Perception of Ticket Scalping In New York State

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Perception of Ticket Scalping In New York State

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Perception of Ticket Scalping In New York State

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Abstract

The development and growth of the secondary ticket market over the last few decades was discussed, in order to see how it has become what it is today. The goal of the research is to see how people living in New York perceive ticket scalping and whether or not they respect the law. The expanding use and popularity of secondary websites such as StubHub are discussed, and how most transactions take place over the internet. Additionally, the current trends in the ticketing industry are mentioned and how organizations have attempted to curb scalping over the last few years. As a result, the basic recommendation is that the secondary market should either be free, or there should be a uniform federal law to place each state under the same restrictions.
Introduction

Ticket Scalping, in its broadest definition, is the process of reselling tickets above their face value. The practice began around the end of the 19th century, when people sold their railroad tickets (Simon, 2004). Scalpers would purchase large quantities of tickets and then attempt to sell them at a premium (Benitah, 2005). Today, the process has evolved within the sport and entertainment industry, where scalpers and brokers buy and sell tickets for massive profits. The more popular the event, the more people are willing to pay to see it, and it isn’t uncommon for fans to pay double or even triple the printed price of the ticket (Simon, 2004). As a result, states have passed legislation to eliminate, or at the minimal limit the secondary ticket market. While one may think these laws are aimed at the stereotypical scalper on the street corner of the ballpark, they extend to brokers and licensees, who also make up a large part of the secondary market.

My research question is: how do people living in New York State perceive the ticket scalping law? The goal of this paper is to examine the marketing, economic and legal aspects associated with ticket scalping and the secondary market. Benitah (2005) mentioned how governments have tried to regulate ticket scalping since the early 1900s. Yet, even though it is considered illegal in many states, it still takes place. The goal of this research is to determine why reselling tickets above face value is still a problem and how people living in New York State view the law. In addition, are scalpers on secondary sites perceived the same way as those on the street corner? These questions are significant because of all the parties involved in the primary and secondary ticket market. First, there are the producers or businesses that host the event and issue the primary number of tickets. The secondary market is comprised of brokers, secondary websites and consumers. Brokers such as Ticketmaster are licensed by the state and
are allowed to purchase large quantities of tickets and charge a transaction fee in order to recoup their money and earn a small profit. Secondary websites such as StubHub generally pay professional teams and entertainment promoters a fee to resell their tickets (Drayer, 2011b).

This research will contribute to both the academic and legal community, because it will expose why ticket scalping exists and what can be done to control it. Local governments will be able to see where the law has failed, which may prompt them to allocate more resources to enforce it or introduce new statutes. This recommendation will be given after my research.

Literature Review

Ticket Scalping and Basic Economics

Ticket scalping can be understood through the economic perspective of supply and demand. Busch and Curry (2011) note how ticket prices are reflective of the demand for an event. The demand is directly related to the teams that are playing, their record, and other external factors such as the weather (Harrington, 2009; Rishe, & Mondello, 2004). Since attendance is important for selling sponsorships and television rights, professional teams often underprice their tickets in order to fill the seats (Drayer, Rascher, & McEvoy, 2012). In addition, they often sell their tickets below market value because of existing competition in the surrounding area, such as other professional franchises (Drayer & Shapiro, 2009). Despite this practice, the average ticket price has seen significant increases over the last few years (Howard & Burton, 2002). Teams also adopt a straight, fixed method for setting their prices, where they remain the same throughout the season, despite changes in demand (Kobritz & Palmer, 2011). As a result, scalping exists when fans recognize the demand for tickets exceeding the supply, choosing to sell them above the face value (Busch & Curry, 2011). Moore (2010) found, as long as teams fail to equate the face value with market value, the secondary ticket market will
continue to exist. This model seems to have worked well, since those who value attendance at an event the most are generally able to acquire tickets (Simon, 2004).

**The Scalping Process**

Before examining the developments in the secondary market, it is important to understand the role of scalpers. Atkinson (2000) studied a group of scalpers in Canada, examining their behaviors and interactions with consumers. Over the course of a year, he observed 54 scalpers ranging in age from 14 to 42 years old and anywhere from 6 months to 24 years of experience buying and selling tickets (Atkinson, 2000). From his observations and interviews with scalpers, he was able to establish a few different types of interactions with consumers.

Atkinson (2000) identifies the first type of transaction as the “Fast Hustle” which involves a sale between a scalper and consumer. The conditions for the sale generally favor the scalpers because there is a high volume of foot traffic and consumers have a high willingness to pay for tickets (Atkinson, 2000). Therefore, scalpers look to capitalize on selling the most tickets in the shortest amount of time (Atkinson, 2000). One of the major misconceptions is that each scalper is in business for him/herself. In reality, they generally work in small groups, meeting before the event to determine the most realistic price for the event. This ensures that everyone is on the same page, making it difficult for consumers to negotiate (Atkinson, 2000).

The second transaction Atkinson identified was the “Go-Nowhere Hustle”. According to his observations, this type of interaction happens in one out of three exchanges and never ends in a sale (Atkinson, 2000). Scalpers generally are unable to unload their tickets because of irreconcilable differences between the two parties. The consumer may perceive the quality of the tickets as relatively low or the scalper does not have the seats they are looking for (Atkinson,
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2000). Carmon and Ariely (2000) noted that this is attributed to loss aversion, where a buyer or seller avoids making a deal based on what they stand to forgo.

The third type of scalping transaction is the “Rough Hustle” which usually begins as a “Go-Nowhere Hustle” where buyers and sellers are not seeing eye-to-eye (Atkinson, 2000). The external factors that affect this transaction include low demand and large supplies of tickets available from the primary source (Atkinson, 2000). As a result, scalpers earn small profits and are forced to negotiate with buyers (Atkinson, 2000). To break down the barriers between the parties, scalpers often carry maps with them to show consumers where their seats will be. This generally builds a sense of trust and leads to a sale (Atkinson, 2000).

