

Athlete-perpetrated violence against women and its effects on career outcomes

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Abstract

Athlete criminality and violence against women are common occurrences, receiving substantial media and scholarly attention. Most former research has focused on three main areas: 1) whether amateur, collegiate, and professional athletes are more likely to engage in criminal and violent activity than those in the general population, 2) how athlete criminality and deviance is framed and discussed by media and the public, and 3) the one-time sanctions (suspensions or fines) that are doled out to athletes accused and convicted of criminality and violence. While these are worthy pursuits, little research has systematically examined whether athletes suffer *career* consequences for accusations and convictions for acts of violence against women, in the form of shorter careers as professionals and reduced salary. This dissertation seeks to assess whether and to what extent arrests for acts of violence against women impact the careers of National Basketball Association (NBA) and National Football League (NFL) players, exploring other factors that potentially influence the consequences of these arrests, as well as time trends in the relationship between arrests and career consequences.

Criminological deterrence principles indicate that if athletes indeed suffer substantial consequences following violence against women arrests, these consequences would deter other athletes from committing similar acts. From a conflict theory perspective, NBA and NFL players also present an interesting theoretical puzzle. As wealthy, predominantly Black men, they belong to both a traditionally under-criminalized group of high earning professionals and to a traditionally over criminalized racial group.

In chapter 5 of the dissertation, I use a matched-pairs analysis to show that the careers of NBA players arrested for an act of violence against women are not significantly different from those of similar non-arrested players. While on average, arrested players play in half a season

less than non-arrested players and 7% less of their available seasons, arrested players earn similar salaries to those of non-arrested players, and none of the minor differences between the two groups were statistically significant. I also find no statistically significant differences between *convicted* players and their non-arrested counterparts.

In chapter 2, I use Bayesian hierarchical negative binomial modelling to assess the extent of the impact of violence against women arrests on NFL player careers, investigate how this relationship has changed over time, and explore the impact of other players' personal characteristics on player careers. I find that the impact of violence against women arrests on the careers of NFL players has become progressively more negative over time, though this impact is only observed for players in the bottom 25% of the sample in terms of on-field performance. Performance factors and age have a stronger impact on player careers than arrests, and the Ray Rice incident (a landmark domestic violence case in the NFL) did not result in a substantial change in the relationship between arrests and career consequences.

In chapter 7, I triangulate the findings of chapters 5 and 6 through interviews with front office members and journalists, adding important nuance. I find that while violence against women may be talked about as constituting particularly severe criminal offense that garners significant media and public scrutiny, particularly in the post-Ray Rice and post-#MeToo political and social climate, such offenses remain only one factor that teams consider when evaluating players. While an arrest does not disqualify a player from retention or acquisition, team decision makers and journalists note that fan reaction to violence can change the calculation that teams make regarding players accused of violence, providing a potential avenue for sport consumers to perhaps indirectly deter athletes from committing future acts of violence against women.

Résumé

La criminalité et la violence des athlètes masculins à l'encontre des femmes sont des phénomènes courants, qui font l'objet d'une attention considérable de la part des médias et des chercheurs. La plupart des recherches sur ce sujet se sont concentrées sur trois domaines principaux : 1) établir si les athlètes sont plus susceptibles de s'adonner à des activités criminelles et violentes que la population générale, 2) exposer comment la criminalité et la déviance des athlètes sont présentées et discutées par les médias, et 3) étudier les sanctions ponctuelles (suspensions ou amendes) infligées aux athlètes accusés et condamnés pour criminalité et violence. Par contre, peu d'études ont examiné de manière systématique si les athlètes subissent des conséquences sur leur carrière à la suite d'accusations et de condamnations pour des actes de violence à l'encontre des femmes, sous la forme de carrières professionnelles plus courtes et de salaires réduits. Cette thèse cherche à évaluer si et dans quelle mesure les arrestations pour des actes de violence à l'encontre des femmes ont un impact sur la carrière des joueurs de la Ligue Nationale de Basketball (LNB) et de la Ligue Nationale de Football (LNF), en explorant d'autres facteurs qui influencent les conséquences de ces arrestations, ainsi que les effets temporels dans la relation entre les arrestations et les conséquences sur la carrière.

Les principes de la théorie de dissuasion indiquent que lorsque les athlètes subissent des conséquences importantes à la suite d'arrestations pour violence à l'encontre des femmes, celles-ci dissuaderaient d'autres athlètes de commettre des actes similaires. Du point de vue de la théorie du conflit, les joueurs de la LNB et de la LNF présentent également un casse-tête théorique intéressant. En tant qu'hommes riches, majoritairement noirs, ils appartiennent à la fois à un groupe de professionnels ayant des revenus élevés qui sont traditionnellement sous-criminialisés et à un groupe racial traditionnellement surcriminalisé.

Dans le cinquième chapitre de cette thèse, j'utilise une analyse comparative par paires pour montrer que les carrières des joueurs de la LNB arrêtés pour un acte de violence à l'encontre des femmes ne sont pas significativement différentes de celles des joueurs similaires non arrêtés. Les joueurs arrêtés jouent une demi-saison de moins que les joueurs non arrêtés et 7% de moins de leurs saisons possibles, mais les joueurs arrêtés gagnent des salaires similaires à ceux des joueurs non arrêtés, et aucune des différences mineures entre les deux groupes n'est statistiquement significative.

Dans le sixième chapitre, j'utilise un modèle binomial négatif hiérarchique bayésien pour évaluer l'ampleur de l'impact des arrestations pour violence à l'encontre des femmes sur la carrière des joueurs de la NFL. De plus, j'étudie comment cette relation a évolué dans le temps et explore l'impact des caractéristiques personnelles et statistiques sur leurs carrières. Je constate que l'impact des arrestations pour violence à l'encontre des femmes sur la carrière des joueurs de la NFL est devenu progressivement plus négatif au fil du temps, bien qu'il ne soit observé que pour les joueurs faisant partie des 25% inférieurs de l'échantillon en termes de performances sur le terrain. La performance des joueurs et leurs âges ont un impact plus fort sur la carrière des joueurs que les arrestations, et l'incident Ray Rice (un cas de violence domestique qui a fait date dans la NFL) n'a pas entraîné de changement substantiel dans la relation entre les arrestations et les conséquences sur la carrière.

Au septième chapitre, je triangule les conclusions des chapitres 5 et 6 grâce à des entrevues avec des membres du *front office* et des journalistes qui travaillent dans le LNB et LNF, ce qui apporte de nuances importantes. Je constate que si la violence à l'encontre des femmes peut être considérée comme une infraction pénale particulièrement grave qui suscite une attention considérable de la part des médias et du public, notamment dans le climat politique et

social de l'après-Ray Rice et de l'après #MeToo, ces infractions ne sont qu'un des facteurs pris en compte par les équipes pour évaluer les joueurs. Bien qu'une arrestation ne disqualifie pas un joueur, les membres du *front office* des équipes et les journalistes notent que la réaction des fans peut changer le calcul que les équipes font concernant les joueurs accusés de violence, fournissant une avenue potentielle pour les consommateurs de sport pour peut-être dissuader indirectement les athlètes de commettre de futurs actes de violence contre les femmes.

Chapter 1. Introduction

Statement of the Problem

National Basketball Association (NBA) and National Football League (NFL) player arrests are a common occurrence. While many of these arrests are for non-violent crimes, arrests for acts of violence against women are a serious problem amongst NFL and NBA players (Leal et al., 2015; Moser, 2004; Withers, 2010). Though violence against women is clearly a larger social problem (True, 2012, Johnson et al., 2008), several studies have found that athletes in general (T. W. Crosset et al., 1995; Johnson et al., 2007; Leal et al., 2015; Miller et al., 2007; B.-R. Young et al., 2017) and football players specifically (Gage, 2008; Leal et al., 2015) commit and are arrested for more acts of violence against women than men in the general population. And while research examining team and league sanctions suggest that consequences for athletes' acts of violence against women are negligible (Brown, 2016; Janusz, 2012; Webb, 2011; Withers, 2010), many sports fans still believe that arrests and criminal allegations are likely to ruin an athlete's career (Delgado, 2014; Leitch, 2017; TMZ, 2018).

Yet, we have little empirical research showing whether this is indeed the case. While scholars have examined the specific one-time sanctions (usually fines and suspensions) given to professional athletes involved in violent acts (Ambrose, 2007; Brown, 2016; Kim & Parlow, 2009), or whether criminal allegations impact NFL player draft position (Palmer et al., 2015; Weir & Wu, 2014), there has been no comprehensive examination of the career outcomes of professional athletes following arrests for acts of violence against women. It therefore remains unclear whether these arrests actually affect the athletic careers of professional athletes. This

dissertation examines this question, studying professional basketball and football players in North American men's professional sports leagues.

From a criminological conflict theory perspective, the answer to the question leading this dissertation is not straightforward. On the one hand, NBA and NFL players belong to a traditionally over-criminalized and highly-sanctioned racial group (Vuolo et al., 2017), suggesting that they may be sanctioned more heavily following acts of violence. The majority of NBA and NFL players are Black (Lawrence, 2019; Tapp, 2014), and many are raised in areas of socioeconomic disadvantage (Allison, 2018). Black men in the United States are arrested more often, charged more frequently and with harsher crimes, and imprisoned at higher rates than other racial groups (Latzer, 2018; Monk, 2019; Nellis, 2016). Black men from poorer neighborhoods and backgrounds are even more likely to be treated harshly in the criminal justice system (Nellis, 2016), as well as in employment contexts (Pager, 2003).

It is also important to highlight the treatment and framing of Black athletes and Black masculinity (Collins, 1990; hooks, 2004) throughout sports history (Carrington, 1998; Christensen et al., 2016; Cooky et al., 2013). The success of Black males in violent, contact-based sports like football has been used to “reinforce the fixed idea that Black men are ‘all brawn and no brains’” (Mercer, 2013, p. 178). In the sport context, Black men's bodies are often positioned and framed as “threatening, menacing, criminal, and in need of institutional control (Leonard, 2010, p. 260). Christensen and colleagues (2016) suggested that public displays of Black athlete criminal violence against women allows for the maintenance of the narrative that Black men are deviant, inherently violent, brutish, and in need of discipline. Media framings of alleged criminality by Black men also emphasize individual choice and the behavioural problems of the person accused, rather than systemic racism or structural issues (Christensen et al., 2016;

hooks, 2004), and research has found that media depictions of Black and White athletes accused of acts of violence against women differ (Chase, 2019; Cranmer et al., 2014, 2014; Cunningham, 2009; Mastro et al., 2011).

On the other hand, it is important to note that professional basketball and football players are also part of a traditionally under-criminalized and under-sanctioned status and economic class, one which is often able to buy its way out of criminal charges or avoid them altogether, as the criminal justice system tends to come to their aid in such cases (M. Lanier, 2018; Reiman, 2015). Many studies have also documented the preferential treatment elite football and basketball players receive at the collegiate level from coaches, athletic departments, and sometimes the justice system throughout their athletic careers (Beaver, 2019; McCray, 2019a). NBA and NFL players also have the backing of large corporate enterprises - both at the team and league levels - who have a financial incentive to minimize negative news and incidents regarding player behavior (J. Thomas, 2017). Analyzing several case studies, Moser (2004) noted the difficulty that prosecutors have in convicting professional athletes of domestic and sexual violence, as prosecutors are often deterred by highly paid and powerful attorneys, who frequently frame victims as “groupies” or fans who tried to take advantage of wealthy athletes.

If sport leagues hope to curb violent off-the-field behaviours by athletes, deterrence perspectives suggest that players should indeed pay a clear price for their actions in the form of tangible sanctions related to career prospects. Such sanctions might deter future acts and serve as a warning sign for other athletes, while also helping to set and reinforce norms of acceptable behaviour in society more generally (Pickett & Baker, 2017, p. 218). Given professional athletes’ high social status and the fact that they often serve as role models for many (Choi & Rifon,

2007), meaningful and visible sanctions could send a strong message that such acts are unacceptable (Pickett & Baker, 2017)

Research Questions

My dissertation chapters examine the effects of violence against women arrests on career outcomes. The principal research question of this study is:

- How do arrests for acts of violence against women impact the career outcomes of athletes?

Related to this overarching question, I ask the following questions:

- How, if at all, have the effects of arrests on players career outcomes changed over time?
- How do incident type, player statistics and performance, media coverage, and team- and league-related factors moderate the effects of arrests on athletes' careers?
- How do teams' personnel and members of the media view the relationship between players' violence against women and decisions on drafting, player acquisitions, contract renewals, and trades?

The dissertation begins with an introduction, followed by a literature review chapter and a methodological chapter, each of which covers material relevant to the entire dissertation. There are then three empirical chapters (Chapters 4 through 6), which each form the base of a publishable article. In the first two of the empirical chapters, I quantitatively examine whether and in what ways the careers of NBA (chapter 5) and NFL (chapter 6) players are impacted by arrests following violence against women, also examining how the impact of these arrests might have changed over time. In the third chapter, I use qualitative interviews with NBA and NFL decision makers and journalists to assess the relationship between player violence against women arrests and career outcomes, with a focus on how incident type, player statistics and

performance, media coverage, and team- and league-related factors moderate the effects of arrests on athletes' careers. Below, I provide more details on each of the empirical chapters.

Study 1: Do violence against women arrests ruin the careers of NBA players?

In the first article, I collect data on all the National Basketball Association (NBA) players who were arrested for violence against women charges between the years 2000 and 2020 (n=31). I match each of these players with a player who was not arrested but was as similar as possible in terms of their age, race, role on the court, career achievements, and relevant statistics. Comparing the career duration and salaries of these players in subsequent years thus allows me to re-examine the common notion that players pay a substantial price merely for being accused of a violent act and arrested for it, even if they are not eventually convicted.

Study 2: How do violence against women arrests impact players, and has this impact changed over time?

In the second study, I examined whether NFL players (arrested between 2000-2019) have suffered career consequences for acts of violence against women. Beyond simply determining whether NFL players arrested in the past 20 years for acts of violence against women have suffered career consequences, this study examined whether these sanctions have changed over time. More specifically, the highly public 2014 domestic violence incident involving Baltimore Ravens running back Ray Rice (Lee & McFarlin, 2016; T. Martin, 2017) could be an important 'tipping point' moment for how NFL decision makers handle players accused of acts of violence against women (T. Martin, 2017).

While the two studies in Chapters 5 and 6 (of NBA and NFL players) are similar in their use of a matched pairs methodology, the analytical strategy for each of them was significantly different, necessitating their separation. First, there are important differences between the NBA

and the NFL in terms of league policies concerning domestic and sexual violence, which will be discussed in depth in chapter 8.

Second, given that I am studying how arrests due to violence against women impact player careers, the way acts of violence against women are perceived around the sport and league in question is paramount. Of the four male North American professional sports, the NFL has had the largest number of known arrests for acts of violence against women, and the most media coverage for these incidents (Brown, 2016; Leal et al., 2015; Ugolini, 2007). The 2014 domestic violence arrest of Ray Rice and the video accompanying it were also a highly publicized media event with no parallels in the NBA context. Lastly, the number of players in each league (approximately 450 NBA players during a given season, and approximately 1700 NFL players), and the statistics and player characteristics that can be used for matching players are very different. Given these differences, it is not practical nor theoretically logical to conduct a quantitative analysis that combines both the NBA and NFL data.

Study 3: How do NBA and NFL decision makers evaluate players accused of acts of violence against women?

In the third study, I introduce a qualitative analysis to assess how NBA and NFL decision makers evaluate players accused of criminal wrongdoing, and specifically acts of violence against women. By interviewing those who participate in personnel decisions about player, such as drafting, trading for, and signing players to play for the teams that they manage, I gleaned valuable first-hand information on how these decision makers assess players accused of acts of violence against women and how such accusations affect decision making. In addition to decision makers within teams, I also interviewed journalists with experience covering either the NBA or the NFL, as well as specific teams within each league. I interviewed 30 participants,

approximately 15 from each league. These interviews will help me assess how teams evaluate players accused of acts of violence against women, offering an insider perspective and allowing us to assess the deliberations and processes underlying these decisions. I will also be able to compare the consequences for accused players from my quantitative analyses to the narratives provided by teams' personnel and media people, allowing me to assess both the validity of these narratives and the processes leading to the apparent results we see in practice.

With these three articles, I provide a layered analysis of how violence against women arrests impact athletes in two important North American contexts. This research adds to the sociological, socio-legal, and sport management literature by providing important contributions regarding the consequences of violence against women for elite athletes. These consequences are also situated within contemporary criminological literature, and the research will therefore help to further our understandings of the links between elite athletic participation and criminal violence. These three articles also provide insight into how people of high social status, wealth, resources, and talent (in sport as well as non-sport contexts) are differentially impacted by criminal allegations.

In examining elite predominantly Black athletes, my analysis sits at the intersection of race, gender and class, and has important implications for our understanding of how these identities intersect in a highly public context. By combining quantitative examinations of athlete career outcomes post-arrest with first-hand explanations from sport decision makers on how they make player personnel decisions and the degree to which athlete behaviour and allegations of criminality impact these decisions, I provide triangulation and a more complete picture of how athletes are impacted by acts of violence against women.

Chapter 2. Theoretical Framework

In this chapter, I introduce two theoretical perspectives that guide different aspects of this research. First, I discuss criminological conflict theories, and how the logic of conflict theories might suggest competing potential responses to my research questions. Then, I analyze the central tenets of deterrence theory, linking this theoretical perspective to the persistence of violent acts committed by NFL players. I also explain how, according to deterrence theory, harsher and more certain extralegal sanctioning for players arrested of acts of violence against women could result in a reduction in these acts.

Conflict theories

What should we expect regarding the consequences of violence against women arrests on athletes' careers? While some criminological theories suggest that athletes may be particularly likely to be sanctioned for such acts, other theories offer a more complicated picture. Criminological conflict theories specifically present several possibilities for how athletes may be impacted by arrests. Conflict theorists argue that sanctions on crime are a “societal phenomenon”, based on the “conflict between groups or classes in society” (Mark. Lanier, 2014, p. 245). As such, groups with significant economic means and power are advantaged in the criminal justice system, and able to avoid punishment and sanctioning for their behaviour. Conflict theorists are also concerned with racial inequity and the power differentials between those of dominant and subjugated racial groups (Mark. Lanier, 2014), positing that those in the dominant position can determine what is criminal and what is not (Schwendinger & Schwendinger, 2001).

Criminological conflict theories thus present some potentially contrasting predictions for the career outcomes of professional athletes who were arrested because of violence against women.

On the one hand, most NBA and NFL players are Black (Griffin & Calafell, 2011; Lawrence, 2019), belonging to a traditionally over-criminalized and highly-sanctioned racial group (Davenport et al., 2011; Pager, 2003; Shor, 2008; Tonry, 1995; Vuolo et al., 2017). This over-criminalization is particularly relevant in situations of violent crime, and as such, we might expect harsher sanctions for this type of alleged criminal behavior by Black athletes (Christensen et al., 2016; Hooks, 2004). As bell hooks writes, “Black males today live in a world that pays them the most attention when they are violently acting out” (2004, p. 53).

Academic literature is littered with studies demonstrating the unequal treatment of Black men in legal and criminal justice contexts (Davenport et al., 2011; D. Jacobs et al., 2007; D. Jacobs & Carmichael, 2001; Krivo et al., 2009). This includes work examining the differential policing of Black and White people (Calderon, 2000; Davenport et al., 2011; Sewell & Jefferson, 2016) and use of force in police encounters (Mears et al., 2017), the effects of neighbourhood segregation on rates of violent crime (Krivo et al., 2009) and adverse health outcomes (Sewell, 2015), and the higher imprisonment rates of Black men (Alexander, 2020; Keen & Jacobs, 2009; Kilgore, 2015), especially in states with higher levels of perceived racial threat (D. Jacobs & Carmichael, 2001).

The differential treatment of Black men in the criminal justice system even extends to the post-sentencing stage, with Jacobs and colleagues’ (2007) work demonstrating Black defendants’ higher likelihood of execution on death row compared to other capital offenders. Carmichael and Kent (2017) also found that states with Republican governors and larger Black populations were less likely to adopt policies aimed at reducing wrongful convictions, which would help many wrongfully convicted Black men. This unequal treatment in policing, prosecution, sentencing,

and post-sentencing also results in a considerable amount of cynicism surrounding the police and the criminal justice system from Black people (Carr et al., 2007).

Similar unequal treatment has been observed in employment (Pager, 2003, 2008; Western & Pettit, 2005) following contact with the criminal justice system. Black men are less likely than White men to receive call-backs for jobs when they have a felony conviction on their record (Pager, 2003, 2008; Vuolo et al., 2017), and they are paid lower wages when they are hired (Western & Pettit, 2005). Black men also receive fewer call-backs when they are arrested for more minor crimes, even when they are not convicted (Uggen et al., 2014). Mass incarceration in the United States has aided in the persistence of the stratification and inequality of Black people (Wakefield & Uggen, 2010; Western et al., 2015), through issues in hiring (Pager, 2008; Vuolo et al., 2017), as well as financial and health related hardships following criminalization (Western et al., 2015; Wildeman & Wang, 2017).

These disparities are emblematic of the wider system of racial capitalism (C. J. Robinson, 2000) that Black people (and specifically Black athletes in this case) live and work under. This is especially important to identify in this case, as professional and elite basketball and football structures particularly often mirror the exploitative labour relations between Black athletic labourers and largely white management (Hawkins, 2013). Organizations and management make significant amounts of money off of the labour of athletic workers while maintaining a high level of control over their earning potential through *status coercion* (Hatton, 2020). Given the strong relationships between management and coaches in professional and “amateur” (in name only) collegiate basketball and football, these overseers hold considerable control over the careers of athletes, where any sort of loss of reputation or negative word from a coach can be the difference between being drafted, signed to another contract, or left unemployed (Hatton, 2020).

On the other hand, many of these particular Black athletes also belong to a traditionally under-criminalized and under-sanctioned status and economic class (Reiman, 2015). Conflict theorists suggest that groups with high status and economic means have the power to determine what is criminal or deviant and what is not (Mark. Lanier, 2014; Schwendinger & Schwendinger, 2001) within a social and criminal system that benefits those with more social power and money (Barkley, 2005; Reiman, 2015). These players and their organizations are situated at higher levels of the stratification system, have considerable cultural capital through their involvement in a profession of high prestige and social “conventionality” (Turner, 2002, p. 666), and are overwhelmingly accused by victims at a comparatively lower social position with “less law available to them”(Turner, 2002, p. 606). Athlete arrest rates are lower than those of similar demographics in the general population (Lee & McFarlin, 2016), but are higher than those in the general population and have lower conviction rates (Benedict & Klein, 1997). The fact that many NBA and NFL players are both Black *and* wealthy presents an interesting theoretical puzzle when examining the consequences of their actions. This dissertation’s questions sit at an interesting nexus between gender, race, class, and social status.

Apart from their own personal wealth, NBA and NFL players also often have the support of even wealthier and more powerful sport organizations and their legal and public relations teams. This is especially important in situations where athletes are earlier in their careers or in more precarious positions, and have not yet reached the same financial status of some of their more established athlete peers. Professional sports leagues, who are worried about the reputation of the league and its ability to attract commercial endorsements and sign lucrative television contracts (J. Thomas, 2017), also prefer that their players’ reputations remain intact, motivating them to try to influence the legal system and encourage players to reach confidential settlements away from

the public eye (Crosset, 1999; Moser, 2004). Even at the collegiate level, athletes often have the backing of coaches and athletic administrators, who can work to ensure that the situation is handled at the campus-level, shielding athletes from the larger justice system (Beaver, 2019).

It is important to note, however, that many recently drafted NFL players are signed to non-guaranteed contracts, and have not yet reached the same level of wealth and financial security as many NBA players. From a conflict theory perspective, one might therefore expect that younger, less valuable NFL players could suffer harsher career consequences. These contrasting league contexts and expectations further justifies the separation of the NBA and NFL analyses into two studies.

