorporate this game into a course, by creating a new page called Shady Business in your Canvas course site and adding the text found in [Appendix B](#). It is recommended that 2 percent of the final grade be allotted to game play. Students who complete the game without being

arrested at least once receive the full two percent. Those who complete the game but are arrested, receive 1 percent.

Technical Design

Shady Business is programmed using HTML, CSS, PHP, and MySQL. The SQL server for the game consists of two tables: users and game status. The users table is accessed during account creation and log in. It stores the player's name, email address, and password. This data is required so that game play can be reported back to instructors. Each user is also given a unique ID number that is used to tie the users table to the game status table. This latter table is accessed each time the player activates a link in the game by clicking on it, whether it is to go to the next page or to make a choice at a decision point.

The game status table tracks each game individually. Data recorded includes start and end time, reputation points, whether the player won or lost the game, whether the player completed the game (i.e. reached a final scene), and every page the user visited within the game. A subset of this data -- including number of games played, time spent, final score, and final scene -- is reported back to each student's instructor. This data conversion is currently manual but would be automated once the game moves out of prototype.

Appendix A

Sample Data Sheet Provided to Instructor Regarding Class Gameplay

Student Name: Tim Tester

Email address: ttester@scarletmail.rutgers.edu

Game	Time Spent	Final Score	Final Scene
1	9 min 36 sec	2	Taken to police station
2	17 min 11 sec	6	Scooped by Sun Sentinel

Student Name: May Mavis

Email address: mavis.m@scarletmail.rutgers.edu

Game	Time Spent	Final Score	Final Scene
2	21 min 2 sec	9	Earned Fulltime Job

Student Name: Ellis Eiling

Email address: ellise@scarletmail.rutgers.edu

Game	Time Spent	Final Score	Final Scene
1	7 min 45 sec	1	Taken to police station
2	12 min 36 sec	7	First to publish story
3	19 min 3 sec	10	Earned Fulltime Job

Student Name: May Mavis

Email address: mavis.m@scarletmail.rutgers.edu

Game	Time Spent	Final Score	Final Scene
1	15 min 12 sec	5	Scooped by Sun Sentinel
2	21 min 2 sec	9	Earned Fulltime Job

Appendix B

Assignment Description Provided to Students via Canvas

Shady Business Game (worth 2 percent of final grade)

Shady Business is an online, role-playing game created to let you practice applying the laws you have studied in a real-world context. In the secretive world of Shady Business, it's up to you to shine a light on the truth. This browser-based RPG casts you as a Summer intern reporter fresh out of story ideas, until a whistleblower contacts you promising a huge scoop. You will need to gather the evidence without running afoul of the law. Each time you make a choice in the game, you will lose or earn a Reputation point and plot a path through the story. At several points in the game, the number of Reputation points you've earned will determine the next scene.

To earn the full 2 percent toward your final grade, you must complete at least once without being taken in to the police station. Those who complete the game but are arrested will receive 1 percent. There's no need to submit a screenshot of your final scene: the system will automatically email me a document with information about your game play.

Ready to play? Go to <https://gamification.egyan.rutgers.edu/sb/> and create an account by filling in the form fields in the box on the right. Be sure to use your Rutgers email address when signing up for an account, so that I can track your game play and give you credit in the Canvas grading system.

The game should take you less than 20 minutes to complete but, if time is tight or something comes up, you can stop playing and log in again later to complete your game.

If you have a technical problem, please email the creator of the game, Prof. Rachel Kremen, at r.k@rutgers.edu.