Drayer (2011a) found in his research that street scalpers are the ones who are impacted the most by scalping legislation. Interestingly enough, they understand the risk and reward of the behavior, and set out to sell tickets well above the legal range, intentionally breaking the law (Drayer, 2011a). Another common strategy scalpers employ, is carrying seating charts and holding signs that state, “I need tickets,” placing them on the purchasing side of the law (Drayer, 2011a). Atkinson (2000) observed in his research that scalpers will occupy either the parking lots or bus and subway stops where fans that have not purchased their tickets are likely to be. Scalpers are generally able to get away with selling their tickets this way, because law enforcement and security personnel only patrol on the stadium grounds (Drayer, 2011a).

While scalping has generally been associated with sold-out events, some fans still utilize them when the demand is relatively low. Busch and Curry (2011) created a model to show the different scenarios where scalping may exist. From their research, they were able to conclude that some consumers possess the willingness to pay for face value tickets, but do not want to wait in line (Busch & Curry, 2011). As a result, they look to scalpers, who generally have a selection
of premium seats with virtually no wait, choosing to pay extra for a convenience (Busch & Curry, 2011).

**Benefits of Scalpers**

In some cases, scalpers can provide an economic benefit for the producer. When scalpers purchase tickets with the intent of selling them for a profit, they are assuming a risk (Courty, P, 2003; Spindler, 2003). This means that they are able to sell them for anywhere between 50 to 1000 percent above face value, depending on the demand of the event (Atkinson, 2000). Other times, they are forced to settle for well below the face value in order to recoup their initial investment (Karp & Perloff, 2005; Spindler, 2003; Swofford, 2003). Depken (2007) found that in markets where scalping was legalized, teams generally charged lower prices. This is because they were selling their tickets to both true fans and scalpers, rather than one select group (Depken, 2007). Karp and Perloff (2005) argue that tickets for an event are a perishable good, meaning they are selling an intangible experience. When scalpers sell tickets for below face value, it offers the opportunity for someone to attend the event that otherwise would not have due to price discrimination (Karp & Perloff, 2005). Therefore, the team benefits from having a ticket sold and a seat filled, and the consumer benefits from receiving a discounted ticket (Karp & Perloff, 2005).

**Growth of Secondary Market**

One of the changes the sport and entertainment industry has seen over the last few decades is the different components of the secondary market. Aside from the typical scalper on the street corner, the secondary market has generally been associated with authorized brokers such as Ticketmaster, who set up agreements with the venue to sell tickets for any event that takes place there, charging a small fee for each transaction (Glantz, 2005). While these brokers
sometimes sell tickets above face value, they are considered legitimate, because they are licensed through the government and subject to regulations and inspections like other businesses (Kobritz & Palmer, 2011). The growth of Ticketmaster has led to its expansion, where it sold approximately 119 million tickets and generated $6 billion in global revenue (Kirkman, 2009).

While the popular trend used to be purchasing tickets in person and on the phone, the majority of transactions take place on the internet. In fact, it is estimated that secondary websites such as StubHub, eBay, RazorGator, and TicketsNow are valued at $5 billion and grow 12 percent annually (Schroeder, Fisher, Orbe, & Bush, 2012). This exponential growth can be explained through the convenience of the sites, which allow a consumer to purchase tickets with the click of a mouse (Howard & Crompton, 2004). Another reason why customers seem to prefer this method to ordering tickets is that it allows them to compare prices as opposed to trusting that a scalper is giving them a “good deal” (Harrington, 2009).

Some professional franchises have always been vehemently opposed to the resale of their tickets. Nagel (2011) discussed how professional sport franchises view tickets as a revocable license, which can be withdrawn from an owner at any given time. One example of this was when the Yankees instituted a policy in 2006 of canceling season tickets for anyone caught reselling them (Moore, 2010). However, New York passed legislation in 2007, which prevented venues from canceling season tickets, saying that it was up to the owner to determine resale price and method (Moore, 2010). Another example that led to court action was when the New England Patriots filed suit against StubHub, demanding names of people who sold tickets to see if they were season ticket holders (Moore, 2010). Although the purpose of the Patriots acquiring the names was to cancel season ticket holders who sold their tickets on the secondary market, they did not take any action (Moore, 2010).
Professional Teams and the Secondary Market

For many years, the secondary market was comprised solely of third party resellers, connecting the buyers and sellers. However, within the last few years, many professional franchises have developed their own secondary ticket services in order to control the exchanges and capitalize on the money, specifically with online services (Geng, Wu, & Whinston, 2007). One of the biggest threats to the resale industry is when fraudulent tickets get circulated in the marketplace and fans attempt to enter a venue with counterfeits (Drayer, Stotlar, & Irwin, 2008). This is done when scalpers make multiple copies of a ticket they printed at home and attempt to sell them to fans (Drayer, Stotlar, & Irwin, 2008). These types of incidents ultimately lead to a negative perception of the franchise by the consumer and cognitive dissonance of their purchase (Drayer, Stotlar, & Irwin, 2008). For example, if someone bought a counterfeit ticket and was turned away at the gate, he/she will complain to the team, even though they did not receive any of the money from the transaction (Drayer, Stotlar, & Irwin, 2008). Drayer (2011b) also mentioned how the harassment of fans by scalpers can lead to a poor fan experience. Not to mention, if a customer goes to an event, planning to spend 50 dollars on tickets, and a scalper is trying to unload them for 25 dollars, the team misses out on potential revenue. For these reasons, many teams have begun to adopt in-house ticket exchanges for their fans. Simon (2004) noted that this service allows fans that cannot attend games to recoup their initial investment, sell their tickets in a safe environment, and earn a percentage of each transaction. In addition, since the scalping laws vary by each city and state, teams are free to establish their own ticket policies for the resale market (Drayer, 2011a).

The San Francisco Giants were the first professional team to experiment with a secondary ticket system back in the early 2000s (Howard & Crompton, 2004). The process involved season
ticket holders posting their tickets for sale through the team (Howard & Crompton, 2004). Other fans then had the ability to pick up their tickets at the will-call window or automated will-call machines throughout the ballpark (Howard & Crompton, 2004). The system showed immediate success, with no-show rates dropping 50 percent and the Giants earning a half million dollars in revenue from the 10 percent convenience fee on the transaction (Howard & Crompton, 2004). Another benefit is the availability of high demand, lower bowl seats that otherwise would have been restricted from the general public (Harrington, 2010). The Giants were able to sell 110,000 tickets using the season ticket holder exchange, and found that 44% of people would not have attended the game if the seats they purchased were not available (Drayer, Stotlar, & Irwin, 2008).