Deterrence theory and expressive theories of punishment

Criminological deterrence theory (M. M. Lanier et al., 2015; Silberman, 1976) provides a useful framework for examining the persistence of violent acts by professional athletes. Stemming from classical theories of crime, deterrence theorists posit that in order to deter crime, punishment must be sufficiently severe, certain, and swift (M. M. Lanier et al., 2015, Chapter 3). If the likely consequences or punishment for committing a particular crime or engaging in a particular behaviour outweigh its benefits, people will be discouraged from engaging in such behaviour. Initially focused on formal legal punishment, deterrence theorists have expanded the definition of ‘consequences’ or ‘punishment’ to include legal and extralegal punishment and sanctions, including loss or anticipated loss of rewards, reputation or prestige (Nagin, 2013; Nagin & Pogarsky, 2001). As such, beyond the formal, legal risks of criminal conviction and prison time that stem from an accusation of violence, the risk of losing earnings or employment opportunities as a professional athlete may serve as an extralegal sanction that could have a similar deterring effect. These types of extralegal sanctions have been observed in non-sports

contexts, as research has shown that individuals with prior convictions are less likely to receive callbacks for jobs (Agan & Starr, 2016; Pager, 2003). Importantly, this effect was even more pronounced for Black men (Agan, 2017; Tonry, 1995; Vuolo et al., 2017), who make up a significant percentage of NBA and NFL players.

If professional athletes did suffer these negative career consequences, the deterrent effect of this sanctioning could extend beyond these specific players and even beyond the NFL or professional athlete contexts. Drawing from the early work of Emile Durkheim on the boundary-making function of punishment, expressive theories of punishment posit that sanctions for criminal or deviant behaviour can also have broader educative-moralizing effects on the members of a society (Garland, 1993; Pickett & Baker, 2017). What a particular society deems as criminal – coupled with the certainty, severity, and swiftness of punishment for engaging in this criminal behaviour - creates and sustains the social and moral norms of a society (Durkheim, 2014; Nagin, 2013). If certain criminal behaviour is *not* punished, especially when it is committed publicly, “norms are weakened and shown to be less universal in their binding force” (Garland, 1993, p. 33).

NBA and NFL players are highly visible public figures who garner substantial media attention, and also serve as prominent role models for youth and a large population of sports fans (Benedict, 1997; Burch & Murray, 1999; Choi & Rifon, 2007). As such, the importance of tangible and visible consequences for their actions may go beyond the mere effects on the athletes themselves. When athletes who have misbehaved or committed criminal acts visibly pay a price for these acts, this has the potential to serve as an educational tool, setting or reaffirming social norms regarding violence against women (Benedict, 1997; Kim & Parlow, 2009) for both athletes and the general population. If NBA and NFL teams were committed to deterring the

prevalence of such incidents, even just among the league's players, deterrence theory suggests that players should suffer negative career consequences in response to arrests and convictions for acts of violence against women.

While deterrence theory provides a framework for understanding the importance of punishment in deterring future incidents of violence against women, NBA and NFL teams' actual commitment to deterring such incidents cannot be taken for granted. While one can assume teams *hope* that players are not accused of acts of violence against women (given near-universal societal condemnation of such behaviour), it is not clear how seriously teams take these accusations when assessing whether to retain or acquire an accused player. Unlike in general crime deterrence situations, where it is only those who commit the crime (and their family and friends) that are negatively impacted by the decision to punish, in this situation both the accused (the player) and the sanctioning body (the team) can be negatively impacted by the team's decision to punish. If an NBA or NFL team punishes a talented, valuable player by releasing them from the team or by not signing them to a subsequent contract, both the team and the player might suffer. For teams, the desire to retain or acquire a talented, productive, and/or valuable player accused of an act of violence against women may supersede their desire to release the player and help deter future incidents of violence against women. While the link between more certain and harsher punishment for acts of violence against women and deterrence of future acts of the same nature may have scholarly merit (Imai & Krishna, 2004; Loughran et al., 2016; Nagin & Pogarsky, 2001), it is less clear whether teams will actually punish these players in the first place.

Chapter 3. Existing literature

Empirical Research on Professional Athletes and Violence Against Women

Those studying athlete violence against women have looked at athletes of all levels, from those participating in sports as children, high school athletes, recreational collegiate athletes, varsity intercollegiate athletes, and those who play professionally. This review of the academic literature is focused on professional athletes.

Research on athletes' violence against women in the four largest North American professional sports leagues (National Football League, NBA, Major League Baseball, National Hockey League) has examined a number of issues. While data on domestic and sexual violence complaints can be difficult to compile and acts of violence against women are often underreported (Carvalho et al., 2011), researchers have attempted to determine the prevalence of these incidents by both professional athletes. While some scholars have reported that professional athletes seem to commit more acts of violence against women than those in the general population (Benedict & Klein, 1997; Leal et al., 2015), others have found no conclusive link (T. W. Crosset et al., 1995; Kimble et al., 2010; McCray, 2015). Regardless, most research has found that professional athletes are less likely to be convicted of these offenses (Benedict & Klein, 1997). Scholars have also focused on how professional sports act as an incubator for masculinity (Connell, 1990; Leonard, 2010; Messner, 1990, 2011), and how the media differentially covers and frames Black and White athletes accused of acts of violence against women (Chase, 2019; Christensen et al., 2016; Cunningham, 2009; Mastro et al., 2011; Rugg, 2019). Many socio-legal scholars have also examined how professional sport leagues legislate and sanction athletes accused and convicted of acts of violence against women. This research has largely focused on the NFL, and has found that leagues have traditionally sanctioned on-field

violence and other criminal behaviours more swiftly and severely than acts of violence against women (Brown, 2016; Janusz, 2012; Ugolini, 2007; Webb, 2011).

Benedict and Klein (1997) attempted to assess whether or not professional athletes are more likely to be arrested and convicted for acts of violence against women than those in the general population. They examined 217 criminal complaints filed against professional athletes for acts of violence against women between 1986 and 1995, and found that athletes were *more* likely than those in the general population to be arrested for an act of violence against women. However, they were *less* likely to be convicted of this act. This may point to the power dynamics at play between professional athletes and their purported victims, as athletes and their wealthy teams and sport leagues may have the financial means to protect themselves from conviction. However, one could also argue that many professional athletes' more public profiles and inclusion in a traditionally over-criminalized demographic (young Black men) makes them easier targets for accusations, which could account for their higher levels of arrest and lower levels of conviction (rather than it being due higher rates of violence against women).

Dabbs (1997) noted that between 1989 and the end of 1993, 141 active and former professional and collegiate football players had been reported to the police for an act of violence against women. In a more recent study, analyzing only National Football League (NFL) players, Leal and colleagues (2015) similarly looked at whether NFL players are arrested at higher rates than those in the general population. While there is no official recorded database of arrests of NFL players, the researchers used the USA Today online database of NFL player arrests and data from the Uniform Crime Reports (UCR) database, found in the U.S. Census Bureau, to calculate the arrest rates for the two populations (respectively). They found that in terms of violent crime, NFL players have slightly higher rates than the general population. However, the general

population has a higher arrest rate for most other crimes. As a follow up to this study, Leal and colleagues (2016) also used the same USA Today database to examine whether athletes are offenders who commit only violent crimes, or if they are involved in violence as part of a pattern of offending more generally. They found that the NFL does not seem to have a “violent specialist problem... (the) percent of violent crimes among the NFL players in these arrestee databases is higher than those found in other databases”(Leal et al., 2016, p. 467). According to Leal and colleagues’ (2016) analysis, a higher percentage of NFL player criminality seems to be in violent criminality, compared to the general population. Schrottenboer (2021), who has kept this running online database of National Football League (NFL) player arrests since the year 2000, reported that between that time and May 2020, 132 NFL players had been arrested for an act of violence against women.

Similar to Koss and Cleveland’s commentary (1996) on the state of violence against women studies on college campuses, Crosset (1999) provided a theoretical commentary on the state of athlete violence against women research, testing common theories for violence against women (such as the rape culture hypothesis) and reviewing the empirical literature around them. He used this literature review to then propose a new typology and new way of studying violence against women, to move past simple questions of whether athletes commit more violence and focus on intervention strategies.

Pappas and colleagues (2004) took a qualitative approach in examining the links between hockey and masculinity. They interviewed five former professional hockey players, exploring how the norms of hockey and hockey players’ understandings of masculinity create a culture of aggression. They focused on how hockey culture socializes players into a culture of aggression

and violence, and provided evidence for the impact of alcohol and of attitudes that objectify women on violent tendencies outside of the arena.

Kane and Disch (1993) and Moser (Moser, 2004) conducted case study analyses of masculinity and violence against women. Examining locker room culture, Kane and Disch (1993) analyzed the ‘Lisa Olson incident’. This was an incident where female reporter Lisa Olson was trying to interview a New England Patriots football player at his locker after the game (as all reporters do), but was unable to do her job because members of the team were standing next to her naked, displaying themselves to her in a sexually suggestive manner, and taunting her as they walked by. Though not strictly a study about athlete violent behaviour, Kane and Disch (1993) examined media coverage of the incident to analyze what this incident shows about locker room culture as well as masculinity and the treatment of women in sport.

Like Kane and Disch (1993), Mastro and colleagues (2011) also examined media content. They analyzed all newspaper stories involving athletes and criminality in three large newspapers over a three-year period. In this study, the researchers wanted to examine how newspapers cover stories of athlete criminality based on the race of the athlete in question (Mastro et al., 2011), rather than looking at whether athletes are written about differently in criminal news reporting when compared with the general population. They found that Black athletes were overrepresented as alleged criminals compared to White athletes, and Black athletes’ alleged crimes were described in more explicit detail and contained language that was more “derisive, accusatory, and sympathetic to the victim” (Mastro et al., 2011, p. 539) than the language used for White athletes accused of similar crimes. Enck-Wanzer (2009), who analyzed media coverage of Black athletes accused of abuse between 1990-2005, found that these men are pathologized as naturally aggressive, a point echoed by other scholars (Chase, 2019;

Cunningham, 2009). This points to the inherent difficulty of discussing the issue of violence against women in the sport context, as one must balance support for often-ignored victims of violence against women with support for an often over-criminalized racialized group (Enck-Wanzer, 2009).

Kimble and colleagues (2010) searched and reviewed all research on sport and violence. They examined all within-sport and outside of sport violence studies of athletes, in order to assess how much of the work was “empirical” and to show what specific statistical testing methods were used in these “empirical” studies. Based on this review, the authors explained the difficulties and challenges of conducting this type of research, from how violence is defined and coded to the lack of empirical data about violent acts in sport and by athletes. They noted that the research examining the link between athletic participation and violence has generally mixed results, and that there has not been enough systematic and “empirical” analyses to conclusively answer the question of whether there is a link between athletes and outside-of-sport aggression (Kimble et al., 2010). While it is not clear whether athletes are more prone to violence, I am concerned with how allegations of violence against women impact athlete’s lives and positions in their sports, which has implications for shaping the prevalence of these acts.

Professional Team and League Responses to Acts of Violence Against Women

In terms of professional league and team response to athlete-perpetrated violence against women, researchers have examined how league policies and collective bargaining agreements (CBAs) govern allegations and convictions for these incidents. While professional sports leagues and teams do pay some attention to violence against women, these leagues and teams do not legislate off-field violence against women as often and as swiftly as they do on-field violence (Brown, 2016; Kim & Parlow, 2009; Lott, 2019; Moser, 2004). Moreover, throughout the NFL’s

history, punishments (in the form of suspensions and fines) for violent acts have been less severe than those for drug-related offenses (McCann, 2014). This likely has to do both with the NFL's sharp focus on drug offenses (especially acute up until a few years ago), as well as the presence of more 'concrete' evidence (drug test results) for sanctioning these crimes compared to the opposing and conflicting testimonies that often exist in cases of violence against women. While the NFL's PCP (discussed in detail below), enacted in response to Ray Rice's domestic violence arrest and conviction, does allow for sanctioning players accused of violence, its application has been inconsistent and largely arbitrary, giving "wide latitude" to the NFL and giving "the impression that the NFL is not taking a strong stance on combating domestic violence" (Lott, 2019, p. 135).

Several studies have documented how professional athletes have been affected by the criminal justice system. O'Hear and colleagues (2001) looked at sentencing and the treatment of professional athletes by the legal system, comparing cases where athletes were sentenced to prison for crimes they may have committed to cases where no prison sentence occurred. The authors examined how sentencing rules affect the general population normally and how athletes have been treated by both judges and juries, evidenced by specific cases like those of Warren Moon and O.J. Simpson, as well as by past academic literature studying athlete violence. They did not find evidence for claims that athletes receive harsher punishments than the general population, and they noted the competing rationales that exist for whether athletes *should* be more harshly treated (O'Hear, 2001).

On one hand, elite professional athletes often have considerable financial advantages and support, and thus many may expect their negative behaviours to be punished harshly (O'Hear, 2001). The potential deterrence-based benefits of other athletes and young people seeing a public

figure and role model sanctioned for negative behaviours can also be used to justify harsher sanctioning. On the other hand, O'Hear notes the potentially "extraordinary (negative) career and financial consequences that might result from incarceration" (O'Hear, 2001, p. 447) for professional athletes, as well as the normative questions surrounding whether athletes should be made examples of for society as a whole.

These same competing rationales for how athlete violence against women should be treated were presented in Ash and colleagues' (2017) analysis of Twitter replies following the decision not to pursue criminal charges following the alleged act of sexual violence committed by Florida State University college football star Jameis Winston. Twitter users brought up the fact that the star quarterback had a lot to lose and his accuser could have just been "out to get him", while others noted that the dropping of charges was typical of the sport industry and a high-level sport culture that protects athletes at all costs, and decried the lack of justice for his accuser.

Other research of professional athletes and violence against women has focused more on how leagues have responded to arrests and convictions of acts of violence against women. Most of the literature surrounding athlete behaviour and professional league sanctions has looked at the NFL (Ambrose, 2007; Brown, 2016; Janusz, 2012; Leal et al., 2015), where arrests and convictions for acts of violence against women have been most common among all major professional leagues in the United States (Leal et al., 2015; Moser, 2004).

Ugolini (2007), Janusz (2012), and Brown (2016) focused on the National Football League (NFL) and how the league has disciplined athletes involved in domestic and sexual violence incidents, while Webb (2011) conducted a similar study on both the NFL and Major League Baseball (MLB). Webb (2011), writing before the NFL adopted specific provisions concerning

domestic violence, concluded that to deter acts of violence against women by athletes, both leagues should create and enforce standalone domestic and sexual violence policies. He suggested that the implementation of such policies might curb incidents of violence and protect the public image of the sport. Moreover, given how “‘manly’ sports shape the dominant culture in America” (760), properly implemented policies, he argued, could also shape wider attitudes of men towards violence and specifically violence against women (Webb, 2011).

Ugolini (2007) noted that while the NFL is under a particularly bright spotlight due to the popularity of the sport and the violence of the game itself, it had not (to this point, in 2007) been stern enough in its treatment of players accused of acts of violence against women. Janusz (2012) focused on the NFL’s treatment of violent offenders following the introduction of the Personal Conduct Policy (PCP). He noted that because the legal system often cannot adequately address acts of violence against women committed by wealthy and powerful professional athletes (cases are often dropped by prosecutors or judges for lack of evidence), the NFL’s PCP “is an important tool in holding players accountable for their actions and conveying the message to the public that the League will not tolerate such conduct” (128).

Brown (2016) focused on the NFL’s PCP and the Ray Rice incident, which made headlines across North America due to a video of the assault being made public. She wrote that the eventual punishment (an “indefinite” suspension) levied upon Rice represents a step in the right direction towards more accountability for NFL players who commit acts of violence against women, but also noted that the NFL’s policy does not sufficiently address victim compensation (Brown, 2016). These studies (Brown, 2016; Janusz, 2012; Ugolini, 2007; Webb, 2011) take an in depth look at the league’s domestic and/or sexual violence policies, how they have been

enforced, and how they should be enforced in the future. However, they do not address the long-term consequences athletes do or do not suffer for these allegations of violence.

Professional sports league have, especially in recent years, changed many of their policies surrounding player criminality and specifically acts of violence against women quite often, thus necessitating new research. The aforementioned studies are similar in their use of policy analysis and case examples to illustrate how domestic and sexual violence against women has been legislated and disciplined in professional sports leagues. Withers (2010) also conducted a similar analysis, though more thorough, examining violence against women policies in the NFL, MLB, and National Basketball Association (NBA), while also assessing the evolution and breadth of the commissioner's powers and authorities in handling this disciplinary action. She noted that commissioners in men's North American professional sports have always exercised significant power in disciplining players (Withers, 2010), a point echoed in the NFL and MLB policy based analyses described above. While this power has at times been used to sanction athletes accused of acts of violence against women, Withers (2010), much like Webb (2011), discussed the need for leagues and commissioners to implement specific standalone policies.

The studies described above looked at the disciplinary authority and powers of commissioners, leagues and teams following acts of violence against women committed by athletes, but did not account for the effects of these acts or the authority of governing bodies on athletes' careers. Suspensions, fines, or mandated counselling have a one-time, short term impact. These studies therefore cannot capture the effect that arrests following violence against women might have on the accused athlete's entire career and earning potential.

Several scholars have looked at the potential effect of athlete transgressions on player value and on amateur player's draft position. Humphreys and colleagues (2014) examined differences

in wages between players arrested for any crime, compared to matched players who were not arrested, between 2000-2009. They found that arrested players actually earned 10-14% *more* than their non-arrested counterparts, with the authors hypothesizing that this difference can be explained due to these players' higher levels of aggression and lower levels of risk aversion (Humphreys et al., 2014). In a study of the determinates of NFL employment and salary, Jepsen and colleagues (2020) found that fantasy football statistics are a predictor of career outcomes for players, while arrests and race were not. However, this study only sampled a subset of NFL 'skill position' (quarterbacks, running backs, receivers and tight ends) players, and did not differentiate between different criminal allegations. In a study of free agents between 2005-2008, Allen (2015) found that compared to younger or draft-eligible players, older NFL players "incur a more severe labor market penalty for personal risk factors"(Allen, 2015, p. 151), which include but are not limited to arrests and suspensions.

In terms of the effect of arrests on draft position, Weir and Wu (2014) found that players who were arrested or charged with any crime (not limited to violence against women) while in college were picked on average 16 spots (half of a round) later in the NFL draft between 2005-2009, while players who were suspended for breaking team or university rules were picked 22 spots later. These scholars noted that arrested players generally outperformed their draft position, which could indicate that these players "are being punished too much" by teams (Weir & Wu, 2014, p. 632). However, it is important to note that this analysis did not account for arrested players (or any players) that did *not* get drafted. This selection bias could explain why arrested players performed so well, as this sample only included the arrested players who were *still* talented enough to be drafted, even with their off the field baggage.

In their study of NFL players drafted between 1999-2013, Palmer and colleagues (2015) examined how media stories of player ‘deviance’ in the year prior to the draft impacted draft position. Their classification of deviance was based on the “following predetermined search terms: arrest, suspension, drugs, violence, off-field, misconduct, cheating, alcohol, scandal, fight, assault, and battery” (Palmer et al., 2015, p. 125). They found that players with more media coverage of their deviance were drafted in a better position until 2007, when the NFL updated their Personal Conduct Policy.

These draft and labour market studies speak to the importance of talent and productivity in player evaluation, but do not tell a perfectly clear story regarding the impact of off-field issues. Players with arrests or college team suspensions have still been drafted by NFL teams, with Humphreys (2014) even hypothesizing that players with past violent transgressions earn more in free agency due to their ‘aggressive’ tendencies or reputations that are considered valuable for NFL teams. This survey of the literature demonstrates both the unclear link between off-field violence and career outcomes, as well as complicated relationship that NFL teams have with violence from their players. While aggression and dominance are expected and lauded on the field, these same qualities are not acceptable outside of the sport.

Chapter 4. Data and Methods

Chapters 5 and 6 - Arrested Player Sample

The sample of arrested players used in the study consists of all 32 NBA players arrested for an alleged act of violence against women between the years 2000-2019, and all 117 NFL players arrested for an alleged act of violence against women between the years 2000-2019. I chose to examine arrested players as this allows for an examination of the impact of alleged deviance that has reached the public. Using arrests is also more restrictive than including all

media reports of alleged violence, as arrests represent a more ‘official’ source of data. On the opposite end of the spectrum, I also chose not to be so restrictive as to include only those convicted of an act of violence against women. Beyond providing a much smaller sample size from which to study, looking only at players who were convicted presupposes that the criminal legal system operates completely rationally and justly in handling cases of violence against women. Even for those who are arrested - which already represents only a percentage of the total violence happening, as so many incidents of violence against women are unreported – conviction rates are generally below 30% in Western countries (Nelson, 2014). Only including those convicted would thus not only shrink my dataset considerably, but would also eliminate many cases of violence while not allowing for a proper examination of how allegations in and of themselves might hurt career prospects.

It is important to note that such a sample also necessarily excludes players who were accused in civil lawsuits, or those linked to incidents of violence against women but never formally accused or arrested, such as Ben Roethlisberger and Richie Incognito. It is possible that the lack of formal criminal charges laid against these players are reflective of certain race-based privileges (Chase, 2019)¹. However, this is not within the scope of this analysis. This sample also excludes players accused of and even reprimanded for acts of violence against women as youth or collegiate football players like Joe Mixon or Tyreke Hill.

¹ It is possible that those who are more famous and higher performing are more likely to have more media coverage surrounding their actions, and therefore it could be more likely that their arrests are publicized. However, it is also possible that given their high performance and the valuable labour they provide to their organizations, these higher performing players could be protected by their organizations when issues of criminality or misbehaviour arise.

These timeframes were chosen because they are relatively recent, allowing for the collection of relevant and easier-to-track information. Moreover, the research question answered in these studies (what is the impact of player arrests on player career outcomes?) requires a large enough period observing a player's career after the arrest to assess the long-term effects of that arrest. Including only players arrested until 2019 ensures that there was enough time to examine the potential effects of the arrest on their careers. For players who are still playing currently, I made a small adjustment to their "post arrest seasons" variable based on an average age of retirement for each league. Details for this adjustment are found in chapters 5 and 6 below.

I tracked information on all NBA players arrested for alleged acts of violence against women using the NBA Crime Library website (NBA Crime Library, 2019), which records all arrests of NBA players. For the NFL, I tracked this same information using Schroetenboer's (2021) USA Today NFL Arrests Database, which tracks all NFL player arrests from the year 2000 until the present, and has been used in past academic work (Leal et al., 2016, 2019; Rentner & Rentner, 2018) studying NFL player arrests.

Included in both populations (NBA and NFL) are players arrested for domestic violence, domestic assault, domestic battery, domestic abuse/assault, battery, or sexual assault of a woman. Using ProQuest's North American journalism search engine, I corroborated the NBA Crime Library and USA Today NFL Arrests Database by searching for each individual arrested player's name, their arrest or criminal charge (eg. 'domestic violence'), and the team they were playing for at the time of the arrest ('Atlanta Falcons', 'Milwaukee Bucks') on ProQuest's North American journalism search engine. For each player listed in either database, I found multiple news stories that corroborated the arrest information in the database, and was able to fill in other key information regarding the relationship of the alleged victim to the athlete, the formal charges

laid, and the conviction, sentence, or any disciplinary action doled out by the team or the league (if applicable). I then used data from basketball-reference.com (*Basketball-Reference.Com*, 2019) and pro-football-reference.com (Pro Football Statistics and History, 2020) to record the age of the player at the time of the arrest, their race, and their player statistics (described below).

Chapters 5 and 6 - Matched Pairs Design

A matched-pairs research design is effective in assessing the impact that one intervening factor can have on an outcome, by comparing the results of an affected research subject with those of an unaffected, matched subject. Matching consists of “finding pairs of cases that differ on the treatment of interest but are as close as possible to being identical on the set of control variables” (Seawright, 2016, p. 111). In this case, the treatment of interest is the arrest for an act of violence against women. In order to assess “before” and “after” data for matched, non-arrested players, the date (henceforth “intervention date”) for each matched player (the player who was never arrested) was determined based on the date of the arrest for the arrested player.

While I use similar data collection and matching techniques in chapters 5 and 6, due to the differences in the two population groups described above, the rest of their methodologies differ. Chapter 5 focuses on whether NBA players arrested for an act of violence against women make less money and play in fewer seasons after their arrest, compared to their non-arrested counterparts. Given the considerably larger sample size in chapter 6, in this chapter I also was able to assess *the degree* of the effect arrests have on player careers, and whether this impact has *changed over time*. In Chapter 6 I also assess the effects of other factors (age, player performance, race, whether the incident occurred before or after the Ray Rice incident, etc.) that potentially impact player career outcomes.