The Seattle Mariners followed suit and created a similar system for their season ticket holders in 2003 (Benitah, 2005). While the state of Washington did not have any resale regulations, the city of Seattle prohibited people from selling them above face value (Benitah, 2005). The Mariners decided to outsource the service to LiquidSeats (now StubHub), where fans were able to sell their tickets at, above, or below face value (Benitah, 2005). At first glance, one would perceive the system to be dysfunctional because the Mariners had no control over prices. However, they would rather see their tickets sell for the highest price the market could bear, since they charged the buyer 15 percent of the final price and 10 percent from the seller (Benitah, 2005).

The Future of Ticketing

In an attempt to regulate the secondary market and grow ticketing databases, many teams have begun adopting paperless ticket technology (Moore, 2010). This allows fans to enter an event with their driver’s license or credit card (Moore, 2010). From the perspective of the franchise, it addresses a lot of the problems where the law falls short. Moore (2010) noted how
effective the technology is in eliminating fraudulent tickets and regulating ticket prices. Teams can also track who is selling the tickets, who is buying them, and how much they’re paying (Moore, 2010). As Harrington and Harrington (2012) found, converting the highest demand seats to paperless tickets helps to eliminate the temptation to sell them above face value. Reese and Snyder (2005) noted that teams who take an aggressive stance on scalping will create a more positive purchasing experience, encouraging fans to continually support them.

While the technology makes the process of buying and selling tickets efficient, it eliminates the physical stubs, which many fans collect or use to get autographs (Moore, 2010). Another counter argument is that tickets are already considered perishable goods and eliminating the tangible ticket makes them more perishable (Harrington & Harrington, 2012). For fans looking to get rid of a ticket at the last minute, paperless tickets prove to be an inconvenience.

Looking forward, one major obstacle for ticketing is finding an option where both sides can coexist. Harrington and Harrington (2012) observed a Bruce Springsteen concert that utilized paperless ticketing reduced the inventory of high demand seats on StubHub by 63 percent. As a result, they have encouraged states to create laws limiting the use of paperless tickets, but have not made much progress (Harrington & Harrington, 2012). One possible remedy is the option to transfer the electronic version over to paper copy at the venue (Harrington & Harrington, 2012).

Professional Teams Scalping Their Own Tickets

While the ticket-exchange system has proven to be effective for some teams and their fans, there have been instances when organizations have scalped their own tickets. In 2003, Peter Cavoto and Gerald A. Carr filed a suit against the Chicago Cubs and Wrigley Field Premium Ticket Services Inc (who share the same owner), for violating Illinois’ Ticket Scalping Act,
Consumer Fraud Act, and Deceptive Trade Practices Act (Cavoto v. Chicago National League Ball Club, Inc, 2006). The plaintiffs purchased tickets through Wrigley Field Premium Ticket Services Inc. after learning an upcoming game was sold out. They claimed that they purchased tickets for between $50 and $130 on two separate occasions, even though the face value was $36 (Cavoto v. Chicago National League Ball Club, Inc, 2006). The court found that the Chicago Cubs and Wrigley Field Ticket Services Inc. did not violate the Ticket Scalping Act. In Illinois, the sale of tickets above their face value is completely prohibited, except for brokers, who are allowed to if they are registered by the state (Cavoto v. Chicago National League Ball Club, Inc, 2006). Since the broker was registered with the state of Illinois, they were permitted to sell tickets at whatever price they wanted to. The court also stated that the purchase of the tickets was completely optional, and the plaintiffs were not forced to buy them (Cavoto v. Chicago National League Ball Club, Inc, 2006). Finally, they did not violate the Deceptive Trade Practice Act, because the transfer of the tickets was done through a sale (Cavoto v. Chicago National League Ball Club, Inc, 2006).

By creating a ticket broker, the Cubs were able to find a loophole in the Collective Bargaining Agreement, increasing their profits immensely. Major League Baseball has a regulation that requires teams to give thirty percent of their ticket revenue to the league, which is then distributed equally among the teams (Simon, 2004). This means that since the Cubs sold tickets through their broker, they could charge above face value to increase their profits, which they did not have to give back to the league. Simon (2004) stated that the Cubs could take a $45 ticket, charge $1500 for a premium game, and then avoid paying the $500 that they would be forced to under the league rules. In 2003, the system worked well for the Cubs, because they were able to transfer high demand tickets generally set aside for VIPs, media sponsors, and
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elected officials to their broker (Siporin, 2004). This is compared to 2002, where they lost close to $16,000 due to unsold tickets (Siporin, 2004).

Ticket Scalping Legislation

Since professional sport franchises under-price their tickets it is not uncommon for an event to sell out after only a few hours (Moore, 2010). As mentioned in the introduction, scalpers adopt the policy of buying large quantities of tickets in order to maximize their profits (Benitah, 2005). To control this problem, states have passed legislation, which places limits on resale transactions. For example, New York’s ticket scalping statute falls under article 25 of the Arts and Cultural Affairs Law [ACAL], which covers multiple aspects of resale, such as pricing, buffer zones (resale distances from venues), and penalties for violating the law (Simon, 2004).

One of the most cited cases concerning scalping law in New York State are People v. Concert Connection Ltd. (1995). The case involved the defendants appealing a ruling that they had violated the article 25 of the ACAL, when they sold tickets for above their face value (People v Concert Connection Ltd., 1995). They also appealed because the business was located in Connecticut, and claimed that the courts should have no interest in the case (People v. Concert Connection Ltd., 1995). However, the court ruled that the business advertised in New York newspapers, maintained New York phone numbers, and shipped tickets to residents in New York State, allowing them to intervene (People v. Concert Connection Ltd., 1995). The law also protects consumers from paying exorbitant prices, and therefore the company was subject to charges. The defendants ended up losing the appeal, and were forced to pay $2000 in court fees and restitution to customers that overpaid for tickets (People v. Concert Connection Ltd., 1995). This case represents the extent to which New York State was willing to get involved in order to
protect not only the consumers from paying an inflated price, but also the teams and promoters who work to keep prices below market value for their consumers.

Another case that challenged the law was *People v. Lewis* (2008), where the defendant was charged with violating the ticket scalping statute, due to his proximity to the venue. The defendant was seen by a police officer standing 200 feet from Madison Square Garden asking people if they wanted to purchase tickets to a concert taking place that night (*People v. Lewis*, 2008). This violated article 25 of the Arts and Cultural Affairs Law, which prohibits sellers from being within 1500 feet of a venue which seats 5000 or more people (*People v. Lewis*, 2008). In addition, the tickets that Lewis was scalping were counterfeit, leading to felony charges, and a 2-4 year prison sentence (*People v. Lewis*, 2008). By requiring people to stand at least 1500 feet away from the venue, unnecessary traffic is eliminated and those who have not purchased tickets are more likely to buy them from the ticket office as opposed to a scalper.

Although legislation against ticket scalping exists, there are some hurdles that make enforcing it difficult. Drayer (2011a) found that if scalpers are arrested, it is generally for something else. In 2009, scalpers were arrested outside of stadium not for selling their tickets, but disrupting the flow of automobile and pedestrian traffic (Drayer, 2011a). Another major challenge is that each state operates under a different set of laws (if they even exist). For example, Massachusetts only allows tickets to be sold for 2 dollars above face value, whereas Colorado is lenient and does not have any laws against the practice (Drayer, 2011a).

New York State is a unique case because of how the law has evolved over the last few decades. Prior to 1984, New York had a very strict stance on ticket scalping, where the resale value could not exceed more than 2 dollars (Drayer, 2011a). In 1984, they reformed their policy,
extending the resale value to 5 dollars or 10 percent, whichever was greater (Drayer, 2011a). Then, in 2001 the law was loosened further to 20 percent above face value (Drayer, 2011a). Shortly thereafter, the law was once again amended to 45 percent above face value (Happel & Jennings, 2002). These constant changes make it difficult for law enforcement to adapt and ultimately prosecute anyone guilty of scalping.

With respect to secondary websites such as StubHub, authorities have an equally difficult time enforcing the law. The first major challenge is that the sellers are difficult to identify, since they are only required to post the section and row of the seats (Drayer, 2011a). Teams looking to identify season ticket holders breaking the law do not have enough information to take action and would not risk falsely accusing fans (Drayer, 2011a). Secondly, authorities only have the jurisdiction to prosecute when the buyers and sellers are located in the same state (Drayer, 2011a). They also receive little assistance from the secondary websites, who advise fans not to sell their tickets above face value, but have little incentive to strictly enforce it since they earn a commission on each sale (Drayer, 2011a).

Proposed Federal Legislation

One generally agreed upon idea, is that as long as there are high demand events, there will be ticket scalping. While the practice cannot be completely eliminated, federal legislation would have a dramatic impact, creating a uniform regulation that teams, brokers, and individuals must abide by. The first time federal legislation against ticket scalping was mentioned, came back in 1998, when United States Representative Gary Ackerman, a Democrat from New York proposed a uniform law (Glantz, 2005). If passed, the Federal Uniform Ticket Resale Act [FUTRA] would eliminate scalpers altogether, only allowing licensed brokers to remain in the market (Glantz, 2005). Additionally, anyone who was caught selling tickets at exorbitant prices
faced stiff criminal penalties (Glantz, 2005). While the legislation had the goal of suppressing scalpers and brokers and helping the consumer, it did not receive the support to put it into effect (Glantz, 2005). Glantz (2005) attributed this to the fact that brokers and other secondary resellers, who were legally registered, purchased licenses and paid taxes on transactions, providing revenue for the state.

The second piece of federal legislation to be introduced came during the late 2000s. The Better Oversight of Secondary Sales and Accountability in Concert Ticketing (BOSS) Act, would create an environment that would allow consumers a better opportunity to acquire tickets, breaking down the leverage brokers have (Klein, 2010). The bill would prevent brokers from purchasing tickets for 48 hours after they go on sale, requiring them to list the quantity of tickets they have for sale, and displaying the final face value, preventing fraudulent sales (Klein, 2010).

A federal law seems good on paper, but the chance of anything happening in the foreseeable future is slim. This is partly due to the different agendas each side has when it comes to ticket resale. Drayer (2011a) explained that teams would support state and federal legislation in order to have greater control over prices and maximize their revenue. Consumers would also support a federal law, since it limits resale prices and would allow them to access tickets before brokers (Drayer, 2011a). Brokers on the other hand, are against any sort of regulation and would rather see the market determine the prices (Drayer, 2011a). Their belief is that a lack of regulation will result in more trades between consumers, driving the ticket prices down (Drayer, 2011a).

**Methodology**

**Research Tradition**

The research tradition my topic focused on is post-positivism. Gratton and Jones (2010) noted that post-positivism makes it difficult to understand a topic through measurement and
observation, and there are limitations that must be addressed. In the case of my topic, an event has thousands of people attending, making it difficult to randomly select participants. This means it won’t be possible for me to collect data at the event itself, but after the fact. Another limitation when using a survey as opposed to an observation is that participants may misinterpret the question or give false answers. This may affect my final results and recommendations.

The second component of post-positivist research is that theories can only be disproved (Gratton & Jones, 2010). As it relates to my research, I looked at the sport deviance theory and how it related to fans’ purchasing behavior. Specifically, whether or not the fans intentionally broke the law because they knew they would not be caught or if there is some other motivation.

Post-positivism research also consists of knowledge that is relative, not absolute (Gratton & Jones, 2010). Since I collected data from a small section of people in New York State, it is impossible to generalize the findings on the larger population. Additionally, the laws and ticketing policies are constantly changing, meaning this project is a foundation for further research, as opposed to a benchmark.

In order to answer my research question, used the data collected to establish relationships. Post-positivist research consists of both quantitative and qualitative data (Gratton & Jones, 2010). For my project, I used quantitative data such as income levels and qualitative data of where consumers generally purchase their tickets to see what conclusions I can draw. By doing so, I can address my questions, establish relationships between variables and give recommendations for additional research.