With these key differences in mind, I will not discuss here the criteria for selecting matched pairs, my analytical strategies, and the statistical models used in each of the two studies (of the NBA and the NFL). Instead, these details will be discussed in the body of each of the empirical chapters.

Chapter 7 – Interviews of NBA and NFL Decision Makers

As a complimentary analysis, I use interviews to understand how teams purport to make player acquisition decisions in practice. While I use the first two studies to assess, at a general level, how players tend to fare following arrests, this quantitative data analysis cannot account for the particular considerations and deliberations made by teams' decision makers while drafting, acquiring, or retaining players. As Drummond and Elliott (2017) write, "although quantitative methods offer useful statistical trends and patterns, such approaches do little to explain the concepts of 'how' and 'why' in relation to sociocultural issues" (p. 522). The findings from chapter 7 can also impact the way I interpret the results from chapters 5 and 6.

It is unclear how organizations and decision makers evaluate alleged criminal behavior committed by both players already within their organizations and those who they consider drafting or acquiring. It is possible that different organizations have different rules or norms regarding players accused of acts of violence, or that decision makers evaluate players on an individual basis, with alleged criminality acting as only one variable in their evaluation. Even if the latter is true, the weight that this alleged criminality holds in decision makers' evaluation is unclear. It is also unclear how teams assess player allegations of criminality, and how this assessment differs based on factors such as the formal legal charge, the result of the case, the media coverage of the case, and fans' responses to the incident. Lastly, this analysis allows for triangulation of findings from the two quantitative studies. Not only can I verify certain results,

but I am also able to assess potential disparities between what decision makers say or claim, what journalists say, and what teams actually do in practice.

Rationale for two separate quantitative studies

Most notably, from a methodological and practical standpoint, the matching criteria and variables used for matching arrested athletes with non-arrested ones are completely different in the NBA and the NFL. Basketball and football are very different sports, with different roster sizes, average career lengths, and statistics recorded for players. Even in the amateur player draft, which is the primary entry point into both the NBA and NFL for most players, the size of the draft and the meaning of being selected in a particular round differ tremendously. There are two rounds in the NBA draft, and seven rounds in the NFL draft. Due to the size of rosters and the amount of player turnover in football, a player drafted in the second round of the NFL draft is expected to immediately contribute to the team that drafts them. Second round draft choices are a very valuable asset in the NFL. In the NBA, on the other hand, second round draft choices often do not even make the team's final roster for the upcoming season, and if they do, are not expected to contribute in a substantial way, often playing very little.

The statistics and player factors used to match players are also different. Arrested NBA players are matched based on ubiquitous NBA statistics like points, rebounds and assists, while arrested NFL players (by virtue of the vastly different roles and positions on a football team) are matched based on games, starts, and all-star game appearances. Expectations for the length of a typical career in each league also differ. NBA careers are generally substantially longer than NFL careers, making it difficult to conduct a joint analysis of NBA and NFL players where the number of post-arrest seasons played is the dependent variable. Lastly, the sample size of arrested players for the NBA (31 arrested players, 64 players total) and the NFL (117 arrested

players, 234 total) are vastly different. Even if it were possible to remedy the methodological matching issues above, a joint study might only reflect what has occurred for NFL players.

Lastly, the NFL and NBA have different policies and different histories in handling acts of violence against women committed by their players. The North American media has paid significantly more attention to athlete-perpetrated violence against women in the NFL than in any other professional league, and the NFL and its commissioner have spoken publicly about this issue on many occasions, promising to handle future cases of domestic and sexual violence in a much more stern way (Chase, 2019; Lott, 2019).

Chapter 5: "It Will Ruin His Career": Does Violence Against Women Really Damage the Careers of Professional Athletes?

Abstract

Arrests for acts of violence against women are a common occurrence for professional athletes, including National Basketball Association (NBA) players. Many sports fans, players, and those involved in professional sport believe that arrests for acts of violence against women, whether they result in a conviction or not, are highly detrimental to an athlete's career. If this were the case, deterrence principles indicate that these arrests would deter other athletes from committing similar acts. However, whether arrests for acts of violence against women actually do have such effects for athletes is not yet clear. From a conflict theory perspective, NBA players also present an interesting theoretical puzzle. As wealthy, predominantly Black men, they belong to both a traditionally under-criminalized group of high earning professionals as well as to a traditionally over criminalized racial group.

Using a matched-pairs analysis of all 31 NBA players arrested for acts of violence against women between 2000-2018, I examined whether and to what extent arrests for acts of violence against women affected player careers, measured in terms of post-arrest average annual salary and career longevity. T-tests were used to test for significant differences between arrested players and their non-arrested matched pair. Results indicate that arrested players earn 8% less average annual salary, though this already negligible difference disappears when accounting for pre-arrest salary differences. Arrested players' careers are also only 5.8% shorter than their non-arrested counterparts. Overall, NBA athletes do not suffer substantial career consequences due to arrests or convictions for acts of violence against women, dispelling the notion that such arrests

ruin these athletes' careers. From a social learning perspective, this lack of punishment or loss of reward could be an important cause of continued acts of violence against women among athletes.

Keywords: Violence Against Women, Arrests, Social Learning Theory, NBA, Athletes,
Matched Pairs

Introduction

As explained above, my first chapter looks specifically at professional basketball players, playing in the NBA. In this chapter, I answer the following research question: *Do arrests following alleged acts of violence against women affect NBA players' career longevity and average annual salary?*

To answer this question, I examine whether and to what extent arrests for acts of violence against women affect National Basketball Association (NBA) player careers, using a matched-pairs analysis of all 31 NBA players arrested for acts of violence against women between 2000-2018. The rationale for this study and an explanation of how the data regarding this population of arrested players was collected is found above. Before proceeding to the rest of this study's methods, results, and conclusions, it is imperative to understand the collective bargaining agreement in place for NBA players, as it pertains to allegations of violence against women.

The NBA's domestic violence policy

While the NBA has not received as much negative attention following player arrests for acts of violence against women as the NFL, the league has put in place specific policies to address player behaviour off the court. The NBA's 2011 collective bargaining agreement (hereafter "2011 CBA") allowed commissioners to suspend players for both in-game conduct and conduct that is dangerous to "the integrity of the game" (*NBA CBA*, 2017, sec. 31), or to make disciplinary decisions "in the best interests of the association" (*NBA CBA*, 2017, sec. 24). However, the 2011 CBA did not have any specific policy governing acts of violence against women, largely "allowing the criminal justice system to address the conduct before taking any action" (Augelli & Kuennen, 2018, p. 59).

NBA contracts contain a “good character clause”, which allows teams to “terminate a player's contract if that player acts in a manner that is not consistent with the standards of good morals and citizenship” (Showalter, 2007, p. 187). Commissioners have also cited this clause in the past in decisions to discipline players for their conduct off of the court (Lee & McFarlin, 2016). Teams may also include “morals clauses” in player contracts, which “allow teams to discipline players for off-the-field conduct that could damage the goodwill or reputation of the team” (Lucido, 2013, p. 17). However, the 2011 CBA did not allow teams to discipline players solely because they have been arrested, only including sentencing guidelines and minimums (for suspensions) in cases where players are convicted or plead guilty in a court of law (Lucido, 2013). Commissioners Adam Silver and David Stern have been largely lauded for their decisions and their management of the NBA’s public image (Jenkins, 2014; Lee & McFarlin, 2016), without having doled out a considerable amount of formal discipline for acts of violence against women (Augelli & Kuennen, 2018).

The 2017 collective bargaining agreement (hereafter “2017 CBA”) is still in force today, and contains a specific section on domestic violence, sexual assault and child abuse (*NBA CBA*, 2017, exhibit F). This policy includes tools “to provide education, support, treatment, referrals, counseling and other resources for players, their family members and others at risk” (*NBA CBA*, 2017, sec. 7), as well as disciplinary procedures and steps for those accused of an act of violence covered by this policy. While the NBA Players Association (NBAPA) negotiated for “more support, prevention and education rather than automatic player discipline when there is no conviction” (Augelli & Kuennen, 2018, p. 62), this policy provides the commissioner with considerable discretionary authority to discipline players. The NBA also has a reputation as a league (whether warranted or not) that collectively cares about social justice (Medina, 2020;

Spears, 2020), which could also impact the way teams handle players accused of violence against women. If players are not signed to subsequent contracts or are released for their teams due to violence against women allegations or to the negative publicity that comes from these allegations, this could result in shorter careers for players.

It is important here to stress the specific positionality of NBA players, which might affect what happens to players accused of violence. On one hand, most NBA players are people of colour (83.2% in the 2020-2021 season), and most are Black (73.2%) (Lapchick, 2020b). While this makes them statistically more susceptible to undue arrest, apprehension, and negative consequences in the criminal justice system, NBA are also generally quite wealthy. With minimum salaries ranging from just under \$1 million to almost \$3 million and an average salary of around \$8.5 million (*Average Sports Salaries by League 2019/20, 2021*), these players make considerably more money even compared to other professional athletes, and their careers are generally more lucrative and much longer than NFL players. Career based sanctions therefore might be particularly important (from a deterrence perspective) for these players, as they have much to lose in career earnings if their careers are cut short due to a violence against women arrest. However, their wealth and status as NBA players might help shield them from these sorts of consequences, even after an arrest.

Method

Intervention date for matched pairs

For the purposes of this study, each of the 31 NBA players arrested for an act of violence against women between 2000-2018 was matched with a non-arrested player, based on similarities before the arrest occurred. To be able to calculate whether arrests had an impact on player career outcomes, I needed to be able to assess differences between each matched pair in

career length and salary *after* the arrest. However, because matched, non-arrested players necessarily do not have an “arrest date”, I needed to qualify what counts as “before” and “after” data for these matched, non-arrested players. To do so, I first measured how many seasons the arrested player had already played before their arrest. The intervention date (used to measure “before” and “after” for non-arrested players) for matched players was then based on that number of pre-arrest seasons.

The following example illustrates how the matched player intervention date was calculated. Point guard Darren Collison was arrested on May 31, 2016 for charges of domestic violence, after his seventh season in the NBA. The player matched with him, point guard George Hill, was therefore selected based on his similarities (described in further detail below) to Collison during their first seven seasons in the NBA (particularly during seasons five, six and seven). Collison’s and Hill’s first seven years in the NBA are therefore considered the pre-intervention period.

Criteria for choosing matched pairs

More specifically, matched, non-arrested athletes were chosen based on similarities to arrested athletes in criteria that are most likely to determine NBA players’ salaries (Berri, 2006; Lyons et al., 2015, Yang and Lin, 2010). These include points scored per game, field goal shooting percentage, rebounds per game, assists per game, age, and draft pick number. While I also considered matching on average salary before the time of the arrest, current salary is in fact a weaker predictor of future salary than the factors described above (Berri, 2006; Lyons et al., 2015, Yang and Lin, 2010).

I first matched players on their race (matching only players of the same race). I next considered the players' age, which had to be within two years of each other². I then determined the intervention date, which had to be within two years of the arrested player's arrest date³. Next, I considered players' statistics, giving priority to points per game, followed by field goal percentage, rebounds per game, and assists per game. Draft round and number were given similar importance to the categories of rebounds per game and assists per game.

The following example illustrates the matching process: NBA superstar Kobe Bryant was arrested for sexual assault on July 4th, 2003. To find the best match for Bryant, I first calculated his averages in points per game (27.9), field goal percentage (46.11), rebounds per game (6.1) and assists per game (5.5) over the three seasons preceding his arrest (2000-2001, 2001-2002, 2002-2003). I also recorded the round (first) and selection number (13) where he was drafted, his age at the time of the arrest (24), the number of seasons he played in the NBA before his arrest (7), the position he played (shooting guard), and his race (Black).

Using basketball-reference.com's player season finder tool, I then searched for a matched player based on as many of these parameters as possible. In the case of Bryant, I searched for Black players between the ages of 21-26, who played between the 1999-2000 and 2003-2004 seasons, were listed as playing either the guard or small forward position (as shooting guards and small forwards are often interchangeable), who scored between 24-30 points per game, and had 4-8 rebounds per game. This initial search yielded seasons played by Tracy McGrady, Vince

² Only Lance Stephenson, who was arrested at 19 before the start of his rookie season, was matched with a player who was three years older than him, Will Barton, who was 22 as a rookie.

³ In many cases the intervention date of the matched player was not precisely the same as the arrest date of the offending player, as the intervention date was calculated according to when in the arrested player's career he was arrested. For example, Kendrick Perkins was arrested on October 10, 2013, after having already played 10 seasons in the NBA. The intervention date for his matched pair, Samuel Dalembert, was therefore October 10, 2011, after Dalembert had also already played 10 NBA seasons in the NBA (Perkins' career began 2003, while Dalembert's began in 2001). Matched pairs only had the exact intervention date if they began their NBA careers in the same season.

Carter, and Paul Pierce. While all three players had seasons that matched these parameters, McGrady's statistics were closer to those of Bryant than those of the other two players in terms of points per game, field goal percentage, assists per game, and age after their seventh season in the NBA. We therefore matched Bryant with McGrady. In Appendix A I list the full set of all 31 matched pairs, as well as the most relevant criteria for the matching.

Measurements

To measure career outcomes after the intervention, I recorded two variables for player salary and two additional variables for career longevity. For player salary, the average annual salary was recorded for all players, on all contracts signed *after* the intervention date. Any contract signed before the arrest/intervention date, where the contractual period continued into the years following the arrest/intervention date, was not included in the calculation of players' salary. This corrects for any time-based issues related to when the arrest/intervention date falls in a player's contract period. If one player's arrest date was in the last year of their contract, and their matched counterpart's intervention date was in the 2nd year of a 4 year contract, salary difference would be recorded based on differences in the first post-arrest/intervention date contract's average annual salary.

The second salary outcome variable was salary difference, calculated in order to examine how a player's salary had changed from before to after the arrest (or intervention date for the matched player), and to account for potential pre-intervention date salary differences between the paired players. Salary difference was calculated by subtracting the average annual salary earned by a player after the date of the intervention from their average annual salary in their last contract signed before the intervention date.

For career longevity, I first used the number of NBA seasons in which a player participated following the intervention. However, due to variation in the maximum number of years a player could play following the intervention date based on when the arrest happened (i.e. if the arrest happened at the end of the 2016 season, a player could only have played a maximum of two NBA seasons prior to the data collection date), I also created a standardized, percentage-based variable for career longevity. NBA season percentage was calculated to measure the percentage of seasons in which a player participated out of the total available seasons following the intervention date, with a cut-off point of age 33 as the last hypothetical “potential season” before a player was expected to retire.

The NBA season percentage variable is a more accurate reflection of a player remaining in the NBA after the intervention point, as it accounts for the exact timing in which the player was active, but also for the point in their career in which the intervention occurred. For example, if two players each played five NBA seasons after the intervention date, but one player’s fifth post-intervention season was their age 33 year and the other’s fifth post intervention season was their age 28 year, these players’ potential career longevity should not be considered the same. The first player played until an age where many players retire or are unable to stay in the league, while the other player was not playing in the NBA in what should be the prime of his athletic career. This potential disparity is corrected by using the NBA season percentage variable. In this measure, the first player’s NBA season percentage variable score would be 100 percent, as he played in all of his potential expected seasons (given an expected retirement age of 33), while the second player’s score is only 50 percent, as the intervention date occurred during their age 23 year, and they only played in five seasons out of a potential ten.

Statistical Analyses

All analyses were conducted using R. Descriptive statistics were calculated for the arrested and non-arrested groups. I calculated paired two-tailed t-tests for the entire group of matched pairs for each of the four outcome variables described above. Following this full sample test, I also conducted complimentary robustness analyses for the following three sub-samples. First, I examined only less notable players, those for whom the last pre-intervention contract was under 2,000,000\$ (n=14). Second, I examined only convicted players, that is matched pairs where the arrested player either plead guilty or was convicted of a criminal offence (n=9). Finally, I looked at league- or team-sanctioned players, that is pairs where the arrested player was officially sanctioned by the NBA or by his team (n=10).

Results

I found no statistically significant differences (at a p-values < 0.05) between the group of arrested players and the group of non-arrested, matched players in terms of the players' career longevity or salary. This was the case for all four outcome variables, both in the full sample (Table 1) and in the three subgroups studied. However, given the relatively small sample size of the population in question, this lack of statistical significance should be treated cautiously. It is therefore also important to examine whether there were any differences between the groups, even if these were not statistically significant (especially since the sample consists of the entire population of cases – all known players for whom it is known that they committed a violent act).

Table 1. Means and t-test results for the full sample (n=31 matched pairs)								
		Arrested players		Non-arrested players		T-Test Results		
		Mean	SD	Mean	SD	Mean difference	t-test result	p-value score
Career longevity	Years	4.97	3.78	5.39	3.38	0.41	0.90	0.37
	Years %	65.29%	37.35	72%	33.51	6.67%	1.7	0.10
Salary	Annual	\$3,654,694	4,722,892	\$4,005,133	4,411,623	\$350,439	0.66	0.51
	Before-after difference	\$134,063	4,255,695	\$36,440	4,531,626	\$-97,623	-0.13	0.89

***, **, and * denote statistical significance at the 0.01, 0.05, and 0.10 levels respectively

For the full sample of 32 matched pairs, the average non-arrested player played 0.4 more years in the NBA than the arrested player, and played in 6.67% percent more of their potential available seasons. The difference between the percentage of available seasons played by non-arrested compared to arrested players was statistically significant at a $p < 0.1$ significance level. Non-arrested players also earned on average 350,439\$ more per year than arrested players, a difference of 8%. However, in terms of the salary difference, which considers how much a player's salary had changed between their contracts prior and following the arrest (or intervention point for non-arrested players), arrested players actually saw a larger positive change from their pre- to post-arrest salary compared to their non-arrested counterparts. Non-arrested players' salaries increased by an average of only 36,440\$, compared to 134,063\$ for arrested players. It is important to note that all these differences are relatively minor and, as noted above, none of them were statistically significant at a $p < 0.05$ significance level.

Similar results were observed with smaller groupings of players, who theoretically should be more negatively affected by their arrests. These include less valuable players and criminally convicted players. Less valuable players were considered those with a pre-intervention date average annual salary of less than \$2,000,000. T-Test results and mean differences for this less valuable player subsample of matched pairs are found in Table 2 below⁴.

Table 2. Means and t-test results for less valuable players – last pre-intervention salary < \$2,000,000 (n=14 matched pairs)								
		Arrested players		Non-arrested players		T-Test Results		
		Mean	SD	Mean	SD	Mean difference	t-test result	p-value score
Career longevity	Years	3.21	3.45	4.21	3.68	1	1.69	0.12
	Years %	42.29%	38	49.7%	34.79	7.42%	1.08	0.30

⁴ This is a case of selecting on the dependent variable, though due to the fact that each lower-valued player is matched with a similarly lower-valued non-arrested player, this does not present an issue

Salary	Annual	\$2,007,612	2,617,806	\$1,996,720	2,345,764	\$-10,891	-0.06	0.96
	Before-after difference	\$818,324	2,361,870	\$1,176,617	2,188,166	\$358,293	1.51	0.15
***, **, and * denote statistical significance at the 0.01, 0.05, and 0.10 levels respectively								

I also assessed whether statistically significant differences existed between players who were held criminally liable for the act of violence against women that they were accused of (n = 9 matched pairs). This includes players who plead guilty to a lesser crime (eg. misdemeanour instead of felony domestic violence) or were found guilty in a court of law. T-Test results and mean differences for this subsample of matched pairs are found in Table 3 below.

Table 3. Means and t-test results for criminally convicted players (n= 9 matched pairs)								
		Arrested players		Non-arrested players		T-Test Results		
		Mean	SD	Mean	SD	Mean difference	t-test result	p-value score
Career longevity	Years	4.67	4.33	5.44	4.30	0.78	1.49	0.17
	Years %	65.67%	38.2	66.67%	35.71	1%	0.12	0.90
Salary	Annual	\$4,169,444	4,719,335	\$5,064,140	6,609,495	\$894,696	0.87	0.41
	Before-after difference	\$1,029,802	3,963,209	\$1,607,963	6,219,139	\$578,162	0.61	0.56
***, **, and * denote statistical significance at the 0.01, 0.05, and 0.10 levels respectively								

In both subsamples, none of the differences between arrested and non-arrested players on any of the career longevity or salary outcomes are statistically significant. Both less valuable and criminally convicted players play slightly fewer total post-intervention seasons than their non-arrested counterparts, however, differences between arrested and non-arrested players are much starker for less valuable players than they are for those criminally convicted

Though not statistically significant at p-values less than 0.1, less valuable arrested players do perhaps suffer slight career consequences following an arrest for an act of violence against women. Less valuable arrested players are predicted to play 1 season less post-intervention than their non-arrested matched pair, and this difference is nearly statistically significant (p-value = 0.12). In terms of post-intervention salary difference, less valuable arrested player salaries also increase by \$358,293 less than those of similarly less valuable non-arrested players, with this difference also nearing statistical significance (p-value = 0.15). While the salaries of less

valuable arrested and non-arrested players both increase after their arrest (or intervention date), arrested players increase less. It should be noted, however, that this analysis shows that less valuable arrested player salaries nevertheless increase (on average) after their arrest, even accounting for players who never sign another contract in the NBA again (and who's after arrest average salary is therefore 0). The average post-arrest (and post-intervention) salary of less valued arrested players was also still higher (in absolute terms) than those of less valuable non-arrested players.

Conclusion

I examined the popular claim that accusations and arrests for alleged acts of violence “ruin a person’s career” (Levitt, 2013). More specifically, I explored the effects of NBA players’ arrests for acts of violence against women on their career outcomes, measured by post-arrest salary and career longevity. There were only minor differences between the arrested and non-arrested players, and none of these differences was statistically significant. These results point to negligible career consequences for arrested athletes, at least in terms of annual salary and career longevity. This applies for the full sample as well as for lower-valued players and those convicted of their act of violence against women. The starkest differences between arrested and non-arrested players (though still not statistically significant) were observed between lower-valued players and matched pairs, rather than between convicted players and their matched counterparts.

Moreover, while it was not within the scope of this study to examine the facts of the criminal cases themselves, only nine of the 30 players arrested were convicted (or plead guilty), and only 10 of the 30 were sanctioned in the form of suspension or a fine by the NBA or their teams. Three of the nine players convicted or found guilty of their act of violence were not

sanctioned by the NBA or by their teams. While one should be cautious when generalizing these results beyond the group of elite athletes analyzed here, it is important to note that the argument about arrests having a serious negative effect on people's lives has not been supported by this study. While I was not able to examine the potential effects of arrests on endorsements and off-court financial opportunities, the professional careers and salaries of NBA players arrested for acts of violence against women appear mostly unaffected by these arrests.

For those who argue that players' careers should indeed not suffer from arrests, because the North American legal system operates under the premise that the accused is innocent until proven guilty, it is important to note that there was no significant effect even when limiting the analysis to players who were convicted. Even when teams or the NBA sanctioned players through short term suspensions or fines, there was no observed significant difference between these players and their non-arrested counterparts. This lack of serious career-related consequences for NBA athletes arrested for acts of violence against women is potentially important, as social control mechanisms involved in criminality do not seem to carry much weight in this case. These results also point to the ways in which decision making in the NBA around criminality does not function to protect or empower victims, but rather to protect capital – in this case, the teams and leagues capital specifically (Hawkins, 2013).

It is important to be cautious when generalizing the findings of this study beyond the context of the NBA, as sport- and league-specific factors could play a role in determining how elite athletes in other sports are impacted by such arrests. Still, when it comes to NBA players, neither an arrest nor a conviction for an act of violence against women is the career death-sentence many purport it to be.

Chapter 6: More talent, more leeway: Do violence against women arrests really hurt NFL players' careers?

Abstract

This chapter examines whether arrests for an act of violence against women have a negative impact on National Football League (NFL) player careers, and whether this impact has become more negative over time. While deterrence theory suggests that career sanctions could help deter future incidents of violence against women among NFL players and in the general population, it is not clear whether players suffer consequences for these accusations. Conflict theories also offer contrasting predictions for this group. While most NFL players are Black, and thus belong to a historically over-criminalized racial group, they are also newly wealthy and backed by even wealthier NFL teams, which also points to less sanctioning. To examine these questions, I conduct a Bayesian multi-level negative binomial regression on a matched pairs sample of all 117 NFL players arrested for an act of violence against women between 2000-2019 ($n=234$). Results show that the effect of an arrest on players' careers is negligible, though it does become slightly more detrimental over time. The Ray Rice incident, often thought to be a landmark case in the NFL's handling of violence against women, did not have any discernible impact. Player value and performance are stronger predictors of post-arrest career trajectories, and above-average performance negates any detrimental impact of an arrest. From a deterrence perspective, this lack of consequences may be a contributing factor in explaining continued acts of violence against women perpetrated by football players.

Introduction

My second chapter focuses on the NFL. In this chapter, I once again sought to answer the question of whether arrests for acts of violence against women impact the careers of athletes, though this time in the case of NFL players. In contrast to the first chapter, and due to the lack of reliable salary information for NFL players, I was only able to assess career outcomes using the length of player careers, as explained below. However, due to the considerably larger sample size of arrested NFL players and matched pairs ($n = 234$), I was also able to ask and answer additional questions related to the link between violence against women arrests and NFL.

Beyond simply measuring whether violence against women arrests impact the careers of NFL players, in this chapter, I assessed how much impact these arrests have, how this impact has changed over time, and what other player factors influence player careers. Before proceeding to the methods for this study, it is imperative to examine the legal and social context in which this research takes place, which must include an understanding of both the NFL's Personal Conduct Policy (PCP) and the Ray Rice incident.

The NFL's Personal Conduct Policy (PCP) and the Ray Rice incident

The NFL's PCP pays significant attention to domestic and sexual violence against women. The NFL's policy surrounding acts of violence against women is embedded in its PCP, and has been altered twice since 2000. The first change, in 2007, was brought upon by a sharp increase in NFL player arrests in 2006. Weiss (2008) notes that this increase may have been due to changes made to the NFL's collective bargaining agreement (CBA) in 2006, when the CBA was altered to "more robustly protect players' bonuses from forfeiture due to their off-field behavior" (Weiss, 2008, p. 307). The findings from Weiss's study provide more evidence that punishment or loss of rewards may have a deterrent effect on NFL players, as in this case,

removing a deterrent (the detrimental impact that negative off-field behaviour could have on player salary bonuses) led to increased player arrests. In 2007, after this slew of arrests, the commissioner of the NFL, Roger Goodell, updated the PCP to include harsher consequences for players guilty of conduct deemed detrimental to the league, even if they had not been convicted of any crime (Lott, 2019). This updated PCP was not specific to incidents of violence against women, though these acts could of course fall under ‘detrimental conduct’.

A discussion of the 2014 domestic violence case of Ray Rice is integral to understanding the evolution of the NFL’s PCP and its handling of violence against women. The Ray Rice incident has become “a discrete moment in time, one that divided sports history into pre and post-Ray Rice categories” (Chase, 2019, p. 93-94). On February 14, 2014, Rice – a Pro-Bowl running back for the Baltimore Ravens - was accused of domestic violence for allegedly striking his fiancée in the elevator of an Atlantic City Hotel (Van Natta Jr. & Valkenburg, 2014). On February 19, Rice’s lawyer was set to sign a plea deal with the Atlantic City prosecutor in order to keep Rice out of jail. However, on that day, TMZ released a video of Rice from the February 14 event, dragging his seemingly unconscious fiancée out of the elevator (Van Natta Jr. & Valkenburg, 2014). The video changed the media and outside perception of the incident, and on March 27, a grand jury indicted Rice on a felony aggravated assault charge, with a potential prison sentence of three to five years (Lott, 2019). After investigations from the NFL and commissioner’s office, Rice was subsequently suspended for the first two games of the next NFL season, and forced to forfeit two game checks (Van Natta Jr. & Valkenburg, 2014). Many commentators found this to be a lenient punishment on the part of the NFL and Goodell. Amid backlash from the media, women’s rights and domestic violence prevention groups, and some

players, Goodell admitted that the two game suspension was too lenient, and promised to update the NFL's PCP (Van Natta Jr. & Valkenburg, 2014).

On September 8, after the first Sunday of the NFL season, TMZ released a second video from inside of the elevator, showing Rice knocking out his fiancée (TMZ, 2014). After this video was made public, Rice was released by the Ravens and indefinitely suspended by the NFL (Lott, 2019). Both the Ravens and Goodell denied having seen this video when they sanctioned Rice, even though both parties claimed to have completed thorough investigations. A hotel employee also stated that the NFL had seen the inside of the elevator video before announcing Rice's punishment.

The NFL's current PCP stems from this incident. This policy maintains the vague language of its predecessor, providing that "[e]veryone who is part of the league must refrain from 'conduct detrimental to the integrity of and public confidence in' the NFL" (League, 2014). Violence against women falls explicitly under the NFL's list of prohibited conduct, as "the Policy provides for a special form of discipline that applies specifically to violations regarding assault, battery, domestic violence, dating violence, child abuse and other forms of family violence, or sexual assault" (Lott, 2019). This calls for a first-time offender to receive a minimum six game suspension, with a second offense resulting in permanent expulsion from the league. The commissioner is charged with forming a panel of independent experts in the case of an appeal. The PCP also calls for assistance for victims, families, and the player involved in the act of violence, in the form counseling and medical and social services (Lott, 2019). While this updated PCP may seem to be a strong response from the NFL in attempting to reduce acts of violence against women, its application has been uneven (Chase, 2019; Lott, 2019). Lott (2019) notes that the PCP gives "wide latitude" to the NFL, providing "the impression that the NFL is

not taking a strong stance on combating domestic violence” (Lott, 2019, p. 135). It also remains unclear how arrests for acts of violence affect player career outcomes beyond one-time sanctions like fines or suspensions.

From a conflict theories perspective, the specific positionality of NFL players differs from NBA players in several key ways, which could impact what we might expect regarding their career outcomes. While NFL players are, like their NBA counterparts, predominantly Black (between 57.5 and 70 percent)(Lapchick, 2020a)⁵, their careers are generally significantly shorter than NBA players and other professional athletes, averaging just under three years. NFL players are at considerable risk of injury and even career-ending injuries every game, and most contracts are not guaranteed, allowing teams to release players from employment and not pay out the remainder of their contract if they are not performing adequately. There are also substantial differences in player value by position, with quarterbacks valued much higher than other positions. The quarterback position has also historically been played mostly by white players, and quarterbacks generally have much longer careers than players at other positions. Lastly, in recent years NFL teams roster composition has skewed younger, as teams prefer to retain younger players on cheaper rookie contracts rather than sign veteran players who cost more. This is true especially at the margins of NFL rosters, where teams can fill their backup positions with younger and cheaper players without hurting their teams’ chances of success. The result of this is that the back half of NFL rosters has become a revolving door of players on short, relatively (for the NFL) cheap contracts, who are replaced by newer younger players after their initial rookie contracts (Arthur, 2016; Clark, 2016).

⁵ The exact percentage of Black players is difficult to discern, due to the number of players who refused to disclose their self-reported race to the survey

Given these factors, it is possible that from the perspective of conflict theories, NFL players may suffer career consequences for arrests. While average annual player salaries may be high (approximately \$3 million (*Average Sports Salaries by League 2019/20, 2021*)), these averages are skewed by upper-echelon players, and do not account for many players who are cut and do not receive the entirety of their salaries. High turnover of players also means that teams may consider players more disposable and replaceable than athletes in other sports or even employees in other work contexts. Black NFL players may be more likely to be apprehended or arrested due to their race, and also less likely to benefit from NFL team resources or from a second chance if they are not seen as valuable and irreplaceable assets by their team. We may thus expect that, given conflict theories, lower valued and lower performing NFL players will suffer career related consequences following an act of violence against women. It is also possible that as awareness around the issue of violence against women has grown over the last twenty years, teams may be more likely to cut ties with lower performing players they deem replaceable.

Methods

Intervention date for matched pairs

To assess “before” and “after” data for matched, non-arrested players, the date (henceforth “intervention date”) for the matched player (the player who was never arrested) was determined based on the date of the arrest for the arrested player. For example, wide receiver Brandon Marshall was arrested on March 1, 2009 for domestic violence, after his third season in the NFL. The intervention date for both Marshall and the player matched with him, wide receiver Greg Jennings, is therefore March 1, 2009. Jennings was also selected based on his similarities (described in further detail below) to Marshall during their first three seasons in the NFL.

Marshall and Jennings' first three years in the NFL are considered the pre-intervention (or 'Before') period.

Criteria for Choosing Matched Pairs

As noted above, matched, non-arrested athletes were chosen based on similarities to arrested athletes in criteria that are most likely to determine NFL player longevity and salaries (Draisey, 2016; Mulholland & Jensen, 2019). These include age, draft round, player position, games played, games started, and on-field player value (described below). Summary statistics for the matching criteria variables (race and position excluded), for both the arrested and non-arrested player samples, are found in Tables 1 and 2 below.

TABLE 1: Summary Statistics for Matching Criteria - Arrested and Non-Arrested Player Sample

Arrested Players

Statistic	N	Mean	St. Dev.	Min	Max
Age	117	25.974	2.920	21	35
Draft round	117	4.120	2.471	1	8
Before intervention seasons	117	3.839	2.708	0	12
Before intervention games played	117	50.316	40.080	0	180
Before intervention games started	117	30.974	34.570	0	180
Before intervention start percentage	117	0.493	0.349	0.000	1.000
Before intervention per-game AV	117	0.404	0.258	0.000	1.021

Non-Arrested Players

Age	117	25.932	2.962	22	37
Draft round	117	4.111	2.525	1	8
Before intervention seasons	117	3.881	2.791	0	14
Before intervention games played	117	53.291	42.126	0	236
Before intervention games started	117	32.821	38.161	0	236
Before intervention start percentage	117	0.479	0.348	0.000	1.000
Before intervention per-game AV	117	0.389	0.247	0.000	1.000

I first matched players on their race (matching only players of the same race). Matched players also had to have played the same position as their arrested counterpart⁶. Arrested players were labeled as either quarterback, running back, fullback, receiver, tight end, offensive lineman, defensive lineman, linebacker, cornerback, safety, and kicker, and matched players had to have played the same position⁷. I then examined the players' age, which had to be within two years of each other at the time of the arrest.

⁶ This is especially important in the football context, as players at different positions can have vastly different career lengths, with kickers and quarterbacks often playing into their 30's and even some into their 40's, while players at other positions do not often play past 30.

⁷ For the purposes of using the best possible match, and because of the fluid nature of some positional differences in football, I did not differentiate between certain sub-positional differences within these groups. For example, I did not differentiate between outside and inside linebackers, between defensive ends and defensive tackles, or between offensive guards and offensive tackles. Whenever possible, I tried to match arrested players according to their more specific position group (i.e. matching a defensive end with another defensive end). At times, however, players

Next, I considered the players' statistics: games played, games started, approximate value per game, participation in a Pro Bowl, and draft round. Due to the vastly different roles that players of different positions (i.e. running backs carry or catch the ball and record yards and touchdowns, while offensive lineman and defensive players almost never carry or catch the ball or record touchdowns) have in football, there are few statistics that could be systematically used across the sample to match players. I thus used games played, games started, approximate value per game, and participation in the Pro Bowl⁸ as matching criteria, due both to their capacity to predict salary (Draisey, 2016) and to their ubiquitous presence across all player positions.

Approximate value is a statistic recorded by pro-football-reference.com that attempts "to put a single number on each player-season since 1960" (*Pro Football Statistics*, 2020). It is used as a holistic statistic to measure player value. To standardize this statistic so as not to advantage players who have played longer than others, I calculated approximate value on a per-game basis. Moreover, to inflate the value of the season immediately preceding the arrest (the most recent and therefore most important 'pre-intervention' season for matching purposes), I doubled the value weight of each player's last season when determining player matching. While draft round was used as a matching criterion, the relative importance of draft round for matching diminished relative to the number of years a player had already played in the NFL before his arrest. In cases where a player was arrested more than 2-3 years into his career, the other matching criteria were

alternated between these different sub-positions (i.e. playing one season listed at defensive end, and the next at defensive tackle), making it more accurate to match according to the larger position groupings.

⁸ I was unable to find a matched player who participated in a Pro Bowl for Shawne Merriman, due to the unique nature of his career. Merriman was one of the best players at his position for several years early in his career, but then due to injuries and issues with performance enhancing drugs, became a replacement-level starter and then was out of the league by age 28. All other players who played in a Pro Bowl were matched with a player who also played in a Pro Bowl, and non-Pro Bowl players were matched with other non-Pro Bowl players.

given more importance. Due to the complexity of this data, statistical matching methods were not appropriate⁹.

The following example illustrates the matching process: NFL running back Ahman Green was arrested for domestic violence on April 25, 2005. To find the best match for Green, I recorded Green's race, age (at the time of arrest), position, whether he participated in a Pro Bowl, draft round, and player statistics for his seven seasons in the NFL preceding the arrest. Green is Black, played running back, and was 27 at the time of his arrest. He had participated in a Pro Bowl (during at least one of the seven seasons preceding the arrest) and was drafted in the third round of the 1998 NFL draft. Draft round was given more weight in the matching process if the player was arrested earlier in his NFL career and less weight if he was arrested later, due to the declining importance of a player's draft position in predicting their career outcomes as their career advances. In the seven seasons preceding the arrest, Green played in 107 games, starting 72. His per-game approximate value was 0.81, one of the highest recorded in the sample. His per-season approximate value was 12.4.

Using pro-football-reference.com's player season finder tool, I then searched for a matched player based on as many of these parameters as possible, focusing the search on the seasons immediately preceding his arrest (the 2003 and 2004 NFL seasons). For Green's match, I

⁹ By doing these matches manually, I was able to account for year-to-year differences in listed player position, assure arrested players were matched with players of the same race, and account for the changing importance of certain variables based on what stage of their career a player is in. For example, if a player was listed at linebacker in the year preceding the arrest but played defensive end for the majority of their career, the matching software might match that player with a defensive end. By using my own expertise, I can match a player who may be listed at a slightly different position in a particular year correctly, accounting for the variation that exists in official records on pro-football-reference.com. The relative value of certain statistics and player factors may also vary – a player's draft position is important for matching very young players or rookies, but not nearly as important for older players, something I can account for while matching. Using the player-season finder tool, I was able to search for players using certain statistical parameters to gather an initial list of players who could be used as matches, before using my specific expertise about this subject and about the NFL to pick a player that was the best match.

searched for seasons played by Black running backs between the ages of 26-28, who played between the 2003-2004 NFL seasons, with an approximate value of 10 or higher. Because the ‘per-game approximate value’ metric does not exist on pro-football-reference.com’s database, I used their per-season approximate value metric to search for the matched player.

This initial search yielded seasons played by Shaun Alexander, Reuben Droughns, Edgerrin James, Fred Taylor, and Ricky Williams. Droughns was immediately excluded from the analysis, as he was also arrested for an act of violence against women and is included in the dataset as an arrested player. While the rest of these players had seasons that matched the parameters described above, Alexander’s statistics and profile were closest to Green. Alexander was the same age as Green (27) following the 2004 season, participated in a Pro Bowl, had started a similar percentage of games, and was closest to Green in terms of his per-game approximate value. Appendix A lists the full set of 117 matched pairs ($n = 234$), as well as the most relevant criteria for matching.

It is important to note that after matching each of the 117 arrested players with a non-arrested counterpart, this dataset still includes only 234 players. While this represents the full population of players arrested for an act of violence against women between 2000-2019 (and matched pairs), it is still informative to assess the statistical power of this population and size of effects we can expect to uncover¹⁰. Although a robust power analysis of the Bayesian gamma-Poisson model presented below is impractical, an approximate power analysis can be achieved using maximum-likelihood standard errors for a Poisson regression. With a population of $n=234$ players, such an analysis predicts a minimum identifiable effect size of arrest of 0.63 (a 37% drop in career length) with 95% statistical power. The analysis below will investigate the

¹⁰ This is necessarily a post-hoc power analysis, as I am unable to recruit a larger sample of participants, because the 117 arrested players represent the full population of this group.

coefficient estimates in detail, including a careful discussion of precision and statistical significance.

Model

To measure the impact of violence against women arrests on player career longevity, I use a hierarchical negative binomial model. This model predicts the length of a player's career post-intervention, based on covariates for players at the individual level, and at the time level. The model, specified below, has two nested levels: players at the first level, and calendar year at level 2. The dependent variable, denoted AY_{it} , is the number of post-intervention seasons for player i , whose last pre-intervention season was at time t .

While post intervention seasons does not directly account for player earnings from NFL salaries and endorsement and sponsorship contracts, it is a strong proxy for player career outcomes, as it measures how long a player remains employed by an NFL team¹¹. To measure post-intervention seasons, I recorded the number of seasons in which both arrested and matched players were paid a salary in the NFL *after* the intervention date (**AAfterYears**). Career longevity is measured in this way because it is possible that players remain employed and on the roster of an NFL team, earning a salary, without appearing in any of the team's games. In this case, they would not be listed as having *played* during that season on their profootball-reference.com webpage. However, given that I am measuring their career outcomes in the NFL, their status as paid employees of the team is a more accurate representation of their career longevity.

¹¹ As explained in the Limitations section below, it was not within the scope of this study to gather all salary and endorsement contract data.

I perform a slight adjustment on the (**AfterYears**) variable to create the (**AAfterYears**) variable, adjusting for situations where players' intervention date was in 2014 or later, and they played in 100% of their available post-intervention seasons. In these few cases, without adjusting, the amount of post-intervention years these players participated in would be right censored, relative to players from earlier years, because more recent players necessarily could only have played up to the 2019 season (even if they are still *currently* NFL players), compared to players arrested in years prior who had more potential seasons to play post-intervention. Players who fit these criteria had their **AAfterYears** variable adjusted to add years according to their age at intervention and the year of intervention, and thus the 'potential seasons' they may still play in the future. This adjustment only applied to 17 of the 230 players in the sample.

The primary explanatory variable is violence against women arrests (**Arrests**). This variable is recorded as 1 if the player was arrested for an act of violence against women, and 0 if they were not. Due to the nature of our matched pairs research design, half of the dataset has been arrested, and half have not. This arrest coefficient is impacted by second level time variables, explained below. I also control for whether the player's violence against women arrest represents a repeat arrest (i.e if they have been arrested for any other crime in the past). This **Repeat** variable is coded as 1 if a player had been arrested once, 2 if they had been arrested twice, and 3 if they had been arrested three times in the past. There are also several other independent variables used to control for the impact of arrests on player outcomes at the individual player level.

In the first level of the model, I control for the effect of player value, using both pre-intervention (**Before intervention per-game AV_s**) and post-intervention (**postpergameAV_s**) approximate value. As described above, approximate value is a holistic statistic created by pro-

football-reference.com to measure the value of a player during a season. It is also a statistic that is recorded for players at every position, unlike other statistics like rushing yards or tackles, which are specific to particular positions, or are recorded disproportionately by players at particular positions. Like with pre-intervention approximate value, I transform the post-intervention statistic so that it can be assessed on a per-game basis (**postpergameAV_s**). Both approximate value statistics are standardized to have a mean of 0 and a one-unit standard deviation. I also include a covariate for how often players started games, both before (**beforestartpct_c**) and after (**afterstartpct_c**) the intervention. These ‘start percentage’ statistics are both centered at their respective medians. Players who start a higher percentage of their games are generally higher performing and more valuable than backup players.

While it is generally common practice *not* to control for post-treatment variables, in this case it is vital to control for both pre-intervention and post-intervention player value when assessing the impact of arrests on a player’s career length. If post-intervention player value (measured by approximate value and start percentage) were not controlled for, a player’s career ending shortly after their arrest could mistakenly be attributed to this arrest, rather than their lack of performance. Because the result of the outcome variable in question (career length) does not occur *immediately* after the arrest or intervention date, but rather over the rest of a player’s career, it is imperative that their performance and value over the rest of their career is controlled for. Arrests also do not directly impact a player’s performance, in terms of their post-arrest start percentage or approximate value. Arrested players had a mean start percentage (after-intervention) of 48.5% and a median start percentage of 54.6%, compared to 46% and 45.3% for non-arrested players. Arrested players also had a mean approximate value per game of 0.26 (median 0.22), compared to 0.25 (median 0.24) for non-arrested players. Arrested players are

actually *more* likely to start games after their arrest, and have about equal approximate value as non-arrested players. Bivariate and multivariate regression models predicting post-intervention start percentage and approximate value also demonstrate that arrests have no impact (Table 7 - Appendix C).

How long a player stays in the NFL following the intervention date also depends on how far into their career they were when the intervention occurred. This is measured by their pre-intervention seasons (**BeforeSeasons**). Players who had only played 1 or 2 seasons before the intervention date could have many more years of NFL service ahead of them, while players whose intervention date is following their 8th or 9th season may have been already nearing retirement or the end of their careers. However, it is also possible that early in their careers, players are not yet established as stable performers in the NFL, and could be more likely to be out of the league soon. Players whose intervention dates are later in their NFL careers have necessarily already ‘survived’ as players for a longer time, and may be more established in the league. There could be a curvilinear relationship between pre-intervention seasons and post-intervention seasons. I therefore use both pre-intervention seasons (**BeforeSeasons_c**) and the square of pre-intervention seasons (**BeforeSeasons_c²**) as covariates in the first level of our model. **BeforeSeasons_c** is centered at its median of 3.

Where a player was drafted (**DraftRound**) also likely has an impact on their career length, even post-intervention. However, as a player’s career advances and they get further away from their draft year, the importance of their draft position on their career longevity likely decreases. I therefore include an interaction effect between pre-intervention seasons and draft round, to account for this potential effect (DraftRound x BeforeSeasons). The **DraftRound** variable is transformed, with values ranging from 1-8. 1 denotes a 1st round draft pick, 7 denotes

a player drafted in the 7th round, and 8 denotes an undrafted player. I also control for the fixed effects of the race (**White**) and age (**Age_c**) of a player. White is coded as 1 if the player is white and 0 if not, while **Age_c**¹² is centered to its median of 25.

The second level of the model examines the impact of the specific calendar year on the number of seasons a player plays in post-intervention. This is done to assess whether the impact of an arrest on career length has changed over time, in line with perceived changing societal norms regarding violence against women. The time level includes intervention year, which denotes the last season a player played in before intervention. This **Year** variable is standardized for the purpose of the analysis, so that 1999 (the earliest possible ‘last season’ pre-intervention for any player in the sample) is recorded as 0, and 2018 (the last possible season) is recorded as 19. I also include a dichotomous variable for whether the arrest occurred before or after the Ray Rice assault and arrest (**Ray Rice**). As explained above, this incident was a heavily covered media story, and in response, the NFL passed a new PCP, with specific clauses pertaining to acts of off-field violence. This incident could therefore act as an important ‘turning point’ for how acts of violence against women impact NFL player careers. The effect of arrests (**Arrested**) on player seasons may also be impacted by the time at which they occur. The coefficient measuring the effect of arrests is therefore included at the second (time-based) level, with the same **Year** and **Ray Rice** variables. Including covariates at the second level for the effect of arrests will provide insight into the effect of arrests on career length, and how this effect has changed over time.

¹² While it is possible that age interacts with position (such that certain positions are likely to be correlated with longer careers, and thus age would have less importance for players at these positions), due to the variety of positions and non-ordinal nature of the position variable, interaction effects between age and position were not possible in this analysis.