**Conceptual Framework**

For this research, tickets will be defined as the tangible stub or the electronic version of admittance into an event. Events will be defined as sporting or entertainment experiences that
include but are not limited to sport competitions, concerts, movies, or theatrical productions.
Ticket scalping will be defined as buying or selling ticket above the value printed on the stub.
This includes tickets purchased physically, either from a person or business, and electronically,
through a website or by phone. The primary market will be defined as tickets sold by the
producer of an event, such as a professional team, or concert venue. The secondary market will
be anyone selling tickets that are not the primary market. This includes scalpers, websites such
StubHub, or brokers such Ticketmaster. Lastly, ticket-scalping law will refer to Article 25 of the
Arts and Cultural Affairs, which prohibits the sale of tickets within 1500 of a venue that sits
5000 or more people. It also refers to authorized brokers who have obtained a license through
the State of New York.

While the set-up is solid, there is still the possibility of intervening variables in the data.
One example is the income levels of survey participants, which may affect the participants’
willingness to partake in ticket scalping. Another intervening variable is age; the law has
constantly evolved, making it difficult for consumers to keep up. What was considered
permissible 10 years ago is now illegal.

**Theoretical Framework**

The theory most closely related to my research is the sport deviance theory. In sports,
there are sets of rules that sometimes athletes violate (Atkinson, 2000). Additionally, while
outside of the sport context, violation of these rules is punishable, inside they are accepted as part
of the game (Atkinson, 2000). Although sport deviance theory was originally developed for sport
participants, it can be applied to spectators because of the way fans identify themselves with a
particular team. Atkinson (2000) contends the deviance theory can also be applied to spectators
because their actions are reflective of the performance on the field. Die-hard fans often bask in the reflecting glory of their team when they win and cast-off the reflected failure when they lose.

This research attempts to answer why some people intentionally ignore the laws and purchase scalped tickets. Although there are laws and consequences for breaking them, people are rarely punished, allowing the behavior to become accepted. While buyers purchasing scalped tickets are not physically hurt, they may be harassed or taken advantage of by sellers, in the form of fraudulent tickets. Overall, scalpers use the possession of desirable tickets as leverage to earn profits from others.

**Design**

The survey design I implemented for my research is cross-sectional. Cross-sectional surveys take one sample from the population, relationships are suggested, and findings can be generalized on the larger population (Gratton & Jones, 2010). In my research, I evaluated whether or not the participants were aware of the ticket scalping laws in New York State. Then, I evaluated their perception of ticket scalping to see what sorts of relationships existed.

**Procedure**

The procedure for collecting my data involved sending out a survey (Appendix C) to faculty and staff members on campus. I chose to target this group because the different levels of life experiences compared to the student body. In order to select my participants, I gained access to the email list through the St. John Fisher department directory and then randomly select a number of them in order to generalize my results to the campus community. In order to increase my response rate, I drafted a personal email to each participant(Appendix A), telling them the goal of my research and how their participation will assist me in understanding purchasing
behavior of tickets and the perception of the ticket scalping law. I then sent out a similar letter a few days later containing the link to the survey (Appendix B).

The first objective of my survey was to gauge awareness of the ticket scalping law and if people were informed buyers. These questions are important because the state government and sport organizations view the ticket as a revocable license as well as a release of liability, which consumers are agreeing to when purchasing the ticket. In order to figure out their awareness, I took portions of the law printed on the ticket and ask the participants if it’s “true,” “false” or “I don’t know.” I also included some red herring questions to ensure the reliability of responses. The answers to these types of questions allowed me to separate the field of respondents who are aware or unaware of the law.

The next step in my survey was to assess how the respondents feel about ticket scalping. Using likert scales on 1 to 5, with 1 representing strongly disagree and 5 representing strongly agree, I asked questions about the perception of the law. For example, “Buyers and sellers are equally guilty in the transaction of a scalped ticket.” I also asked, “Scalpers are limited to people standing outside of the venue, not users on websites such as StubHub and Ebay.” In addition to these questions, I collected information such as gender, age, education and income levels.

Analysis

After collecting this data, I used SPSS to conduct statistical tests to relate the data back to my research question. Specifically, whether or not people are aware of the laws and if they have a positive or negative perception of ticket scalping. I also wanted to see if the data could explain the sport deviance theory for spectators. In order to do so, I ran nonparametric correlations for the ordinal variables and chi-square tests for nominal variables to see what sorts of relationships
exist. This data allowed me to recommend an appropriate course of action for professional sport franchises and lawmakers.

**Results**

Out of the 161 participants selected to take part in the study, 67 chose to answer the survey. Four incomplete responses were removed from the data set and not used. 36 respondents were women and 26 were men. 58 percent of the respondents earned $60,000 or more each year. The median age range for the respondents was between 45 and 49 years old. The results were then uploaded into SPSS in order to run the necessary statistical tests to determine whether or not any relationships between the variables existed.

**Research Questions**

1) **Are people living in New York State aware of the scalping laws?**

In the survey, this awareness was tested by giving the participant three separate statements regarding scalping laws. It must be noted that some participants answered correctly by guessing, instead of having knowledge on the laws. The first statement was part of the actual law, which asked participants whether or not tickets could be resold above 45% of their face value. Looking at table 1, 84.1% of the respondents were unaware of this portion of the law. With resale price being a major concern for sport organizations, this data explains the lack of knowledge consumers have, even though the law is printed on the back of each ticket.

The second portion of the law that was tested was the physical distance from the venue in order to legally sell tickets. This question was a red-herring and participants were asked to indicate whether tickets sold within 100 feet of a box office was true or false. Table 2 displays that a vast majority of the respondents were not versed in the law. In fact, almost 15% of them answered incorrectly.
Lastly, participants were asked whether the law only applied to physical transactions. This question also served as a red-herring, because laws pertain to physical and electronic transactions. For this portion of the law, three quarters of the respondents were unsure what types of transactions were covered. Only a quarter answered correctly and were aware the scalping law pertained to both types.

Table 1- **Awareness of resale limit in New York State**

<table>
<thead>
<tr>
<th>Tickets May Not Be Resold Above 45% of Face Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency</td>
</tr>
<tr>
<td>Valid True</td>
</tr>
<tr>
<td>False</td>
</tr>
<tr>
<td>I don't know</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Table 2- **Awareness of resale boundaries in New York State**

<table>
<thead>
<tr>
<th>Tickets Are Allowed to Be Resold Within 100 Feet Of Box Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency</td>
</tr>
<tr>
<td>Valid True</td>
</tr>
<tr>
<td>False</td>
</tr>
<tr>
<td>I don't know</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Table 3- **Awareness of transaction liability in New York State**

<table>
<thead>
<tr>
<th>Ticket Laws Only Apply To Physical transactions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frequency</td>
</tr>
<tr>
<td>Valid True</td>
</tr>
<tr>
<td>False</td>
</tr>
<tr>
<td>I don't know</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>
2) Why is purchasing tickets above face value still a problem?