TABLE 2: Summary Statistics for Continuous Model Variables

Statistic	N	Mean	St. Dev.	Min	Max
After intervention seasons	234	3.419	2.914	0	13
Age	234	25.953	2.935	21	37
Draft round	234	4.115	2.493	1	8
Before intervention seasons	234	3.860	2.744	0	14
Before intervention per-game AV	234	0.397	0.252	0.000	1.021
After intervention per-game AV	234	0.248	0.203	0	1
Before intervention start percentage	234	0.486	0.348	0.000	1.000
After intervention start percentage	234	0.465	0.385	0	1

The specifications of the model are shown below:

$$AAfterYears_{it} \sim \text{GammaPois}(\lambda_{it}, \theta)$$

$$\begin{aligned} \log(\lambda_{it}) = & \alpha_{0t} + \alpha_{1t}Arrested_{it} + \alpha_2BeforeSeasons_{it} + \alpha_3BeforeSeasons_{it}^2 \\ & + \alpha_4BeforeAV_{it} + \alpha_5AfterAV_{it} + \alpha_6BeforeStartPctC_{it} \\ & + \alpha_7AfterStartPctC_{it} + \alpha_8DraftRound * BeforeSeasons_{it} + \alpha_9AgeM_{it} \\ & + \alpha_{10}White_{it} + \alpha_{11}DraftRound_{it} + \alpha_{12}Repeat_{it} \end{aligned}$$

$$\alpha_{0t} = \gamma_{00} + \gamma_{01}InterventionYear + \gamma_{02}RayRice_t + \eta_{0t}$$

$$\alpha_{1t} = \gamma_{10} + \gamma_{11}InterventionYear + \gamma_{12}RayRice_t + \eta_{0t}$$

Results

The model fixed effect estimates are found in Table 3 below. The model parameters are estimated using the R (R Core Team, 2018) package ‘brms’ (Bürkner, 2017, 2018), with a Hamiltonian Monte Carlo sampler. Uninformative priors were used for parameter estimation.

TABLE 3 Multilevel model fixed effects estimates (exponentiated)

	Estimate		Est.Error	95% credible interval		95% credible interval	
Intercept	1.096	(2.991)	0.185	0.730	1.465	(2.075)	(4.326)
Intervention year	-0.004	(0.996)	0.021	-0.045	0.037	(0.956)	(1.038)
Ray Rice	-0.352	(0.703)	0.281	-0.929	0.191	(0.395)	(1.211)
*Arrested	0.307	(1.359)	0.177	-0.029	0.653	(0.971)	(1.922)
Before intervention seasons ^c	-0.067	(0.935)	0.053	-0.169	0.035	(0.844)	(1.036)
Before intervention seasons squared ^c	0.002	(1.003)	0.005	-0.008	0.013	(0.992)	(1.013)
**Age ^c	-0.097	(0.907)	0.038	-0.173	-0.023	(0.841)	(0.978)
*Before intervention per-game approximate value ^s	0.094	(1.099)	0.071	-0.048	0.232	(0.954)	(1.261)
**After intervention approximate value ^s	0.263	(1.300)	0.084	0.098	0.428	(1.103)	(1.535)
Before intervention start percentage ^c	-0.266	(0.766)	0.206	-0.665	0.140	(0.514)	(1.150)
**After intervention start percentage ^c	0.877	(2.404)	0.229	0.423	1.328	(1.527)	(3.772)
Draft round	0.018	(1.018)	0.020	-0.021	0.056	(0.979)	(1.058)
Repeat	-0.024	(0.976)	0.083	-0.186	0.137	(0.830)	(1.147)
White	0.277	(1.319)	0.250	-0.239	0.762	(0.787)	(2.144)
Ray Rice:Arrested	0.119	(1.126)	0.333	-0.532	0.776	(0.587)	(2.173)
*Intervention year:Arrested	-0.039	(0.962)	0.024	-0.087	0.007	(0.917)	(1.007)
Before intervention seasons ^c :Draft round	0.004	(1.004)	0.008	-0.011	0.019	(0.989)	(1.019)

* denotes an effect within 90% credibility intervals (two tailed), ** denotes an effect within 95% credibility intervals (two tailed)
^c denotes that the variable was centered at its median
^s denotes that the variable was standardized

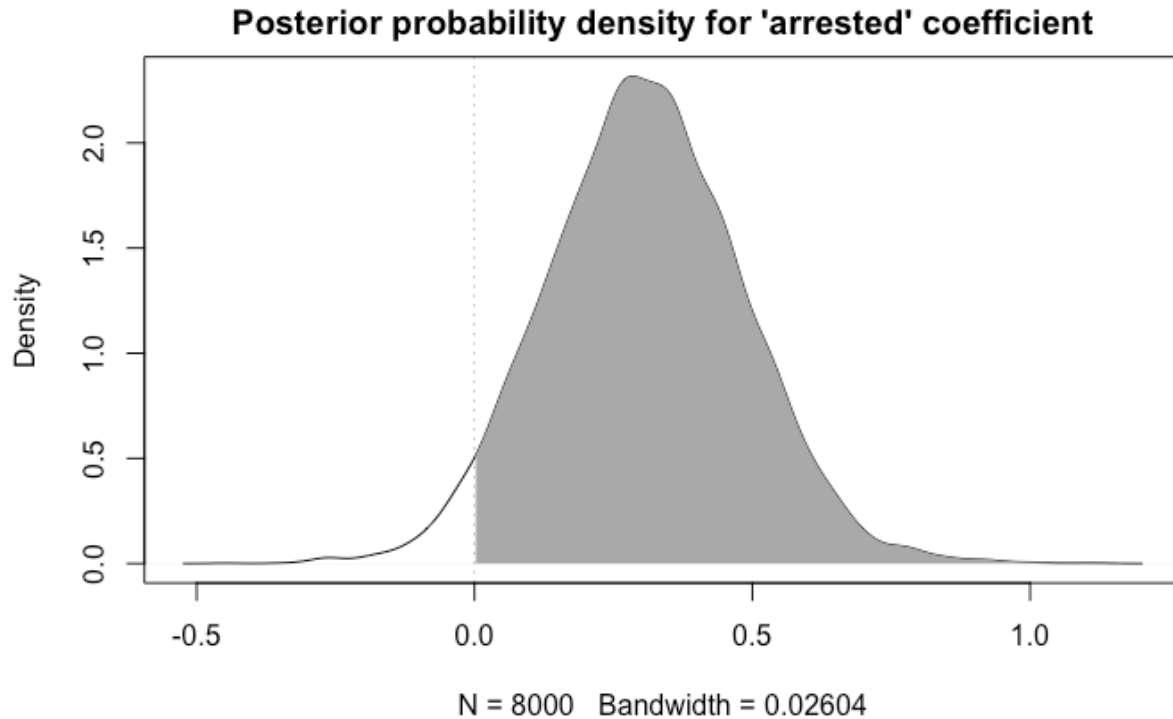
The baseline player in this analysis is a Black player of median age (25) who was a first-round draft pick, played the median number of seasons before the intervention year (3), and started a median percentage of his games both pre (52%) and post (49%) intervention. This baseline player's last pre-intervention season was in 1999, with median per game approximate value statistics both pre (0.40) and post (0.24) intervention¹³.

Most of the fixed effects model estimates, for both the variables of interest and covariates, do not have a significantly negative or positive effect on player career outcomes. The 95% credible intervals in Table 3 above indicate the probable range of estimates for the model, analogous to a confidence interval. However, it is important to note that these 95% credibility intervals are based on a two tailed test of significance. Using a one tailed test of significance, coefficient estimates of certain variables may still have a clear positive or negative impact on career length, as explained below.

Having been arrested for an act of violence against women does not have a statistically significant positive or negative impact (within our two tailed 95% credibility interval) on post intervention career length. However, with a one tailed test, the model produces 96.5% confidence that an arrest has a *positive* impact on a player's career (Figure 1). This confidence level is calculated using posterior predictive samples, which establish that 96.5% of the probability distribution for the 'arrested' coefficient is above 0, indicating a positive effect.

FIGURE 1 Density for 'arrested' coefficient

¹³ The pre-intervention approximate value statistic is substantially higher because of the inflated value given to a player's last pre-intervention season for matching purposes. This inflation was not done for the post-intervention approximate value statistics.



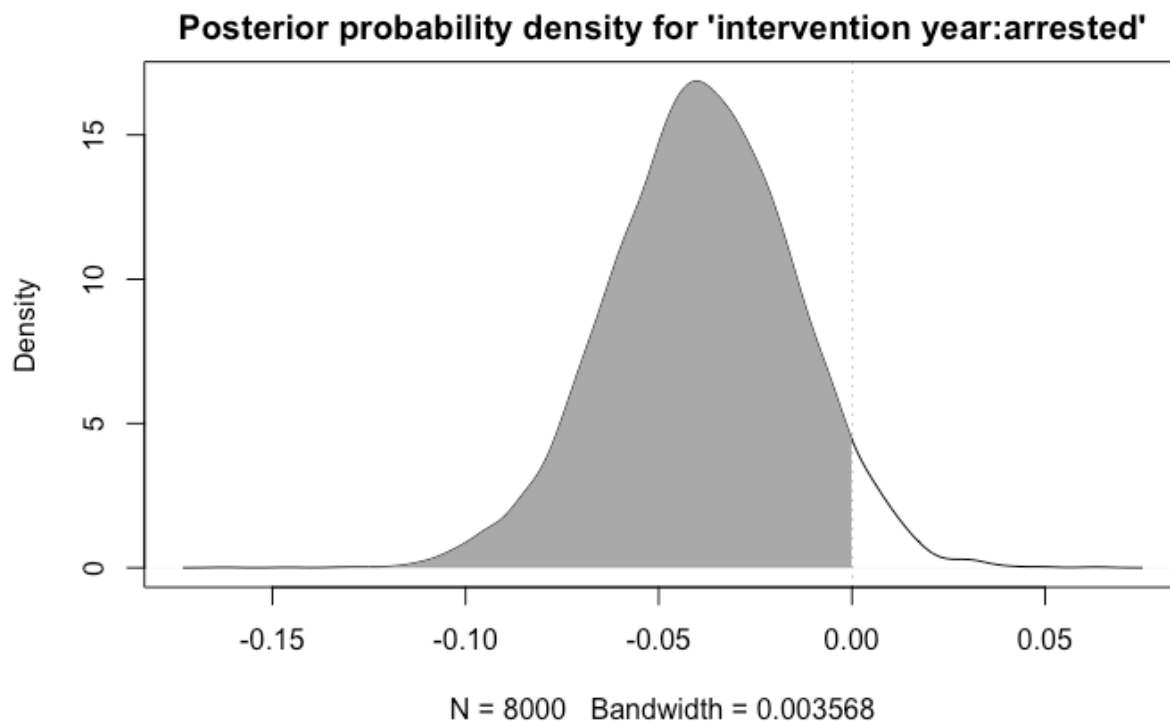
Caption: The Bayesian posterior probability density of the “arrested” coefficient, representing the relative (posterior) likelihood of different coefficient values. Values greater than zero (the shaded area) indicate a *positive* effect of arrest on career length and account for 96.2% of the posterior density. This is analogous to a one-tailed test for significance at the $p = 0.05$ level.

Without accounting for *when* the arrest happens, a baseline player (whose intervention year is in 1999) who has been arrested for an act of violence against women is therefore likely to have played in approximately 35.9% more post-intervention seasons. Given that the baseline non-arrested player is expected to play in 3 seasons, an arrested counterpart is expected to play in 4.07 seasons, just over a one season increase.

While an arrest may have a positive impact on a player’s career without accounting for when it happens, the coefficient for *intervention year:arrested* shows that the effect of a violence against women arrest on career length becomes more negative over time. As with the *arrested* coefficient, while a two tailed test of significance does not yield 95% certainty that the effect of

an arrest worsens over time, a one tailed test produces 95.2% confidence that this effect is negative, as seen in Figure 2 below.

FIGURE 2 Density for intervention year:arrested

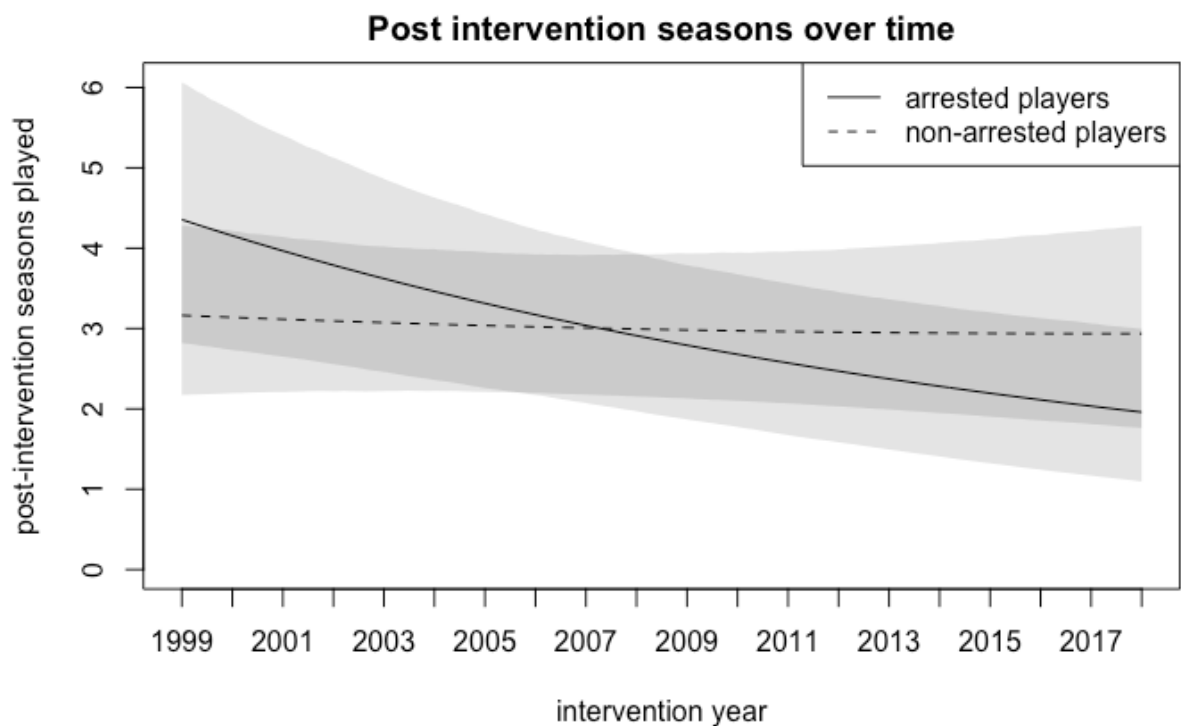


Caption: The Bayesian posterior probability density of the “intervention year:arrested” coefficient, representing the relative (posterior) likelihood of different coefficient values. Values less than zero (the shaded area) indicate a *negative* effect of intervention year:arrested on career length and account for 95.2% of the posterior density. This is analogous to a one-tailed test for significance at the $p = 0.05$ level.

While players arrested in the early 2000’s are predicted to play *more* post-intervention seasons than non-arrested players, over time, arrests have an increasingly negative impact on post-intervention seasons. This analysis indicates that the later (in calendar year) a player is arrested, the more this arrest negatively impacts their career length. Using the mean estimate of the *intervention year:arrested* variable, an arrested player is expected to play 3.8% fewer post-intervention seasons for every year later that their arrest occurred. As described above, a baseline arrested player is expected play in 4.07 post-intervention seasons. For every calendar year later

that this arrest occurred, the positive effect of an arrest is reduced by 3.8%. A baseline player arrested in 2006 is therefore expected to play 3.29 post-intervention seasons, while a baseline player arrested in 2015 is expected to play 2.34 post-intervention seasons. Up to and including players arrested in the year 2008, arrests are predicted to have either a slightly positive effect or no effect on a player's post-intervention seasons. For players arrested in 2009 and after, they are expected to participate in slightly fewer post-intervention seasons, with the negative impact of arrests increasing for every year following, as seen in figure 3.

FIGURE 3 Post intervention seasons over time



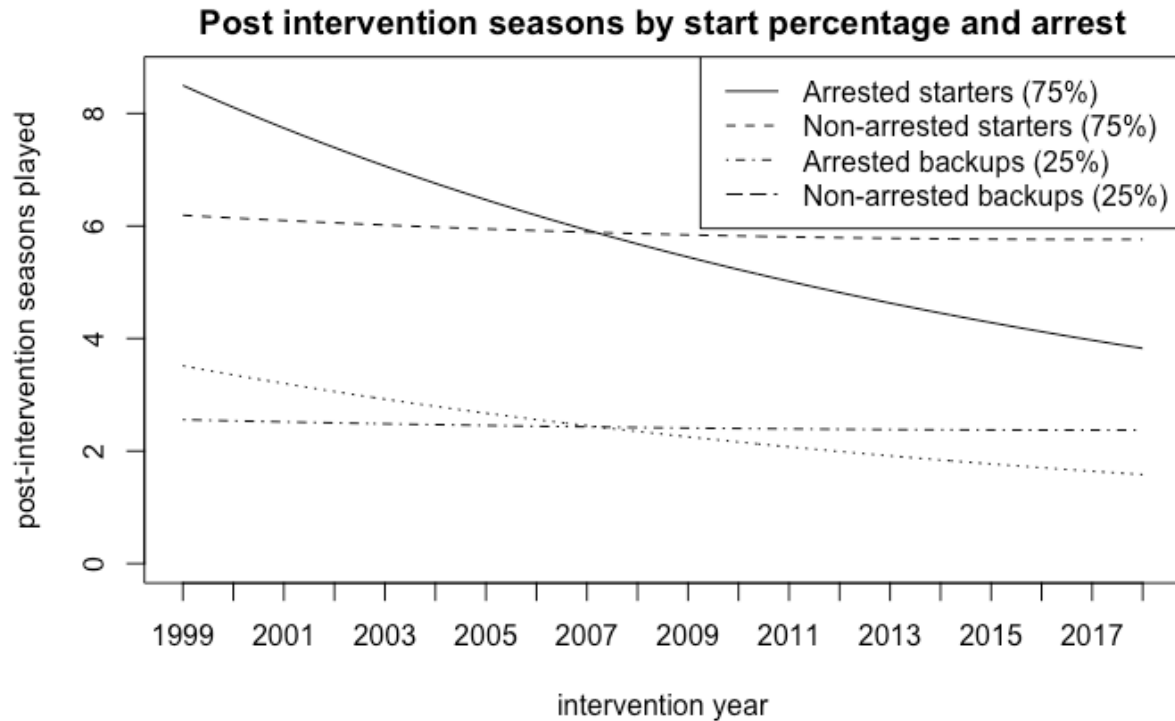
The impact of arrests on career outcomes was not clearly affected by whether the arrest occurred after the Ray Rice incident. Arrests that occurred after 2013 did have a more negative effect on the number of post-intervention seasons than arrests that happened in years prior, but this change was consistent with the year over year linear change described above. This analysis does not

suggest that the effect of a year change between 2013 and 2014 (2013 being the last season before the Ray Rice incident occurred) was any different than the change between 2001 and 2002, 2007 and 2008, or any other two years in the sample.

Beyond the uncertain and changing (with time) impact of arrests, age has a clear negative impact on post-intervention seasons. For every year older a player was at intervention, they are expected to play 9% fewer seasons. Compared to a baseline 25-year-old player who is expected to play 3 seasons, a 29-year-old player is expected to play 2.1 seasons, a nearly one season decrease.

Player value and player performance also both have a positive effect on career length. Players who start a higher percentage of their games post-intervention are expected to play more post-intervention seasons, as the estimated coefficient for start percentage is 0.877, and its exponentiated coefficient is 2.40. To put this in context, this means that a baseline player who starts 25% of their games (a backup) is expected to play 1.95 seasons, while a player who starts 75% of their games (a starter) is expected to play 4.05 seasons. A baseline player who starts 0% of their games, who is in an exclusively backup role post-intervention, is only expected to play 0.9 seasons post-intervention. Even when the changing impact of an arrest over time is considered, an arrested starter in 2019 is expected to play more seasons than either an arrested or non-arrested backup in any year.

FIGURE 4 Post intervention seasons by start percentage and arrest



From a player performance perspective, for every one-unit standard deviation increase in post-intervention approximate value per game, a player is expected to play 30% more post-intervention seasons. While an average player is expected to play 3 seasons, a player with a one standard deviation increase in post-intervention approximate value is expected to play 3.9 seasons. Further, in analyses of subsamples where only the lowest performing players - those who were more than 1 standard deviation below average in both approximate value and start percentage - were removed, the increasing negative impact of arrests (based in the Intervention Year:Arrested coefficient) in later calendar years also disappears completely, even at lower credibility interval thresholds. Model estimates for this approximate value-based subsample (with lower performing players removed) is shown in Table 4 below, while estimates for the low start percentage subsample is shown in Table 5 in Appendix B.

TABLE 4 Multilevel model fixed effects estimates, lower performing players removed (exponentiated)

	Estimate	Est.Error	95% credible interval	95% credible interval
Intercept	1.253 (3.501)	0.155	0.945 1.558	(2.572) (4.750)
Intervention year	-0.008 (0.992)	0.017	-0.042 0.025	(0.959) (1.025)
Ray Rice	-0.231 (0.793)	0.242	-0.711 0.239	(0.491) (1.270)
Arrested	0.227 (1.255)	0.163	-0.093 0.547	(0.911) (1.729)
Before intervention seasons ^c	-0.063 (0.939)	0.052	-0.165 0.039	(0.848) (1.039)
Before intervention seasons squared ^c	0.004 (1.004)	0.005	-0.006 0.014	(0.994) (1.014)
**Age ^c	-0.084 (0.919)	0.037	-0.159 -0.011	(0.853) (0.989)
Per-game approximate value _s	0.094 (1.099)	0.066	-0.035 0.223	(0.965) (1.250)
*After intervention approximate value ^s	0.143 (1.154)	0.084	-0.019 0.309	(0.981) (1.362)
Before intervention start percentage ^c	-0.184 (0.832)	0.200	-0.576 0.212	(0.562) (1.236)
**After intervention start percentage ^c	0.453 (1.573)	0.226	0.007 0.890	(1.007) (2.435)
*Draft round	0.033 (1.034)	0.019	-0.004 0.070	(0.996) (1.072)
Repeat	0.038 (1.039)	0.081	-0.122 0.192	(0.885) (1.212)
White	0.205 (1.228)	0.302	-0.415 0.787	(0.661) (2.196)
Ray Rice:Arrested	-0.133 (0.876)	0.335	-0.781 0.526	(0.458) (1.691)
Intervention year:Arrested	-0.016 (0.984)	0.023	-0.062 0.029	(0.940) (1.029)
Before intervention seasons ^c :Draft round	0.001 (1.001)	0.007	-0.014 0.015	(0.986) (1.015)

* denotes an effect within 90% credibility intervals, ** denotes an effect within 95% credibility intervals
^c denotes that the variable was centered at its median
^s denotes that the variable was standardized

Conclusions

I examined the effects of NFL players' arrests for acts of violence against women on their career outcomes, measured by the number of seasons played post-arrest. The population analyzed encompassed all NFL players arrested for an act of violence against women between 2000-2019, matched with a non-arrested player. I also assessed how the impact of arrests has changed over time.

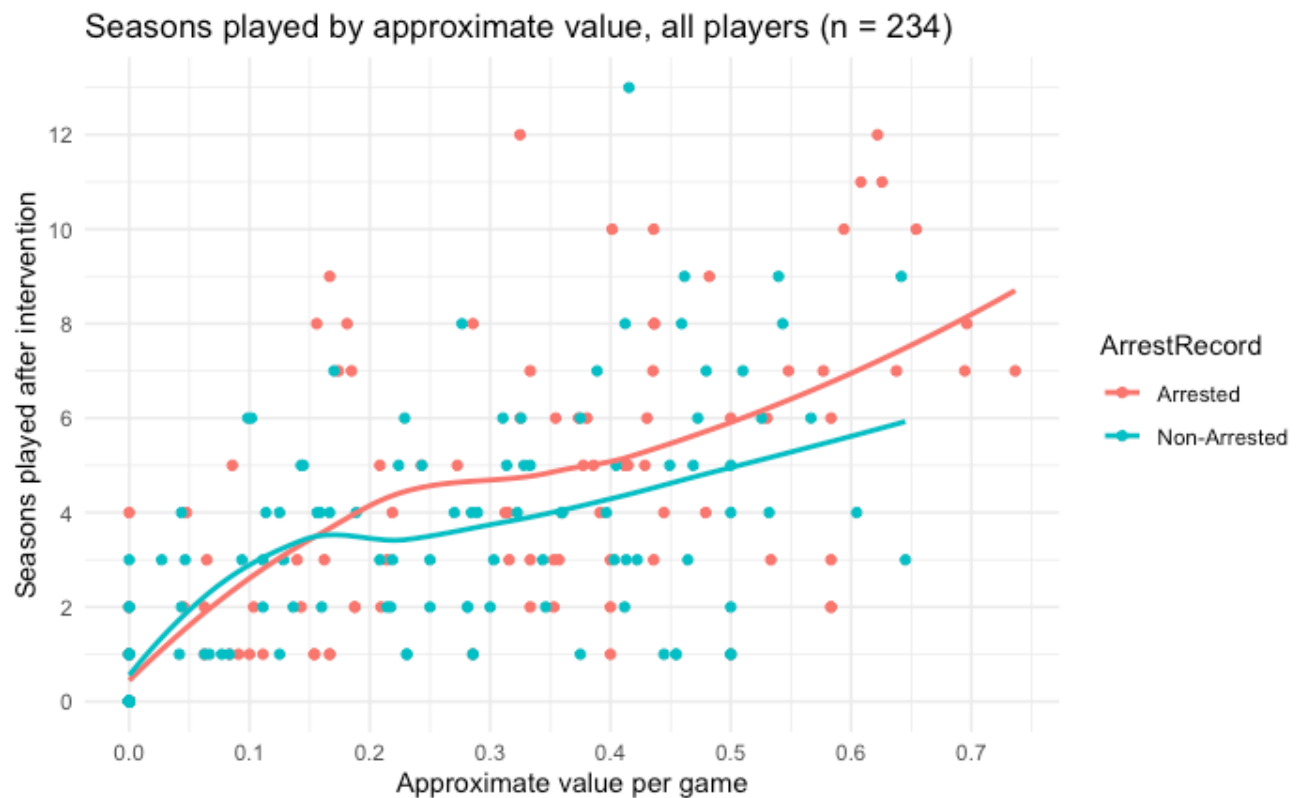
The results from this Bayesian multi-level model point to negligible consequences for arrested athletes, especially higher performing players. Moreover, the model most conclusively demonstrates that on-field productivity and value have a much stronger and clearer impact on player careers. While it seems that the penalty for arrested athletes has increased over time, to the point that arrests for acts of violence against women are predicted to have a small negative impact on career outcomes starting in the year 2009 (with this negative effect increasing in the following years), this change only affects lower performing (lower approximate value per game) and lower valued (lower start percentage) players.