To answer this question, examining the purchase behavior of scalped tickets sheds light on why ticket transactions above face value still take place. One relationship that exists is the willingness to pay above face value and whether the respondent has purchased from a scalper before. Looking at table 4, while 14 out of the 63 responses indicated a willingness to pay above face value, only 6 people went so far as purchasing tickets from a scalper. A chi-square significance test and non-parametric correlation was then used to observe the relationship.

Using the statistical software, the relationship was tested. The results indicated a statistically significant and moderately sized relationship between willingness to pay above face value and if the respondent has purchased tickets from a scalper, with Phi/Cramer’s $V=.607$, $X^2(2)=23.21$, and $p<.05$. This data on purchase behavior sets up the next step, which is analyzing whether the respondents who paid above face value knowingly broke the law.

Table 4- Crosstabulation for willingness to pay above face value and whether respondent purchased tickets from a scalper

<table>
<thead>
<tr>
<th>If Respondent Has Purchased Tickets From A Scalper</th>
<th>If Respondent Is Willing To Pay Above Face Value For Tickets</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>Agree</td>
<td>Disagree</td>
</tr>
<tr>
<td>Expected Count</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>% within If Respondent Is Willing To Pay Above Face Value For Tickets</td>
<td>42.9%</td>
<td>0.0%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expected Count</td>
<td>12.7</td>
<td>40.7</td>
</tr>
<tr>
<td>% within If Respondent Is Willing To Pay Above Face Value For Tickets</td>
<td>57.1%</td>
<td>100.0%</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Count</td>
<td>14</td>
<td>45</td>
</tr>
<tr>
<td>Expected Count</td>
<td>14.0</td>
<td>45.0</td>
</tr>
<tr>
<td>% within If Respondent Is Willing To Pay Above Face Value For Tickets</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>
Table 5- Chi-square test for willingness to pay above face value and whether respondent purchased tickets from a scalper

<table>
<thead>
<tr>
<th>Chi-Square Tests</th>
<th>Value</th>
<th>df</th>
<th>Asymp. Sig. (2-sided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi-Square</td>
<td>23.211$^a$</td>
<td>2</td>
<td>.000</td>
</tr>
<tr>
<td>Likelihood Ratio</td>
<td>20.505</td>
<td>2</td>
<td>.000</td>
</tr>
<tr>
<td>Linear-by-Linear Association</td>
<td>17.730</td>
<td>1</td>
<td>.000</td>
</tr>
<tr>
<td>N of Valid Cases</td>
<td>63</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*a. 4 cells (66.7%) have expected counts less than 5. The minimum expected count is 36.*

Table 6- Correlations for willingness to pay above face value and whether respondent purchased tickets from a scalper

<table>
<thead>
<tr>
<th>Symmetric Measures</th>
<th>Value</th>
<th>Asymp. Std. Error$^a$</th>
<th>Approx. T$^b$</th>
<th>Approx. Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominal by Nominal</td>
<td>Phi</td>
<td>.507</td>
<td></td>
<td>.000</td>
</tr>
<tr>
<td>Cramer’s V</td>
<td></td>
<td>.507</td>
<td></td>
<td>.000</td>
</tr>
<tr>
<td>Interval by Interval</td>
<td>Pearson’s R</td>
<td>.535</td>
<td>.094</td>
<td>4.943</td>
</tr>
<tr>
<td>Ordinal by Ordinal</td>
<td>Spearman Correlation</td>
<td>.563</td>
<td>.097</td>
<td>5.188</td>
</tr>
<tr>
<td>N of Valid Cases</td>
<td>63</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*a. Not assuming the null hypothesis.

*b. Using the asymptotic standard error assuming the null hypothesis.

c. Based on normal approximation.

As mentioned, the next step was to examine the resale law awareness and whether or not the respondent paid above face value for his/her ticket. In order to establish a relationship between these behaviors, a non-parametric correlation was used.

Looking at table 7, the lack of data prevented a relationship from being established between the two variables. If there was more data, it would have helped to explain whether people intentionally break the law, and perhaps whether or not it is accepted as a common practice. While the results are miniscule, the data does show that out of the 6 respondents who purchased tickets, 4 of them unknowingly broke the law.
Table 7- Whether people in New York State knowingly break the law

<table>
<thead>
<tr>
<th>If Respondent Paid Above Face Value</th>
<th>Count</th>
<th>Tickets May Not Be Resold Above 45% of Face Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td></td>
<td>I don't know</td>
</tr>
<tr>
<td>Expected Count</td>
<td>4.0</td>
<td>4.0</td>
</tr>
<tr>
<td>% within Tickets May Not Be Resold Above 45% of Face Value</td>
<td>66.7%</td>
<td>66.7%</td>
</tr>
<tr>
<td>No</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Expected Count</td>
<td>2.0</td>
<td>2.0</td>
</tr>
<tr>
<td>% within Tickets May Not Be Resold Above 45% of Face Value</td>
<td>33.3%</td>
<td>33.3%</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Expected Count</td>
<td>6.0</td>
<td>6.0</td>
</tr>
<tr>
<td>% within Tickets May Not Be Resold Above 45% of Face Value</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

3) Should purchasers be held as liable as sellers?

To answer this question, it would be best to examine the responses with whether or not the respondents were aware of the laws. Essentially, when a transaction is made that violates one or all three of the scalping laws, both parties are guilty. Sellers need to be conscious of where and how much he or she can resell a ticket, and buyers must also be informed of face value prices and proximity to the venue.

To see what sort of relationships existed, a chi-square test was conducted. The chi-square test indicated that there was no statistical significance between purchaser-seller liability and resale limit and transaction liability. However, there was a significant relationship between resale proximity awareness and purchaser-seller liability. In order to increase the accuracy, the
5-level variable was recoded into a 3-level variable and the test was re-run, yielding usable results.