While the impact of arrests seems to become increasingly negative over time for the full population of players, perhaps due to "much less tolerance for domestic violence than there was a decade ago" (Bruton et al., 2018, p. 2073), a player's performance and value on the field remain stronger predictors of the player's career outcomes. Performance and value also seem to negate any negative impact that an arrest may have, as younger players, players with higher-than-average approximate value, and players who start a higher-than-average percentage of their games are expected to play more post-intervention seasons. When analyzing smaller samples of 'higher performance' players, the negative effect of arrests did not grow over time. For these subsamples, arrests for acts of violence against women has no discernible impact on player

career length. Recent NFL history is littered with examples of higher performing players who have been given second or third chances following incidents of off-field violence in both college and the NFL, including Tyreek Hill, Adrian Peterson, Antonio Brown, Brandon Marshall and Ben Roethlisberger, among others (Freeman, 2021; M. Jacobs, 2021). The pending situation of Pro-Bowl quarterback Deshaun Watson also provides an interesting forthcoming test case. In March and April 2021, Watson, considered by many as one the best quarterbacks (the most important position on a team) in the NFL, was accused of assault in civil lawsuits by 22 different women, with allegations ranging from lewd behavior to sexual assault (Shpigel, 2021). While the legal outcome of these lawsuits is pending and Watson remains employed by the Houston Texans, given his performance and value on the field, it is highly unlikely his career will be significantly impacted by these allegations.

It is important to note that the ‘higher performance’ samples I analyzed did not only include top performing players like Watson or Hill. Instead, these samples only excluded players in the bottom 25% of both start percentage and approximate value. Low performing players are much more likely to see their careers cut short, regardless of whether they have been arrested or not. This points to the possibility that NFL teams may be making examples of arrested lower performing players by cutting them from their team or refusing to sign them to future contracts, to show that they are taking a stand against violence against women. Jacobs (2021) makes this point with regards to the Seattle Seahawks’ January 2021 release of backup offensive lineman Chad Wheeler, immediately following reports of a disturbing domestic violence incident. As Jacobs notes, “he’s an easy one for the league to cast aside and use as an example of taking gender-based violence seriously” (2021), given that Wheeler’s value to the team is not high to begin with.

Figure 5 – The impact of player performance on career length



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For those who argue that players' careers should indeed not suffer from arrests, because the North American legal system operates under the premise that the accused is innocent until proven guilty, it is important to note that professional athletes are generally convicted at lower rates than those in the general population (Benedict, 1997; Benedict & Klein, 1997; Flood & Dyson, 2007). Moreover, as Robert Mueller (2015) noted in his independent investigation of the Ray Rice incident, there are "weaknesses inherent in the League's longstanding practice of deferring to the criminal justice system... Discipline should be imposed on the basis of the specific nature of the player's conduct, not solely or necessarily on the disposition of a criminal case" (8-9). Of the 117 NFL players arrested for an act of violence against women between

¹⁴ Figure 5 uses loess smoothing for line fitting, and confidence interval error bars have been removed for clarity

2000-2019, only 23 were found guilty. This 19.6% conviction rate is well below even the most conservative estimates of conviction rates for those arrested for domestic and sexual violence in the United States (Nelson, 2014). Of the 23 found guilty, four plead guilty to a lesser crime than they were initially accused of, and only six served prison time. With only 23 convicted players, it would be difficult to conduct any statistical analysis on this convicted subsample. The breakdown of legal outcomes for arrested players is shown in Table 6 below.

TABLE 6 Legal outcomes for Arrested players

Outcome	Players
Charges dropped	31
Charges dismissed	19
Trial: Found not guilty	5
Plea deal, no contest, or NFL pre-trial diversion program	39
Plead guilty to a lesser crime	4
Trial: found guilty, no prison	13
Trial: found guilty, prison time	6
Total	117

These findings also stand in contrast with research on general employment contexts, which conclusively show that criminality has a significant negative effect on employment, particularly for Black men (Agan, 2017; Vuolo et al., 2017). Despite the fact that 111 of the 117 arrested NFL players in this study were Black, the number of seasons they played post-arrest was not substantially different than those who were not arrested. Players who were successful on the field were especially unaffected by their arrests. This highlights the effect that wealth, status, and perceived value have on how those arrested for acts of violence against women are treated in both legal and employment contexts. Both the criminal legal system and the NFL's sanctioning system operate to protect capital rather than to protect victims, and talented players represent vital capital for management (Hawkins, 2013). For professional football players, it appears that

the ability to provide valuable labour supersedes the racial biases that typically impact Black men in criminal justice matters, at least in terms of the legal and extralegal sanctions suffered following arrests for acts of violence against women. As long as they continue to produce value in terms of wins and dollars for their organizations, these organizations will not hold them accountable for the harm their violent behaviour causes.

**Chapter 7: “Is the guy’s skill bigger than his problems? Does it outweigh his issues?”:
Exploring how NBA and NFL decision makers handle violence against women arrests**

Abstract

I interviewed 30 NBA and NFL front office members and journalists to explore how teams in both leagues make player evaluation, drafting, acquisition and retention decisions, particularly regarding players who have been accused of criminality and violence against women. Interviewees said that the importance of violence against women arrests has increased in recent years, but an arrest for this offence is still not enough in and of itself to disqualify a player from being acquired by or kept on a team. Front office decision makers consider a variety of factors when evaluating players, including the talent level of the player, their age, the severity of the offense, the veracity of the allegation, media and fan reaction to it, and the legal outcome of the case. The central findings of these interviews corroborate the results from chapters 5 and 6 that violence against women is not a career-ender for talented and productive players. NBA and NFL decision makers operate on a case-by-case basis when it comes to player criminality and violence against women, which has implications for future deterrence of violence against women and for survivors of this violence. While taking the time to properly evaluate the merits of a violence against women arrest – especially when the accused is a member of a group (young Black men) that has historically been over-criminalized – is commendable, NBA and NFL front

offices seem to decide who is deserving of this patience based on a player's ability to help their team win games, rather than on the merits of the accused's criminal case.

Introduction

In this chapter, I use qualitative analysis to address my two final research questions:

- How do incident type, player statistics and performance, media coverage, and team and league related factors moderate the effects of arrests on athletes' careers?
- How do teams' personnel and members of the media view the relationship between players' violence against women and decisions on drafting, player acquisitions, contract renewals, and trades?

In the first two studies, I assessed how NBA and NFL player careers changed following an arrest for an act of violence against women, by measuring how arrested player careers compared to matched, non-arrested player careers. While such an analysis allows for an examination of whether career length and salary are substantially different for matched pairs, as well as whether arrests or certain player factors beyond arrests (statistics and productivity, age, race, when the arrest occurred) predict career length, it does not allow for an assessment of *why* certain arrested players may or may not be impacted by violence against women arrests, or *how* team decision makers make player acquisition and retention decisions regarding arrested players. Using interviews with team decision makers and journalists, I assess not only how violence against women arrests impact career outcomes, but also how these arrests are balanced against other player evaluation criteria and player characteristics.

This study fills an important gap in the literature around how sport organizations handle violence against women committed by its players. While there has been quantitative work examining the effect of deviance and criminality generally on player drafts and some labour market outcomes (Allen, 2015; Humphreys et al., 2014; Jepsen et al., 2020; Palmer et al., 2015;

Weir & Wu, 2014), very little research has involved speaking directly with decision makers about their decision making processes, especially with regards to players accused of criminality.

Qualitative research speaking directly with decision makers also allows for a discussion of the importance of race in these cases. While race plays a key role in conflict theories and the theoretical predictions about how the careers of Black athletes in the NBA and NFL will be impacted by arrests for acts of violence against women, it was impossible to properly assess the role of race in either quantitative study, as the populations of arrested players do not contain enough non-Black players to compare by race. In this qualitative work, I ask interviewees directly about the role of race, both in the evaluation of players generally and in the assessment of players accused of an act of violence against women. Though some front office members may not disclose any race-based differences for fear of sounding racist or because they do not want to reveal potentially negative information about their organization, other interviewees (especially journalists) may provide important insight into how race impacts the evaluation of arrested players.

Methods

I conducted semi-structured interviews (Rowley, 2012) with 30 NBA and NFL front office members and journalists. While it would've been ideal to interview only front office members, journalists nonetheless provide an important perspective on the decision-making processes they've observed and information they have gleaned from interviews and direct contact with front office members over the years. From a practical perspective, journalists were also much more forthcoming with interviews, and more willing to discuss a controversial topic like athlete criminality. They also have a particular insider status and informed views on how teams operate. Consistent with Mason's (2002) interviewing approach, interviews are an opportunity for the co-

production of knowledge, whereby the interviewer is an active listener and learner, with an important mediating role in asking specific questions and later analyzing the interview data. This semi-structured interview approach allows participants the freedom to express their thoughts and perceptions of how decision making is conducted at the professional level (Rowley, 2012).

While the first two articles of my dissertation are quantitative in nature, in search of the impacts of violence against women arrests on NBA and NFL player career outcomes, much can be gained from in-depth qualitative research on the topic. I use a qualitative lens to collect data and analyze how NBA and NFL decision makers assess and evaluate players, including those accused of acts of violence against women. Using interviews, I examine how much weight decision makers place on alleged acts of violence against women and player criminality at large, character factors (athlete personality attributes such as toughness, discipline, charisma, leadership), as well as how different circumstances and contexts impact their assessments. I ask interviewees how the nature of arrests, the talent and skills of the player in question, the result of the criminal proceeding, the race of the player, the expected response of fans and media, and the recent rise of the #MeToo and Black Lives Matter movements impact player evaluation and decision making (among other questions). All interview questions can be found in Appendix C.

Qualitative interviews with elites and insiders in a particular field are also effective tools for triangulation, and are important to combine with other secondary sources of data (Natow, 2020). By triangulating the analyses from the first two studies with the analysis of in-depth interviews with NBA and NFL decision makers, I am able to assess the pathways through which career consequences occur, as well as potentially discover incongruencies between what decision makers *say* about their teams' treatment of violence against women and what these teams do in practice.

The interviews may thus serve to shed light on the processes by which the career results assessed in the first two studies are determined. These interviews could provide key insights into why and how certain players careers are differentially impacted by violence against women arrests. From a deterrence theory perspective, if decision makers reveal that they do not care much about arrests for acts of violence against women, or that they are willing to accept this kind of criminality if the player is valuable to the organization, this could also explain why athletes continue to commit these acts.

7.2.1. Sample Recruitment

I used a combination of purposeful, convenience, and snowball sampling to recruit participants (Patton, 2002; Suri, 2011). Purposeful/criterion sampling was used to recruit a variety of participants who “meet (a) predetermined criterion of importance” (Patton, 2002, p. 238) – in this case, working in the basketball and football operations departments of NBA and NFL teams (respectively), or covering these teams or the league as journalists. For the NBA participants, I first interviewed people in my direct network or those I could reach through my direct network, given my work as a collegiate basketball coach in both Quebec and Ontario. I then expanded the sample using my connections to reach a wider group of interviewees. My aim was to recruit decision makers from as many different teams as possible in both the NBA and NFL. Interviewees worked in the front office or covering (as journalists) 12 different NBA teams and 11 different NFL teams. Two NFL journalists and one NBA journalist covered their sport nationally, while another interviewee worked as a journalist covering the business of sport in both the NFL and NBA, and had previously worked in the front office of professional football teams.

Beyond the initial convenience sample, I used team websites, LinkedIn, and Twitter to recruit participants from every team in both leagues. I also used the same websites to recruit journalists who cover the NBA and NFL, as well as journalists who cover specific teams. I sent emails or direct messages (LinkedIn and Twitter) to every available front office member of each NBA (30) and NFL (32) team, and to at least three journalists from every team. In total, I sent over 500 individual recruiting emails or messages. I found journalists generally through Twitter, The Athletic website, and the websites of local newspapers in cities with an NBA or NFL team. I recruited 25 of the 30 participants this way.

Of the front office members who responded to my initial recruitment message, 41 refused to participate or stopped answering, though five of them connected me with another person in their organization that they thought might have been able to speak to me or be of some assistance. Of these 41 who refused to participate, most stated that they were not allowed to or did not feel comfortable divulging information about their team's internal evaluation and decision making processes. In terms of journalists, only 1 journalist who responded to my initial query stopped responding to subsequent messages. However, most journalists I contacted did not respond, as was the case with front office members. The scripts for these recruitment messages are found in Appendix D.

I also used snowball sampling techniques to tap into the networks of NBA and NFL journalists, in order to speak to people who work in the basketball or football operations departments of NBA and NFL teams. The use of multiple sampling techniques was effective to fulfill the requirements of the study (Suri, 2011) and meet data requirements (Rowley, 2012), allowing me to reach a more diverse and larger body of potential interviewees. Due to the difficulty of reaching many front office members, who often do not provide contact information

in any public forum, it was vital to use snowball sampling with journalists to expand my sample to include more front office members. Having a journalist who could personally vouch for my credibility as an interviewer was also helpful in convincing a few front office members to speak with me. This method resulted in 5 additional interviews. Eventually, the recruitment process in its entirety resulted in 30 interviewees, 17 of them with journalists and 13 with team personnel. Important demographic information for interviewees is found in table 1 below.

7.2.2. Interview Procedure

The interviews were semi-structured, and were conducted either on video calling software such as Zoom or Skype or on the phone. Each interviewee provided verbal consent prior to being interviewed; they were also informed that confidentiality will be maintained during the publication of research findings, and that they could decline to answer any questions or withdraw from the study at any point prior to dissemination. Participants were not provided any form of remuneration. Interviews were guided by one of two interviewing schedules (see Appendix C). One schedule was designed for NBA or NFL team-level decision makers and the other for journalists. Each interview began by asking for a description of the participant's current role and past involvement in basketball or football, before then asking questions about the factors examined in evaluating players for both drafting and player acquisition purposes. I then asked questions specifically about team policies and practices when players on their team or who they are evaluating are accused of criminal activity and specifically acts of violence against women.

While the schedules in appendix C guided the interviews, the open-ended nature of the questions and the semi-structured nature of the interviews allowed for deviation from the schedules. Follow up questions pertaining to the interviewee's specific experience with the decision-making and player evaluation processes was often necessary to probe deeper. These

schedules were also updated as interviews were conducted. Appendix C contains the final interview schedules, updated throughout the interview process.

7.2.3. Interviewee Sample`

Pseudonyms reflect the interviewee's position and the sport that they work with. For the first letter, *M* denotes management and *J* denotes journalist. For the second, *B* denotes basketball (working in the NBA), while *F* denotes football (working in the NFL). MB1 is therefore a front office member who works in the NBA. The sample is relatively homogenous in terms of gender (28 of 30 interviewees are men) and race (26 are white), as both NBA and NFL management (Medina, 2020; Sinatra, 2020; J. Young, 2021) and journalists (Dunn, 2020; Schmidt, 2018) are predominantly male and white. Indeed, while the NBA "has routinely been recognized by the Institute for Diversity and Ethics in Sport for its diversity in hiring practices" (Hill & Remer, 2020, p. 1469), most managers and journalists remain male and white (Lapchick, 2020b; Medina, 2020).

TABLE 1 – INTERVIEWEE SAMPLE

PSEUDONYM	Position	League	gender	Race
MB1	Front Office	NBA	Man	White
MB2	Scout	NBA	Man	White
MB3	Assistant Coach	NBA	Man	White
MB4	Front Office	NBA	Man	White
MB5	Front Office	NBA	Man	White
MB6	Front Office	NBA	Man	White
MB7	Front Office	NBA	Man	White
JB1	Journalist	NBA	Man	White
JB2	Journalist	NBA	Man	White
JB3	Journalist	NBA	Man	White
JB4	Journalist	NBA	Man	White
JB5	Journalist	NBA	Man	White
JB6	Journalist	NBA	Man	White
JB7	Journalist	NBA	Man	Black
JB8	Journalist	NBA	Woman	White
JB9	Journalist	NBA	Man	White
JBF1	Journalist	NBA/NFL	Man	White
MF1	Assistant Coach	NFL	Man	Black
MF2	Front Office	NFL	Man	White

MF3	Scout	NFL	Man	White
MF4	Front Office	NFL	Man	White
MF5	Front Office	NFL	Man	White
MF6	Front Office	NFL	Man	White
JF1	Journalist	NFL	Man	White
JF2	Journalist	NFL	Man	Black
JF3	Journalist	NFL	Man	White
JF4	Journalist	NFL	Man	Black
JF5	Journalist	NFL	Man	Asian- American
JF6	Journalist	NFL	Man	White
JF7	Journalist	NFL	Woman	White

M denotes management and *J* denotes journalist. For the second, *B* denotes basketball (working in the NBA), while *F* denotes football (working in the NFL). MB1 is therefore a front office member who works in the NBA

7.2.4. Coding and Analysis of the Interview Data

Data analysis began with verbatim transcription of the recorded interviews. Once this was completed, I coded the transcripts with MAXQDA software to identify trends and themes in participant responses (Creswell & Miller, 2000), organizing responses into themes relating to how decision makers factor in allegations of acts of violence against women on the part of players and potential players. Interviewees also spoke to the factors that impact player evaluation and decision making more generally, which was important for assessing the relative value of arrests. Following this thematic analysis (Braun & Clarke, 2006), I used member-checking

(Nowell et al., 2017) with at least five participants to verify my interpretations of their interviews.

7.3. Results

After transcribing and two rounds of coding each of the 30 interviews, I had a total of 1030 coded segments of text, with 93 unique codes. Upon organization and analysis of these codes, this total was changed to 1047, with 88 unique codes. Coded segments were organized in six broad categories (the total amount of coded segments in each category is listed in parentheses): player-specific evaluation and scouting considerations (629), organization-specific evaluation and scouting considerations (195), general commentary on player evaluation and decision making (157), commentary on social justice (23), commentary on mental health (13), and miscellaneous (11). The three first categories were naturally much larger given the focus of these interviews.

The analysis and discussion will focus on the first two categories, and in particular, on elements of the first category. These categories help explain how players are evaluated and scouted, both in general and when they are accused of violence and/or criminality. They also identify what factors organizations consider with regards to their own characteristics, composition, and structure when making player acquisition and roster building decisions.

The player-specific evaluation and scouting considerations category is divided into 3 broad criteria: talent and fit, personality/character, and criminal history/negative behaviour. These criteria are not listed in order of frequency. In order to build a coherent narrative for how both arrest and non-arrest player factors impact player evaluation and team decision making, it is helpful to first discuss the important *general* player evaluation considerations before proceeding to arrest-specific and violence against women arrest-specific considerations.

Table 2– Interview themes

Theme	Sub-theme	Frequency – mentioned by interviewees
<i>Talent and fit</i>		30 of 30
<i>Personality/character</i>		30 of 30
<i>Criminal history and negative behaviour</i>		
	Severity of the crime or behaviour	24 of 30
	Severity – Violence Against Women	19 of 30
	Talent vs. crime or behaviour	23 of 30
	Fan and societal response	25 of 30
	Reflection of character – does it show who he is?	21 of 30
	Racial considerations	9 of 15*
	Age of player	11 of 30

*The total number of interviewees who were asked about this is only 15, because a question about race was only specifically included in the question schedule halfway through the interviewing process

7.3.1. *Talent and Fit*

The importance of talent was discussed by every respondent. This included discussions about a player's statistics and production both at the professional and amateur level, as well as their physical skills, athleticism, and abilities. While respondents noting the importance of talent in player acquisition is not surprising, more noteworthy was the idea that talent was the *most* important criteria for player evaluation and decision making. As one NBA journalist summarized, "talent trumps everything" (JB8). In discussing whether a team would sign a player who has been linked to negative stories off of the court, another NBA journalist noted that "the reputational risk is something that if a superstar landed in your lap, you would find your way around that because the talent wins out" (JB1). Similarly, two basketball journalists (JB1 and JB9) said that there is almost nothing that a 'superstar' level player could do, excluding murder, that would result in their expulsion from the league.

This focus on performance and talent was also linked to many coaches' 'win at all costs' mentality, with one NFL journalist relaying a famous quote from NFL head coach Bruce Arians, "where he says something like, 'if he runs a 4.3 40 (yard dash), and he's a cannibal, NFL teams will still be interested', something along those lines" (JF4). Another NFL journalist, when discussing fan backlash regarding players accused of criminal activity, noted that backlash is sometimes the one deterrent to them signing or drafting a talented player.

If coaches can get away with (it), they would, to be 100% honest with you. If it means that it could help them win, I think a lot of these guys would. Public backlash is sometimes only thing keeping them from keeping some guys on the roster. In a vacuum, I know of coaches who only care about winning - they do not care about anything else (JF5).

In both the NBA and NFL, many respondents noted that all other criteria for evaluating a player came after the talent evaluation. The nature of elite level professional sport is such that, no

matter the character or personality, players must be able to perform their sport at a high level. As one NBA journalist explained:

Talent is always going to be the thing that matters most, (because) we're talking about the NBA, some of the best professional athletes in the world. So I think you got to have the talent, you got to have the athleticism, the size to compete... Talent is always going to be number one, but I think the next factor is the personality and (how) they can fit professionally. (JB4)

Personality, “mental makeup”, or any other personal characteristics are secondary to talent, and only begin to matter once a player has the requisite amount of talent. A player’s “background”, as one NBA front office employee put it, is only ever “a supplementary piece that ties things together” (MB1). Another NBA journalist gave a particularly visceral example of this, explaining that “a player's mental makeup is less important than their actual skill set, right? Because you could have the most competitive player, but if they only have one finger on their hand, they're not going to be a good shooter” (JB2).

The idea that talent and performance are most important was mentioned by 20 of 30 respondents. It is important to note, however, that this idea was nearly ubiquitous among journalists, but more rare among front office employees. 16 of 17 journalists interviewed noted that talent and performance were most important, while only 5 of the 13 front office employees made this claim.

20 of the 30 respondents also discussed the importance of acquiring players that ‘fit’ with the specific team scouting or evaluating them. This ‘fit’ could be both positional and strategic, or could be based on their personality and character. Positional and strategic fit were discussed in terms of how a particular player’s skills and abilities mesh with or complement other players currently on a team, or how these abilities fit with the coach’s or management’s vision for the team’s tactics, strategy, or style of play. As one NFL front office employee explained, “I think

more than anything, I want to know how he fits into our scheme, what our vision is for him” (MF4). One NFL journalist mentioned that teams and coaches will sometimes want players with very specific physical attributes or skills, like receivers who can “create space as route runners”, while others are looking specifically for players with speed (JF4). Other interviewees discussed strategic fit in terms of how a player’s skill set and projected abilities fit with a team’s roster composition, especially when drafting players in the NBA.

Different teams have different needs. A lot of teams that are drafting at the top are bad teams that are looking for a future star or a future good player, teams that are drafting at the bottom are generally pretty good, they're looking for somebody that can maybe help in a smaller role (JB7).

The importance of fit was also talked about in terms of how a player’s personality or character fit with a team’s current roster, their vision, and the ‘culture’ of the team. As one NFL journalist explained:

I think fit matters to an extent, but it matters more personality wise. If you've got a bunch of irritants in there, that can work if you're if you're built for that identity, but make sure that you got other guys who can handle that and you got a coach who knows how to manage a bunch of bad-asses. If you’ve got a bunch of choir boys on your team, that's fine too. Just make sure that that fits and you don't have just one badass who just you know, looks like the bad apple in the group. Fit matters way more from a personality perspective than a talent perspective. (JF2)

While ‘culture’ is of course a fraught term with a nearly endless supply of academic definitions, given the focus of interviews, I did not ask respondents to define it themselves. Based on the responses, a team’s ‘culture’ was based on the coaching style and the expectations teams’ had for their players, both in terms of their expectations for how they would practice and perform, and also how they would carry themselves as people outside of the sport. One NBA front office employee explained that “what it boils down to really is trying to have a good sense

of who you are as an organization, and what you want to be about, and then finding the people and the players that fit into those wanted traits” (MB2).

Some even mentioned the way certain players may fit with a specific city and its fans.

With a guy like Russell Westbrook, or Dennis Rodman, you know, some of these big personality types, certain cities just don't like those guys that much. Other cities like New York, they love the big personality, they love the guys that want to yell at the crowd, and push people around on the court, a lot of depends on the culture in your city and how they *fit* compared to other cities. So yeah, there's always a factor of demographics and culture, all that stuff matters because every city is different (JB8).

Some respondents also brought up the impact that race can have in fitting a player to a particular city, with one journalist providing the example of the Atlanta Hawks trading Luka Doncic, a white European, for Trae Young, a Black American, in order to have the player fit better with their fanbase (JB6). Another NBA journalist noted that demographically and racially, there is a difference between fan bases in Utah compared to those in New York or Los Angeles, and that this can impact how players are evaluated (JB8).

7.3.2. Personality/character

Every respondent interviewed brought up the importance of a player’s personality and/or character in how players are evaluated, as teams seek a “holistic approach” (JB6) in their evaluation. Personality and character were talked about as qualities that a player possessed outside of their performance on the field or court. Respondents noted that player character includes their attitude, leadership, maturity, responsibility, loyalty, trustworthiness, accountability, punctuality, and whether they are more introverted or extroverted, passive or domineering, and a variety of other personal characteristics. As one NBA front office employee said, “I work in basketball, but we talk about feelings and fit all day” (MB5). Respondents noted

that teams are often trying to fit different personalities that both “mesh for your locker room” (JF5) and fulfill different roles, with several mentioning the sports cliché that that a certain player could be the missing “presence we need in the locker room” (JB3).

While most respondents still said that talent was most important, several mentioned that for marginal players in both the NBA and NFL, personality and character could be the deciding factor in whether particular players remain employed, because “the margins between athleticism, at the highest level of sport, are so minimal” (JF5). As one NBA journalist explained:

We’re talking about the NBA, we’re talking about a league with 450 players under contract. It’s not a lot of guys... What people, don’t understand a lot of times is the difference between those 450 guys, and some of the people on the street or playing overseas, is not that big a difference, especially when we’re talking about end of the bench guys. So I think a lot of the time, what kind of allows the guy to stick around five, six, maybe 10 years, versus somebody else who can’t crack the league is those personality traits. It is how they handled themselves off the court, how often have they been in trouble with the law, how often have there been issues at home with a spouse or family member or stuff like that, all that matters (JB8).

Even those who noted that personality, character, or a player’s off-the-field/court issues can be this type of ‘deciding factor’ always mentioned that this only applied when assessing similarly or equally talented players. As one NBA front office employee explained:

That’s why so often, you see those high character guys on the bottom of the roster. Because at the end of the day, who cares? There’s such a little margin between who’s an NBA player and who’s a top G league player, who’s overseas. And you want to make sure you have the guy who’s going to come to work every day, who’s not going mess anything up, who’s not going to get guys in their feeling, stuff like that (MB1).

While every respondent mentioned that personality and character are important for teams, many believed that teams value different personalities and characteristics in players. For example, one NBA journalist who works as a ‘beat reporter’ for a specific team noted that this team “looks for hard working, good guys who are perhaps underachievers, who have the ability

to work hard to make themselves better... they want a guy who has come from nowhere to make himself into what he is, rather than having been given to him over the course of his career in college, or AAU ball or in high school” (JB4).

Several NFL respondents also discussed how the importance of character is different for teams based on the position of the player or their role on the team. As one NFL front office employee explained:

There's certain positions on our team, like the quarterback position, in particular, there's such an importance placed on leadership and communication... The best teams in the league have quarterbacks that are natural leaders, and they can kind of inspire that side of the ball. And then I think there's certain players where, or positions where players can be a little bit more of an odd duck, a little bit more of an edgier personality type, and they can make him still function, because they're asked to do something very specific, and they're really good at it (MF2)

The quarterback position was often discussed as one where coaches and management expect certain key leadership and personality traits, while other positions, like those on the defensive line or for receivers, were cited as positions where personality and character were less important. As one NFL journalist explained, “a middle linebacker or a quarterback or a left tackle, you guys want those guys to be leaders... But if you find out your defensive end parties a little bit, it's like ‘hey, I just need you to rush the passer on Sunday’. I think position matters a lot” (JF2). This point regarding the varying importance of character and leadership based on position was only made by those working in the NFL, likely due to the hyper-specialized nature of different positions.

Character was also described in terms of a player's non-physical attributes as a competitor, including their coachability, work ethic in practices and games, body language during games and when they are on the sidelines, and whether they are a ‘good teammate’. One

NBA front office employee explained that “we need a type of guy who's tough, who's going to bring a positive attitude every day, not back down, alpha-dog type mentality to fit in with what we have” (MB1). Several NFL journalists and front office employees brought up passion for the game as another key element of a player’s character, as teams generally want players who “love the game of football” (JF1).

One NFL front office employee discussed how a player’s ‘football character’ could even make up for criminal issues off of the field.

The traits that probably matter the absolute most are really our love of the game, love of competition, and work ethic, goal setting, and hard work to get to where you want to go. Those things matter, and that's why people probably take a guy who has a character risk off the field, if he's passionate about the game, and he's an extremely hard worker. And he's really, really competitive, he can overcome those things off the field, because he'll dedicate himself to the game, and he'll stay away from trouble (MF5)

While many spoke about the importance of player personality in terms of on-court or on-field production, it was also discussed from a business and public relations perspective. As one football and basketball journalist and former front office employee said, “you can't have a lean front office anymore, you've got to have the abilities to thoroughly vet these people. There can be hundreds of millions of dollars at stake and then your business's reputation” (JBF1). Another NFL journalist used similar financial asset management language to discuss player evaluation and the NFL draft, explaining that “if someone has bad character, and they’re a high risk personality – that could become a serious issue. And then that's a waste of an asset, especially if you're drafting them with a high pick” (JF5). Teams want to ensure that the players they select are not at risk to hurt the team’s cohesiveness or the team’s reputation, so “they invest a lot of money into making sure that that they can get all their bases covered and making sure they find players who love football, that are good locker room fits and that have the personality type

needed to succeed at a particular position” (JF4). One front office employee summed this up succinctly:

Is he a person that would fit into our culture or is he someone that I do not want to be around? If you miss on a player and don't pick him, he may beat you once a year. If you miss on a player and take him, he will beat you every single day (MF4)

According to both journalists and front office employees, player personality/character is evaluated based on their own observations and interactions with players, as well as the observations and interactions that others have with them, including their teammates, coaches, family, team staff, and (for draft-eligible players) fellow college students, staff, professors and even local bartenders. Both front office employees and journalists mentioned that this type of behavioural and character analysis was vital. Many front office employees and scouts noted the importance of seeing players in person in order to evaluate these personality and character traits, as one can “get a little bit more sense of their basketball character when you're there than you can on TV” (MB2). This type of in-person scouting was also discussed as a key way to evaluate the ‘intangibles’ (another sports cliché) of players, including their “mental toughness and resiliency” (MF1), and “how they handle things” (JB7) and “react to adversity” (MF2) when a game is not going well. As one NBA journalist explained, comparing watching a player on film versus seeing them in person: “Film is flattened, it's two dimensional... (you) just don't have that first impression of how a person carries him or herself, their confidence, their eye contact, the way that they speak, their body language” (JB9).

Before selecting players in the draft, teams also try to interview players more formally, with some teams even asking prospective players to fill out written personality or psychological tests. Teams will still often rely on their past scouting, as well as conversations with those who know players well, because of the fear among some teams that players are sometimes “trained by

former general managers, and psychology professors and professionals, (about) how to interview with us and how to present” (MF3).

The following section will look more specifically at how teams evaluate and make decisions regarding players who are accused of committing specific crimes or exhibit negative behaviours.

7.3.3. Criminal History and Negative Behaviour

While not all respondents brought up an athlete’s criminal history or alleged negative behaviour, when asked explicitly about it, all agreed that these allegations are at least considered by teams. Respondents listed and discussed several factors that affect how much impact a player’s history of negative behaviour will have on their evaluation and thus their career. The two most cited factors were the severity of the crime or behaviour and the talent versus problem scale.

7.3.3.1. Severity of the crime/behaviour

24 of the 30 respondents noted that the severity of the crime impacts a player’s evaluation. Many found the question of which crimes were considered more severe and therefore more impactful to be obvious, as if “there is an intuitive sense of degrees of criminality for players who have prior arrests” (JB10). When asked to expand, several noted that violence or violent crime was a worse and therefore more impactful accusation, usually compared to non-violent offenses like drug possession or driving under the influence of alcohol or drugs. Many respondents explained that violence against women specifically was more or the most impactful accusation.

As one NFL journalist explained, “I think there’s definitely some things that are much more radioactive than others. In today's NFL, anything that's violent, that's violent towards women, there's going to be really limited tolerance for that” (JF1). Nearly all interviewees, when asked about violence and more specifically violence against women, noted that there is lower tolerance for violence against women than there is for other crime or misbehaviour.

Interviewees often explained the varying severity of different criminal allegations by comparing different crimes, like one NBA journalist who stated that “the nature of the crime is obviously the most important factor. If a kid got arrested for underage drinking when they were 17, nobody gives a shit. If they were arrested for assault battery of a domestic partner, then that's a whole different thing” (JB2). Both journalists and front office employees compared violent crime to what they believed were comparatively less severe offenses like underage drinking, petty theft, or a possession marijuana charge in order to illustrate differences in severity. As one NFL front office employee said, “if a player got a drinking ticket in college, we are far more likely to take that player than one who was arrested and charged with armed robbery” (MF4). While several interviewees made this point, it is possible that while these sorts of more minor offenses don’t have a substantial impact on their own, they can put young athletes more at risk of labelling by scouts and organizations. They may be tagged as “risky” or “problematic” if they have instances of minor deviance in their past. The age of the player and the recency of the arrest also affect its impact, and will be discussed in subsections below.

Marijuana possession charges specifically were often brought up in explanations for what is considered a less severe criminal allegation, as respondents noted that most teams do not care about players smoking marijuana, especially in the NBA. This reflects societal changes in how the perception of marijuana has changed in North America – as one NBA journalist explained,

“nobody cares that Klay Thompson got arrested in college for weed possession, whereas 30 years ago that might have been seen as a more serious offense and could have had more of an effect on his draft stock” (JB2). Another NBA journalist echoed this point, saying that “we’ve seen teams not taking marijuana charges as seriously because it’s more accepted nationwide. We’re probably getting closer to the point where the NBA is not even going to test for marijuana anymore soon, so teams maybe don’t take that stuff as seriously” (JB8). Moreover, due to legal changes and decriminalization in Canada and in certain American states, for some players with a prior marijuana possession arrest on their record, “by the time you’re dealing with that person, it’s not even considered a crime anymore” (JB2).

Respondents who work in the NFL made similar points regarding the decreased severity of marijuana possession offenses.

If it’s drug related, like marijuana is probably something that’s not seen as a major problem. The NFL is easing its own rules on marijuana. It’s legal in some states. As you lose the risk of having someone go into a drug program and take a suspension or something, maybe you don’t care if they had a marijuana arrest in college (JF1)

Both journalists and front office employees noted that the league has relaxed restrictions on marijuana, especially compared to previous years. The NFL CBA only mandates fines for failed marijuana drug tests, compared to potential four game suspensions (a quarter of the NFL season) in previous versions. The reduced risk of player punishment by the league has thus allowed teams to worry less about marijuana consumption as well.

The severity of a crime also relates to player’s availability to participate in team practices and games, due to the NBA and NFL’s CBAs and personal conduct policies. One NFL journalist noted that whether a player would miss games because of their criminal allegation is actually the most important factor in teams’ evaluation of off the field incidents, saying that “the biggest

thing is really, are we going to miss time on the field? Very little of it has to do with a moral component, very little of it has to do with a PR component” (JF4).

This journalist also mentioned that the likelihood players miss games also explains why perhaps teams are more stringent regarding acts of violence against women, as it is “the thing that causes the most (negative attention) in terms of PR, and then therefore, the most in terms of the lack of player availability, because punishment has grown in strength” (JF4). Though this explanation does consider the importance of PR, this importance is based not on the negative public attention in and of itself, but on how this negative attention increases the likelihood of missed games. As one NFL front office employee explained, “it still holds true that illegal criminal behavior, it's going to take you away from the team, so you don't want those players on your team... you essentially have a player on your team who's taken up the place that another player could be on your roster” (MF5).

7.3.3.2. Severity – Violence Against Women

Given my research questions regarding the impact of violence against women arrests on career outcomes compared to other player characteristics, and to what other factors surrounding an arrest might moderate this impact, I asked specific questions about the impact of criminal allegations of violence against women. That said, respondents often brought up violence against women among athletes unprompted, before I had mentioned it or asked a question about the subject. This occurred even though interviewees were not told that the interview would be about violence against women or even about player criminality; rather, they were told that they would be asked about player evaluation and team decision making. Interviewees mentioned violence women among athletes unprompted 24 times over the course of my interviews, in 19 of 30 total

interviews. Between their own unprompted discussion of violence against women and my questions specifically about it, respondents made several key points regarding violence against women allegations and athlete careers.

As mentioned above, in discussing how the severity of different criminal allegations impacts player evaluation and decision making, many respondents mentioned that violence against women crimes are seen as particularly negative for teams, and are therefore more impactful than other accusations on player careers. As one NBA front office employee explained, “with domestic violence or any type of sexual abuse or assault, we try and stay away” (MB5). Other NFL front office employees and journalists corroborated this point, with one NFL journalist noting that “teams would tell you that violence against women is something that would be disqualifying for them” (JF3).

While some respondents explained that violence against women allegations are particularly negative for NBA and NFL teams because of the general immorality and intrinsically damaging nature of the behaviour, they also mentioned the public relations (PR) impact of these crimes. Several respondents discussed how a player’s domestic violence or sexual assault allegations can have severe PR implications for a team, pose a threat to the team and the league’s organizational reputation and “brand” (JB8), and result in financial losses for teams due to loss of ticket and merchandise sales and sponsorship. As one NFL front office employee explained:

I feel like the league is a lot more critical of anything that's domestic violence related (compared to the past) it's become such a hot button issue that I think it can really, really severely impact the value that teams will place in a player. Just because if something were to happen again when that player is in the league, the league can punish that player pretty harshly. And then that's not to mention the public relations hit that your team can take, in the eyes of your fan base, and just kind of the general public. So there's kind of that

hidden financial kind of PR type blow that you take just when the public starts to view your organization favorably. I think there's definitely much stronger consideration there (MF2).

This particular quote is instructive in several ways. MF2 notes that domestic violence can impact a player in a negative way because of the potential games the player may miss if he is punished by the NFL, the public relations impact it might have, and the way fans may react.. MF2 also claims that domestic violence has "become such a hot button" issue, though he does not mention when this change occurred or why this is the case.

Five NBA journalists also mentioned that teams care about player violence against women more now than they did in the past. As one respondent explained, "I do think that a team would probably view a domestic assault arrest harsher now than they would 10 or 20 years ago because of the way that the public treats it" (JB3). To illustrate this point, a respondent brought up the example of Kobe Bryant, an NBA legend who died in a helicopter crash in February of 2020. As this journalist explained, "You look at a case like the late Kobe Bryant and his sexual assault situation. That situation, if it happened today and was happening concurrently, I think his legacy would be very different" (JBF1). Bryant was arrested for felony sexual assault in 2003 (after his seventh season in the NBA), with the court proceedings lasting 14 months until the accuser eventually dropped the charges. He played 13 more seasons following his arrest, and was named to the NBA's Western Conference All Star team in every season.

Another journalist made a similar point, noting how the perception of violence against women has changed over the past few years. In discussing the case of Boston Celtics forward Jared Sullinger, who was arrested for assault and battery of his then-girlfriend in 2013, one journalist noted that "if he did that in 2017, I bet he probably would have been cut from the team, even though the case went away, and she dropped the charges" (JB2). While this journalist focused on time-based changes to how violence against women is perceived and handled by

sport organizations, it is important to note the substantial difference in productivity and player value between a player like Sullinger and Bryant, mentioned above. At the time of Bryant's arrest in 2003, he was a young star player who had made multiple All-Star and All-NBA teams (awards for the best players in the league) and played a leading role in three championships for the Los Angeles Lakers. Sullinger was a highly touted high school player who was successful in college, but had a largely average beginning to his career when he was arrested in 2013. Given his low productivity, it is possible that Sullinger would indeed have been released from his team if he had been arrested in 2017. At the same time, he was a highly touted rookie who some believed had a good future ahead of him, especially while still in his first year. It is therefore also possible that Sullinger would not have been released or traded away immediately, or that the Celtics would have parted ways only after they noticed that Sullinger's productivity and talent was not 'worth' his off-the-court issue. The importance of a player's talent and productivity level and how this impacts the effect of arrests will be discussed in further depth in the next subsection.

2017 was also the year where the #MeToo movement reached more international prominence. One journalist connected NBA teams' increased awareness, attention, and the impact of violence against women arrests to this # movement, though the importance of #MeToo view was not shared by all interviewees.

Obviously we knew what domestic violence was in 2013, it was only seven years ago, but the way that (it) was treated, then compared to the Jabari Bird scandal¹⁵ in '17 or '18... It just shows how, especially with

¹⁵ Jabari Bird was arrested in September 2018 for domestic violence, assault and battery, kidnapping, and strangulation. He was "accused of strangling a woman at least a dozen times over a four-hour period" and throwing her against a wall at his apartment. Bird was a second round draft pick of the Boston Celtics, was drafted near the end of the round (56th overall, out of 60 total selections). He had played sparingly in his NBA career up to that point, starting 1 of his 13 games and playing less than 10 minutes per contest. Following the arrest, he sent out a statement saying he would "take some time away from the team", noting in his apology that the police report "does not tell the

the #MeToo movement in the (United) States, the way that a specific type of crime or an area of crime, the way that it is being treated now is so drastically different (JB2).

The #MeToo movement was started by Black activist Tarana Burke in 2006 “to help women of color from underprivileged communities who have experienced rape or sexual assault” (Leung & Williams, 2019). The movement rose to more global prominence in 2017 when it was promoted by white activists and celebrities to raise awareness about the ubiquity of sexual violence and harassment (Onwuachi-Willig, 2018). #MeToo’s impact has received considerable scholarly attention for its legal ramifications (Onwuachi-Willig, 2018; Tippet, 2018) and its intersectional dynamics in erasing women of color (Leung & Williams, 2019). While some athletes have received harsher punishments for acts of violence, as have some coaches and athletic administrators (at the collegiate level) and management (at the professional level), it is not clear whether this movement has had a tangible impact on all players in sports. It is also important to note that, while an important cultural movement, the #MeToo movement is just one part of an ongoing process of social change that has altered levels of awareness and the severity of response to instances of violence against women.

Respondents were divided on whether the #MeToo movement has had an impact on the way sport leagues and teams handle incidents of violence against women. Some noted that “the #MeToo movement is something that has really highlighted the problem, that it's something that I think everybody has become more sensitive to. So it certainly has fueled how teams react” (JB7). In discussing the #MeToo movement and violence against women more generally, respondents mentioned the heightened awareness among the general public about the ubiquity of

full story”. He did not play another game for the Celtics, was traded to the Atlanta Hawks in early 2019, and then was released by the Hawks immediately. He has not played in the NBA since.

sexual violence and sexual harassment, and how potential anger and backlash from fans could impact team decision making. One NFL front office employee noted that he “hoped” the #MeToo movement would change how teams handled violence against women arrests, and that “in our case we take that very seriously” (MF6); however, he did not speak for other teams or the league as a whole. While interviewees were not unanimous in *explicitly* attributing increased attention to violence against women to the #MeToo movement, it is possible that this movement has nevertheless had a strong effect on team’s perceptions of violence against women and perhaps more importantly, on their perception of how much *fans and sponsors care* about violence against women. Both the NBA and NFL journalists commonly noted that team decisions are nearly always made with the team’s financial position and business interests in mind, and this includes decisions regarding player violence against women.

There are other teams and organizations that will take a hard line on things because it's a business decision for them. They understand that we're in an era of intense scrutiny, (with) #MeToo, and Black Lives Matter and everything else going out in the United States and elsewhere. So they just won't touch people if they think there's going to be blowback, because that blowback can happen on multiple fronts, not just pissed off fans, but pissed off business partners, saying, ‘well, we're going to cancel our \$50 million contract with you, we're not going to renew our suite next year, because we don't like what you're doing with your personnel’. There are dollar signs behind everything. The justice minded, player minded coaches understand that as well, that it's a business (JBF1).

The importance of team revenue and the team as a business venture will be discussed throughout the Results section, as it was a common through line in many explanations for teams’ decisions.

Some respondents were more cautious in their estimation of the impact of the #MeToo movement. One NFL journalist explained: “I don’t want to say that the #MeToo movement was successful so much, because there's a long way to go, but it absolutely has kind of altered the

way (violence against women) is approached” (JF4). Others stated that “they haven’t seen an appreciable impact (due to #MeToo)” (JF6) or that “in the NFL bubble, it’s less about #MeToo movement and more about what the reaction was to Ray Rice” (JF3)¹⁶. Interestingly, while many respondents from both the NFL and NBA brought up the Ray Rice incident as a “tent-pole moment” (JF3) or “watershed” moment (JF6), only two NFL journalists stated that it has made a significant impact on how the NFL and its teams handle players accused of acts of violence against women. In both cases, they noted that teams are now more concerned, post-Ray Rice incident, about the reaction of the public, as “fan anger about things like that has actually moved the needle and changed some habits for teams” (JF5). For others, while they brought up the Ray Rice incident as a noteworthy moment for the NFL, they did not specifically mention that it changed how teams handled players accused of acts of violence against women. One NFL journalist believed that neither the #MeToo movement or the Ray Rice incident has changed how much NFL teams or the league cares about violence against women, but rather it has only changed how they would like to be perceived.

I think (the #MeToo movement) changed the way the NFL wants people *to think* they’ve looked about violence against women, which is a very subtle but important difference, right? Like, did the NFL start caring about women a lot more after Ray Rice? Maybe a handful of folks, but as an ownership group, as a league office, probably not. Same thing, NFL owners don’t give a fuck about Black people a lot more after Kaepernick. No, but they need people to think they do, so they put ‘end racism’ in the end zones. Black Lives Matter tweets and t-shirts, they’ve got to look like they do, right, because the league is all about perception (JF2).

¹⁶ To reiterate, Ray Rice was arrested in 2013 for domestic violence, with an especially violent and shocking video released months later. Rice received a lenient punishment from the NFL, causing an outcry from many in the sports world that led to a tightening of the NFL’s personal conduct policy.