Tables 8 and 9 show the crosstabulation and chi-square significance testing. The results of the test showed a statistically significant relationship between awareness of resale proximity awareness and purchaser-seller liability, with $X^2(4) = 7.92$, and $p < .1$. Had the awareness of the laws been greater for all three questions, more concrete relationships with purchaser-seller liability could have been established.

Table 8- **Crosstabulation for resale proximity awareness and purchaser-seller liability**

<table>
<thead>
<tr>
<th></th>
<th>Purchasers Should Be Held As Liable As Sellers</th>
<th>Agree</th>
<th>Neither Agree/Disagree</th>
<th>Disagree</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Tickets Are Allowed to Be Resold Within 100 Feet Of Box Office</strong></td>
<td><strong>True</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Count</strong></td>
<td>6</td>
<td>1</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td><strong>Expected Count</strong></td>
<td>3.8</td>
<td>2.6</td>
<td>2.6</td>
<td>9.0</td>
</tr>
<tr>
<td></td>
<td><strong>% within Purchasers Should Be Held As Liable As Sellers</strong></td>
<td>23.1%</td>
<td>5.6%</td>
<td>11.1%</td>
<td>14.5%</td>
</tr>
<tr>
<td><strong>False</strong></td>
<td><strong>Count</strong></td>
<td>5</td>
<td>0</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td><strong>Expected Count</strong></td>
<td>2.9</td>
<td>2.0</td>
<td>2.0</td>
<td>7.0</td>
</tr>
<tr>
<td></td>
<td><strong>% within Purchasers Should Be Held As Liable As Sellers</strong></td>
<td>19.2%</td>
<td>0.0%</td>
<td>11.1%</td>
<td>11.3%</td>
</tr>
<tr>
<td><strong>I don’t know</strong></td>
<td><strong>Count</strong></td>
<td>15</td>
<td>17</td>
<td>14</td>
<td>46</td>
</tr>
<tr>
<td></td>
<td><strong>Expected Count</strong></td>
<td>19.3</td>
<td>13.4</td>
<td>13.4</td>
<td>46.0</td>
</tr>
<tr>
<td></td>
<td><strong>% within Purchasers Should Be Held As Liable As Sellers</strong></td>
<td>57.7%</td>
<td>94.4%</td>
<td>77.8%</td>
<td>74.2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Count</strong></td>
<td>26</td>
<td>18</td>
<td>18</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td><strong>Expected Count</strong></td>
<td>26.0</td>
<td>18.0</td>
<td>18.0</td>
<td>62.0</td>
</tr>
<tr>
<td></td>
<td><strong>% within Purchasers Should Be Held As Liable As Sellers</strong></td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Table 9- **Chi-square test for resale proximity awareness and purchaser-seller liability**

<table>
<thead>
<tr>
<th></th>
<th>Value</th>
<th>df</th>
<th>Asymp. Sig. (2-sided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pearson Chi-Square</td>
<td>7.917*</td>
<td>4</td>
<td>.095</td>
</tr>
<tr>
<td>Likelihood Ratio</td>
<td>9.514</td>
<td>4</td>
<td>.044</td>
</tr>
<tr>
<td>Linear-by-Linear</td>
<td>2.606</td>
<td>1</td>
<td>.106</td>
</tr>
<tr>
<td>Association</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>N of Valid Cases</td>
<td>62</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Discussion

The results of this study supported previous research that people are unaware that a scalping law exists, even though it is printed on the back of most event tickets. However, it failed to support the claim that people knowingly break the law. The majority of the respondents were unable to correctly answer questions regarding resale price and proximity to the venue. It is worth noting that roughly 84 percent of the respondents typically chose to purchase their tickets through the primary market, avoiding secondary websites and more importantly, scalpers.

Respondents to the survey did have a direct correlation between a willingness to pay more for event tickets and purchasing from a scalper. Additionally, there was a correlation between awareness of resale proximity to the venue and ultimately who should be held liable for transactions involving scalped tickets. Yet, the data was not able to explain the sport deviance theory in previous studies on scalping behavior (Atkinson, 2000).

Another interesting finding in the research was that nearly two-thirds of the respondents believed event producers, law enforcement personnel, and secondary resale sites should work together to enforce scalping policies. However, prior research indicates these parties do little because a lack of enforcement by lawmakers, and the volume of money changing hands (Drayer, 2011a). This problem may not be addressed unless some sort of federal legislation is passed, or scalping laws are eliminated altogether (Drayer, 2011a).

While the research presented data on scalping behavior, there were some limitations in the study. The first limitation was that we were unable to prove whether or not the law was intentionally broken when purchasing scalped tickets. This leads into the next limitation of the study that there was a lack of diversity when it came to purchasing behavior (only 6 people had ever purchased tickets from a scalper before). The research would have been more effective if the sample consisted of sport fans that regularly purchase tickets.
Based on the current findings and the aforementioned limitations, future research should focus on the awareness of the law and whether it is intentionally broken when buying or selling tickets above face value. Another recommendation for the future would be changing the setting of the research to sport fans that regularly make ticket purchases. This would lend more information to purchasing behaviors and the channel used when buying tickets. By making these changes, the data would be more concrete, making it valuable to professional organizations and lawmakers.
References


Appendix A

Pre-notice Letter to Participants

Dear

My name is Kevin Lute and I am currently working towards a Sport Management degree here at St. John Fisher. The sport and entertainment industry continues to grow, with ticket prices reaching an all-time high. Additionally, consumers are no longer limited to buying tickets from the box office. That being said, I’m interested in ticket purchasing process and how people perceive scalping.

In a few days you will receive another email requesting your participation in a brief survey. The goal is to better understand how people perceive ticket scalping in New York State. A link to the survey will be provided in the next email. Your responses will be kept confidential.

I hope you will consider participating in this study. If you have any questions, please feel free to contact me at kml05306@sjfc.edu or my advisor, Katharine Burakowski at kburakowski@sjfc.edu.

Thank you,

Kevin Lute
Appendix B
Request Letter to Participants

Dear :.

A few days ago you were sent an email informing you of a study I am conducting here at St. John Fisher. The purpose is to better understanding ticket purchasing habits and the perception of scalping here in New York.

As a participant in this study you will be asked to complete a survey, which can be found by clicking the following link. The survey will take approximately 5-7 minutes to complete.

Participation in this study is voluntary. You may decide not to participate or withdraw at any time, without consequence. If you have any questions, feel free to contact me at kml05306@sjfc.edu or my advisor, Katharine Burakowski at kburakowski@sjfc.edu.

Thank you for your participation,

Kevin Lute
Appendix C
Survey to Participants
Perception of Ticket Scalping in New York State

Q24 $\{m://FirstName\}$, My name is Kevin Lute, and I am currently working towards a Sport Management degree here at St. John Fisher. The sport and entertainment industry continues to grow, with ticket prices reaching an all-time high. Additionally, consumers are no longer limited to buying tickets from the box office. That being said, I’m currently interested in understanding the perception of ticket scalping in New York State. The information you provide may assist sport and entertainment promoters, as well as local governments in their ticket resale policies. The risk associated with this survey is that some of the questions deal with ticket scalping, which to a certain extent is illegal in New York State. However, responses to this survey will be kept confidential and results will be presented in a comprehensive form. Participation in this study is voluntary. You may decide not to participate in this study or you may choose to cease participation at any time, without consequence. The survey will take approximately 5-10 minutes. If you have any questions, feel free to contact me at kml05306@sjfc.edu or my advisor, Dr. Katharine Burakowski at kburakowski@sjfc.edu. By completing this survey, you give me permission for your participation. Please indicate your agreement to voluntarily participate in this survey.
I agree to voluntarily participate (1)
I decline to participate (2)

Q26 Please answer the following question about where you typically purchase your tickets.

Q1 When going to an event, where do you typically acquire your tickets?
Primary Source (ex: Event Box Office or Event Website) (1)
Secondary Source (ex: Website such as StubHub/Ebay or Scalper) (2)

Q27 Please indicate the level to which the following factors are important to you when purchasing tickets from a primary source.

Q2 When acquiring tickets from a primary source, what is important to you?

<table>
<thead>
<tr>
<th>Factor</th>
<th>Level of Importance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seat Location (1)</td>
<td>Very Unimportant (1)</td>
</tr>
<tr>
<td>Price (2)</td>
<td>Unimportant (2)</td>
</tr>
<tr>
<td>Customer Service (3)</td>
<td>Neutral (3)</td>
</tr>
<tr>
<td>Convenience (4)</td>
<td>Important (4)</td>
</tr>
<tr>
<td></td>
<td>Very Important (5)</td>
</tr>
</tbody>
</table>
Q28 Please indicate the level to which the following factors are important to you when purchasing tickets from a secondary source.

Q3 When acquiring tickets from a secondary source, what is important to you?

<table>
<thead>
<tr>
<th></th>
<th>Very Important (5)</th>
<th>Very Unimportant (1)</th>
<th>Unimportant (2)</th>
<th>Neutral (3)</th>
<th>Important (4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seat Location</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Price</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Customer Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Q30 Please answer the following questions about your ticket purchasing behavior.

Q13 In what time frame do you typically purchase tickets for an event?
More than 2-3 days before an event (1)
2-3 days before an event (2)
Day before the event (3)
Day of the event (4)

Q4 If I cannot get the tickets I want from a primary source, I try to purchase them from another source.
Agree (1)
Disagree (2)
I don't know (3)

Q5 If I cannot get the tickets I want from a primary source, I'm willing to pay more than the printed price for a ticket.
Agree (1)
Disagree (2)
I don't know (3)

Q6 Have you ever purchased tickets from a scalper before?
Yes (1)
No (2)

Q24 With reference to the previous question, please answer the following questions about your experience with a ticket scalper.
Q20 What type of an event did you attend?
Sporting event (1)
Concert (2)
Theatrical production (3)
Other (4)

Q11 Were you originally planning on purchasing your tickets from the event box office before talking to a scalper?
Yes (1)
No (2)

Q7 Did the scalper harass or coerce you into buying tickets?
Yes (1)
No (2)

Q8 Did you pay above the printed price for the tickets?
Yes (1)
No (2)

Q9 Did you attempt to negotiate a price with the scalper?
Yes (1)
No (2)

Q10 Were the tickets you purchased counterfeit, expired, or manipulated in any form?
Yes (1)
No (2)

Q25 The following statements are designed to gauge your awareness of New York State’s ticket scalping law. Please answer to the best of your ability.

Q14 In New York State, tickets may be resold above 45% of their face value. For example, a $100 ticket may be resold for a maximum of $145.
True (1)
False (2)
I don’t know (3)

Q15 In New York State, people are allowed to resell tickets as long as he/she is 100 feet away from the box office.
True (1)
False (2)
I don’t know (3)
Q16 In New York State, ticket scalping laws only apply to physical transactions between people.
True (1)
False (2)
I don't know (3)

Q18 Please review the statements below and indicate the level to which you agree/disagree.

| Sellers who scalp tickets above face value are harmful for business and steps should be taken to hold them accountable. (1) | Strongly Disagree (1) | Disagree (2) | Neither Agree or Disagree (3) | Agree (4) | Strongly Agree (5) |
| Sellers who scalp tickets above face value may be breaking the law, but have existed for years and should not be bothered. (2) | | | | | |
| Sellers who scalp their tickets above face value online are the same as those standing outside of a venue. (3) | | | | | |
| Purchasers of scalped tickets should be held as liable as the sellers. (4) | | | | | |
Q19 Who should responsible for enforcing scalping policies?
Event producer (1)
Law enforcement personnel (2)
Secondary ticket sellers (3)
All of the above (4)

Q29 Please answer the following questions about yourself.

Q23 Please indicate your gender.
Male (1)
Female (2)

Q25 Please indicate your age.
24 or younger (1)
25-29 (2)
30-34 (3)
35-39 (4)
40-44 (5)
45-49 (6)
50-54 (7)
55-59 (8)
60-64 (9)
65 or older (10)

Q27 Please indicate your yearly income.
$23,999 or less (1)
$24,000 to $29,999 (2)
$30,000 to $34,999 (3)
$35,000 to $39,999 (4)
$40,000 to $44,999 (5)
$45,000 to $49,999 (6)
$50,000 to $54,999 (7)
$55,000 to $59,999 (8)
$60,000 or more (9)