The importance of perception was also brought up in reference to NFL organizations wanting to show the public that they care about violence against women, and also in reference to organizations wanting to demonstrate they care about racial justice in the aftermath of the George Floyd killing in May of 2020. It is important to note that even if teams and decision makers do not “truly” care about violence against women arrests, the victims of this violence, or the morality of retaining players accused of these crimes, they could still release or avoid employing players accused of these crimes if they believe it is the right business decision for the team. Even if teams dole out these consequences for solely instrumental, economic cost benefit analysis reasons, if they did so systematically and predictably, these consequences could still have the effect of strengthening the message that violence against women is unacceptable, resulting in a deterrent effect for players.

The importance teams and the league may place on their *perception* also points to the potential importance that fans and consumers of sports have in determining how teams respond to violence against women or any other misbehaviour by athletes. If sponsors and consumers of the sport (who drive revenue for teams) withhold their support and dollars from teams and leagues who employ players accused or convicted of acts of violence against women, this could impact decisions teams make regarding these players. This change in team and league policies, punishments, and roster decisions could occur regardless of the personal beliefs of team and league decision makers, through the logic of the same economic cost benefit calculation that they are currently using.

Some journalists were not only skeptical of the impact of the #MeToo movement or the Ray Rice incident, but also of the general impact of violence against women arrests on how players are evaluated and whether they are kept on teams. Beyond noting the pre-eminence of

talent and in some cases personality, some respondents noted the lack of accountability for players who commit acts of violence against women. As one journalist explained:

Ray Rice has been held up as this kind of watershed point in the NFL's handling of things, but things didn't - it's not like it was fixed after Ray Rice. There's been plenty of other situations since then of clumsy handling of violence against women of star players. It makes you uncomfortable to see the fact that their bad behavior is enabled because of their talents on the field. And so it really isn't the watershed moment perhaps, but it's made out to be (JF6).

Interviewees also brought up examples of players who were not severely punished for acts of violence against women as evidence of the lack of impact of these acts. These included the cases of Kobe Bryant discussed above, NFL receiver Tyreek Hill, quarterback Jameis Winston, and running backs Kareem Hunt and Joe Mixon:

Joe Mixon is another example, I think everybody knew Joe Mixon was caught on camera punching, punching a girl. Obviously, you know, he was a first-round talent, but he did fall to the second round and the Bengals took him. And sure enough, he just got a new four-year \$48 million deal, and has been one of the most productive running backs in the NFL... When the Bengals drafted him, they obviously felt like that was someone that they were willing to take, and they were willing to deal with the backlash initially, and deal with that risk because of the reward.

The quote above brings up an important point regarding the importance of player talent and productivity in terms of how criminal history and negative behaviour is judged, which I discuss in depth in the next subsection.

7.3.3. Talent versus crime/behaviour

23 of 30 respondents mentioned that a player's talent level and/or productivity as a performer is important in how criminal or negative behaviours impact their evaluation. When asked about how big of a role a player's arrest plays in their evaluation, one NBA front office

employee replied that “there's probably two factors. The first is what's the actual arrest. And then, the second one is who's the player, sadly. If it's a better player, they probably have more leeway” (MB7). This was echoed by both front office employees and journalists in both sports, with one journalist mentioning that teams use “a sliding scale of how important a player is and how much (they're) willing to tolerate” (JF1). Teams try to determine if a player's talent and production is ‘worth’ having to deal with their criminal past or negative behaviour. As one NBA journalist explained:

I think you could probably view it as a scale, like a weighted scale on both sides. The more stuff you put on one side, and this is like the negative stories and PR and all this stuff, the more talent there has to be on the other side to balance it. I think we see this over and over and in a lot of contexts. and ultimately, if you're LeBron James, your talent on one side is going to be so overwhelmingly heavy, that it will take a lot (to counter that)... Every single GM in the league would instantly take LeBron James on their team if they could, because the talent is so overwhelming. This is the most extreme example, because we're talking about the best player in the league, but I think that, as you go down the list, all the top 10 players are like that, maybe just a little bit less. Then you look at the next 40 best players in the league, and you're going to put up with a little bit less, but they're still absurdly talented. And then, if you're a bubble case... you're just going to sign the less talented but more boring person a lot of the time (JB3)

The impact of talent on how criminality affects player evaluation was often talked about in terms of this type of a sliding scale, and by the risk-reward calculus that teams make with players. As one NFL journalist summed up, “it's always a kind of risk-reward thing. So if a player has enough talent... organizations are incentivized to place less importance on troubling factors if they believe someone is a unique and special talent” (JF6). These reflections on the importance of talent and of the fact that it often takes precedence over off-the-court/field events, such as violence against women corresponds with the findings I presented in the second chapter, where even average talent and productivity negated the impact of arrests on career outcomes.

While some players may be talented or productive enough to be kept on a team or signed to another contract even after they have been accused or convicted of particular crimes, others do not receive the same treatment. As an NBA front office employee explained, “the biggest thing is: is the guy skill bigger than his problems? Does it outweigh his issues? And that's why so often, you see those high character guys on the bottom of the roster” (MB1). By “high character guys on the bottom of the roster”, this front office employee means that teams will often fill less important roles on the team (players who do not play that often in games or more important moments) with players who are ‘good’ people off the court, and do not present any sort of off-court issues or headaches for management. Other respondents echoed this point, noting that criminality or negative behaviour can be a deciding factor when choosing between two similarly talented players. As one NBA front office employee explained, “if it’s a player you were kind of on the fence about, it might be something that puts it on the other side of the fence, that you won’t want to deal with that guy. But again, it depends a lot on the situation that you’re already in, and how good they are” (MB3). Another NFL journalist brought up the importance of talent in the impact of the Ray Rice incident. While this incident is sometimes framed as a case where Rice’s act was so egregious that the Baltimore Ravens (his NFL team at the point) had no choice but to release him, “the thing about even Ray Rice, his most recent year in the NFL before that video came out was abysmal, and so it was very easy for the Ravens to be like ‘you know, we don't need to deal with this’” (JF4).

Respondents often explained the different treatment of players based on their talent as a product of the business oriented, win-at-all-costs nature of professional sports, where “the only thing that matters to teams is wins and money, ultimately” (JB9). How a player’s criminal past is handled “depends on how good the player is. If he's a first-round level talent, you're going to be

more likely to look the other way on something than if he's a fringe talent, when you can just get a similarly talented player who doesn't have off the field issues” (JF3). Teams aim to acquire and retain as many talented players as possible, because talent wins games, and as another NFL front office employee explained, “winning is the bottom line that we're all judged on in professional sports” (MF5). This explains why there are such different standards of behaviour for players based on their talent level.

If you are lower on the depth chart, you definitely have to be on your best behavior. But I think that goes for any company, that if you were very easily replaceable, you definitely don't have a lot of leverage or wiggle room in any circumstance, to be perfectly honest. So I think that's pretty common when you look at business as a whole. And that's essentially, at the end of the day all the NFL is - it's a business. So when you boil it down to that, I think it all starts to make sense (JF5).

While this interviewee suggested that the fact that lower performing employees have lower misbehaviour thresholds than higher performing employees “goes for any company” or applies in other industries, it is perhaps most extreme in professional sports. This may be due to the inflated importance of winning and competition in sports and the strong link between winning and revenue, as well as the more explicit and public ways talent and productivity can be measured and evaluated in sports compared to other industries. In the case of productive or valuable employees in other industries (academia, technology, medicine, law, etc), their individual importance to the success of the company, both in an absolute sense and compared to their potential replacement, is often not enough to warrant their retention in the case of criminal or even non-criminal wrongdoing. It also may be more difficult to accurately assess their value to the company and relative to a replacement, especially compared to the ways that it is possible to assess a player's performance through their statistics and recordings of their performance. With major advancements made to performance analytics regarding a player's ability to impact team

success over the last 25 years, it has become even easier to assess how important a player is to their organization.

Interviewees also noted that teams must also assess the risk of drafting or acquiring a player with negative criminal or behavioural history. This was often discussed in the context of the draft, where players' draft value is often negatively impacted by their off-the-court or field behaviour, though it does not remove them from consideration. NFL front office employees and journalists provided examples of players who were accused of or even seen committing acts of violence against women who were drafted by NFL teams, with the only consequence of their act being a slightly lower draft position. These include Joe Mixon, Tyreek Hill, and Darius Guice.

So Tyreek Hill was a risk. We've drafted quite a few questionable people [though not Hill], and that we knew everything about and we thought we had a system and we could do things differently. And so there's an assumption that we can handle these things. Like, we knew who (redacted) was, we knew who (redacted) was, and yet we chose them anyway, because we felt like the risk was worth it (MF3)

I think Darius Guice is a prime example, the LSU running back, who fell on the boards mysteriously, and then sure enough it came out that he was involved with, I think it was domestic violence. And Washington immediately cut him. And then there were also some allegations of sexual assault that occurred while he was at LSU. And then that also kind of explained why he dropped down the draft boards (JF5).

The stories of players falling down draft boards demonstrate that while criminal behaviour is taken into account, it does not disqualify a player. A player's criminal or negative behaviour history simply becomes another factors in how a player is judged, the importance of this behaviour is linked to how much talent the player has and how much of an investment the team is making in the player. As one NFL journalist explained:

I think it's all about the resource you're going to allocate to them. So if you're going to spend a first round pick on a dude who was either asleep in meetings, or has been arrested for DUIs, or hitting his girlfriend or

stole a laptop, or smoking weed, got in a lot of fights - all of these things matter a great deal. It's like a sliding scale. Am I going to take you in the first round? Hell no. Would I take you in the seventh round, where I'm giving you like a \$50,000 signing bonus? Yeah maybe I'll just be lenient, depending on the talent. It is like a sliding scale based on the resources and the talent. If Lamar Jackson was doing all this, doing a bunch of coke in his spare time, but he can throw, he'll probably still go in the first round. But if you're an undrafted dude like a Phillip Lindsey for the Broncos? And you're doing a bunch of coke and you get arrested a bunch, you smoke weed, and that's your talent? Then it's 'okay, we'll probably try to get you undrafted. So at worst we lose a \$50,000 signing bonus and kind of move on. So it's sliding scale of importance based on talent, and the resources being allocated to you (JF2).

As this journalist explains, teams not only make decisions about which players to acquire based on both the talent and the 'resources' (financial and draft capital related), but the calculations of talent and level of risk impact how teams evaluate a player's criminal or behavioural wrongdoing. Teams may "want to make sure they check every single box" (JB8) when they are drafting in the first round (or in the top 10 of the first round in the NBA) or signing a player to a long-term contract that costs a large portion of their salary cap, but they may not have the same standards for short-term free agent contracts or lower draft picks. As one NBA journalist explained, "if you sign a guy to a two year, \$10 million contract and it doesn't work, no one's gonna crush you. But if you miss on the number three pick, because you take Josh Jackson, everyone's going to remember that because it's super high profile" (JB6). It is also worth noting that interviewees often lumped violence against women allegations with other criminal allegations, noting that they are all treated as 'warning signs' (albeit of different levels) to teams.

Like their NFL counterparts, NBA journalists brought up players with criminal or negative behaviour history as a way of demonstrating the impact allegations can have on a player's draft value, and the level of investment teams are willing to make in these players.

A guy like Lance Stephenson, he had that issue [a felony domestic assault of an intimate partner before he was drafted], that's kind of the reason he dropped to 40th, in part because of that. But that's a second (round) pick, so that's not much of a risk at all, he doesn't get a guaranteed contract. So again, there's not much to lose in that instance. If he does have one more outburst, you cut him and you don't lose \$1. That's why you see all those first-round teams pass him up, because you can't afford to draft a guy like that 12th right away (JB5).

An organization's self-assessed culture can also be used as justification for taking on more 'risky' players who may have been arrested for an act of violence. As one NFL front office employee explained, "if a coach or an organization feels like they can handle a player, that they will be strict enough, they'll get the player to buy into their culture, then it's worth it, because they're going to win" (MF5). Organizations sometimes also believe that they can rehabilitate a talented but troubled player from another team, because their culture is stronger and will allow the player to succeed (JB7). Another NBA journalist cited San Antonio, Oklahoma City, Dallas, and Miami as teams that feel that they can "assimilate players into their culture" and "allow them to thrive in ways he wasn't able to do" (JB3) in another city. Several NBA respondents brought up the Miami Heat and the trust they have in their 'culture'.

Interviewees similarly discussed the importance of organizational stability in allowing teams to acquire 'high risk, high reward' players who have more risk attached to them. As one NFL front office employee explained, "the reason that a (Dallas) Cowboys team can take the risk is because they're so darn stable" (MF3), with owner Jerry Jones controlling many parts of the team's operations. This employee (as well as JF2) made a similar point about the New England Patriots, who can "take guys that nobody else will take" (MF3) because they've had the same ownership group and head coach for the past 21 years. As another NFL journalist explained, "there's this idea that if you bring a player who has a serious off field old incident in his past into

a locker with a lot of veterans and a head coach who's been there for a while, so he's unimpeachable and less subject to criticism, (and) maybe you've got a good ownership structure of front office, that is used as" (JF6) a way to justify bringing in a player with more risk. One NBA journalist made a similar point regarding stable ownership groups and front offices in the NBA, noting the examples of the San Antonio Spurs and Boston Celtics (JB2).

Another journalist also noted that with team financial success linked so closely with success on the court or field, acquiring and retaining talented players is of the utmost importance. This may cause them to take even greater risks on players with character problems in their past, including past arrests for acts of violence. Negative behaviour could even be used as a sort of market inefficiency for teams, as many interviewees noted that it is possible that teams will purposely draft or acquire talented players with criminal history or a reputation of bad behaviour, as this allows them to acquire a talented player who, without these off-field or off-court issues, would likely have much higher value. As one NFL front office employee explained:

I think there's some clubs that see them as depressed assets too, where they can get them on the cheap because of their criminal background, and they're willing to live with it. And they see the upside on the fields for someone that might cost less than what the talent would suggest they should be (MF6).

As another NBA front office employee stated, "players that have some of those personality issues tend to potentially be undervalued" (MB4). This provides organizations with the opportunity to "get a talent that you couldn't otherwise get because of that" (JB1).

Interviewees brought up a variety of examples to demonstrate this point, citing players like Antonio Brown (MF4), Tyreek Hill (MF3), Kareem Hunt (JBF1), Kendrick Nunn (JB1), as well as teams like the Portland Trail Blazers (nicknamed the 'Jail Blazers') of the late 1990's and early 2000's (MB3) and the Cincinnati Bengals of the late 2000's (JF4, JF3).

Interviewees noted that this market inefficiency can manifest in different ways. Teams will try to acquire players that are “cheaper because of the tamping down effect on a player's market as a result of off field concerns” (JF4). One NBA journalist also mentioned that “some teams view their culture as something (where) they can assimilate players into their culture” (JB3), to mitigate a player’s negative behaviour or the impact of this behaviour on the team’s success. Organizations may also use a player’s negative history as a contract bargaining or trade leverage tool; as “teams are looking for any advantage to get players at a bargain, so if that involves leveraging something in the past that could be a stain on a personal resume, sure” (JB9).

However, organizations also must ensure fans and the public support the team and the brand, necessitating a certain balance between the talent of players and their behaviour outside of the field of play.

These are typically multibillion dollar businesses, especially in the NFL, in the NBA. You’ve got to ensure that the talent that you put on your roster is the best talent as possible, but you also have to filter that through, are these good people too? If you've got a guy that can shoot 60% from beyond the arc, but he's also a white nationalist, you've got a decision to make there (JBF1).

7.3.3.4. Fan and societal response

Fan and societal responses to a player’s criminality or negative behaviour have an impact on how this criminality impacts player evaluation by teams and their decision making. 25 of 30 respondents believed that in some way, organizations consider the reactions of their fans and the media, while six thought that it did not have an impact. As one NFL front office employee explained, “we are in the entertainment industry and because of that I think (criminality) impacts decision making quite frequently” (MF4). Organizations are interested in “looking good in the eyes of the media” (MB1), and “don't want to be put in a situation where [their] home fans in particular are already lined up against the player” (MB3), as this can affect team popularity and

thus profits. Like the rational choice calculation made by teams when assessing a player's talent versus the severity of their offense, teams also assess a player's worth versus the backlash they will elicit from fans and the media when taking a decision to keep the player in the team or to let him go. As one NBA journalist explained, "if a team wants a guy... and somebody says, 'look, we're gonna get destroyed by the media, fans are going to hate us for this signing', that could [have an] impact. They could say 'you know what, it's not worth it. It's not worth the backlash'. Their whole business is based on fans consuming the product" (JB7).

Another journalist noted the importance of potential backlash to teams, evidenced by the resources and time they put into uncovering all the information they can about players. As he explained, "teams have to scout these people and go over their backgrounds and social media and public statements and their actions and their record with a finer tooth comb more than they ever have, because the negative reaction is swift and fast and sometimes financially painful if you fuck up" (JBF1). While research is mixed on whether signing or drafting players with negative media attention indeed leads to significant negative financial implications (Allen, 2015, p. 201; Palmer et al., 2015; Weir & Wu, 2014), several interviewees mentioned this as an important consideration.

The impact of player crimes changes as societal response to these different acts of criminality change. Teams "lick their finger and stick it up in the air to see which way the prevailing winds are" (JBF1), and this informs their judgement of different acts of criminality. As discussed above, many people believe that North American society has seen a widespread shift in how accepting people are of certain crimes. Interviewees believed that teams "obviously don't want the bad PR" (JB1) of acquiring or retaining players with criminal history, and some respondents noted that this potential for negative public attention is sometimes the main factor

holding them back. As one journalist explained, “I think that if there were no media and no fans, I think that guys would get a lot more chances than they do” (JB6). Others noted that changes in public perception, awareness and reaction to a crime like violence against women have impacted how teams and leagues handle players accused of these acts. Though the nature of the crime has not changed, “it is unfortunate that it's really only been in the past 10 years of our society that our society has really started caring more about domestic assault. But I do think that a team would probably view a domestic assault arrest harsher now than they would 10 or 20 years ago because of the way that the public treats that as well” (JB3). At the same time, respondents were also quick to point out that public reaction is far from the only consideration; “I'm sure these teams are aware of public opinion as a criteria, as a factor in what to do, but it can't be that the only thing you're deciding on is just reading the polls, (and then saying) ‘okay, we think it's okay to get this guy’” (JF1). The talent level of the player, severity of the crime (both of which of course also impact the level of media attention and fan response), and a host of other factors still contribute to how teams evaluate players accused of criminal behaviour.

Respondents provided further evidence of the impact of societal and fan response on the importance of criminality when they discussed how criminality in public is more detrimental to a player's evaluation. When criminality or negative behaviours reach the public, they are “scrutinized by the media” (JB3), and are more likely to become a “PR issue” (JB3) or stoke “outrage” (MB2), making these behaviours more detrimental to a player's evaluation. One NBA front office employee noted the potential ‘ethical’ issue of placing more importance on issues of criminality if they reach the public, explaining that “the fact that it's in the news or not being in the news, whether that's ethical or not, that definitely affects it” (MB1). In the case of Miami Heat player Kendrick Nunn, who was arrested for domestic violence while playing college

basketball, the lack of media attention about his arrest was cited by some as a reason why it has not affected his perception as a player. While his college arrest likely impacted Nunn's draft stock, given that he was not drafted by any team, he was quickly (and quietly) signed by the Miami Heat, and given ample opportunity to be successful on the court. As one NBA journalist explained, "(Miami) figured that because he wasn't a really well-known prospect, his arrest record didn't become a big enough story that it really polluted his reputation, so they could kind of get away with it" (JB2).

The focus on public reaction in determining discipline for different criminal acts was also cited as one of the reasons this discipline has been so inconsistent in the NFL. As one NFL journalist explained, "you can see that their (NFL) sensitivity to the public reaction is a factor in the way that suspensions are inconsistently handed out. There's inconsistent handling of serious off field incidents, because one factor is 'well how much uproar will there be'" (JF6). This journalist provided the example of Ray Rice, where "when they suspended (him) for two games, I truly don't think they (the NFL) thought there would be backlash. And then when there was, (and) I think they had to scramble" (JF6).

Societal and fan response can also be impacted by whether there is a publicly available photo or video of a violent offense.

The Ray Rice thing was, I remember crying when I saw that video. I think it was just like it was a wake-up call for me as a man to understand how scary it is for a woman with domestic abuse... to see that he was able to almost kill her, just knock her out cold like that, it's horrifying and it's eye opening for so many of us that, it just shows the power of imagery that as much as I can read about domestic abuse and all that stuff and understand how horrible it is, until you see it and see a real video, a really raw authentic video of how horrible it is, it really is eye opening... (JB2).

This journalist also noted the contrast between a case like this, where the image of Ray Rice knocking out his fiancée is at the forefront of people's mind when they think about the player, to players like Kendrick Nunn and Tyreke Hill, who "as bad as it is, the only imagery that we have is them on the court kicking ass. And that's what really sticks in our minds" (JB2).

7.3.3.5. Reflection of character – does it show who he is?

Interviewees noted that the importance of alleged criminality or a history of negative behaviour also varies depending on whether the behaviour in question reflects the player's character. Organizations must decide if a player's actions and behaviour are "emblematic of them being a character risk" (JF1), as they are deciding whether to invest resources into the player. They want "to identify, why did it happen? And is this person growing and maturing?... Is this somebody you can trust? And/or is this somebody that's going to need supervision?" (MF3). This allows teams to assess whether a player is likely to have future issues, which could affect team chemistry and cohesion, as well as players potentially missing games due to suspension. Several respondents also made a similar point regarding 'supervision', as organizations want to assess what kind of extra resources they might need to put into helping a player if they believe that he is at risk of engaging in the same behaviours again.

Some respondents also noted that organizations are interested in whether an act of criminality reflects a player's character because they do not want such a person in the organization for moral reasons. As one NFL journalist explained, "there are a lot of people in the NFL that are really concerned if a player commits an act of domestic violence. They just don't want that kind of person on their team, they don't want to be around that kind of person for moral reasons" (JF4). However, this journalist immediately followed this up by saying that this

“certainly does not seem to be, from my perspective, a hard and fast rule” (JF4), noting that teams will often acquire or retain such players if they are ‘worth it’ (as described above).

Respondents noted that the determination of whether a past transgression is demonstrative of a player’s character often requires more research into the context of any incident or behaviour, and into the person’s character more generally. As one NFL front office employee explained, “when we come across a player with a checkered past, we feel like it is very important to dig deeper and find out what caused this behavior, is it correctable? Was it immaturity? Has the player learned?” (MF4). Another NBA journalist noted that, for organizations, “it’s not just ‘oh he has this charge and this record, so we’re not going to evaluate him’. Context always matters” (JB8). This speaks to the important point that criminal activity is handled on a case-by-case basis. The importance of context and the specifics of an arrest are especially important when assessing whether this incident reflects a player’s character. Another front office employee noted that “it falls upon the scouts to really do a lot of digging, to really understand a kid’s character, and to see if some sort of past indiscretion is, a likely predictor that this kid could be on that same path, once we get them in our organization” (MF2).

These types of assessments are of course to a certain extent subjective to the evaluators, scouts, or teams, as it is “hard to know what motivates people and kind of what would best predict their future behavior, and we don’t have that puzzle solved by any means” (MF2). Organizations also have “varying levels of what the team is willing to accept. Just like in life, ‘what level are you willing to forgive?’ Your level of forgiveness for a particular crime that might be different than mine, and so that exists in the NBA as well” (JB7). Respondents often mentioned the different limits teams have for different behaviours or incidents, though this will be examined in greater detail in the *Organization Considerations* section.

Related to the discussion of whether a player's history is emblematic of their character, respondents noted that the importance of criminal history in evaluating players is dependent on whether it is part of a pattern of behaviour or whether it is a single, outlying incident.

Respondents discussed how "patterns of behaviour" (JB9), a "history", or "long track records" of incidents or violence have more of a negative impact on a player's evaluation. "Patterns of behavior are more troubling for teams" (JF6), as evaluators feel that these players are more likely to transgress again; as one NFL front office employee put it, "past behaviour predicts future behaviour" (MF5).

Again, respondents brought up the investment being made in a player, and how organizations do not want to make a substantial investment in a player who has shown negative patterns of behaviour. As one NBA front office employee explained, "You don't want to give someone \$45 million that has routinely made poor decisions in their life" (MB2). This assessment falls again on scouts and evaluators, to determine how likely a player is to repeat their behaviour.

To determine if a player's criminal or negative behaviour is part of a pattern of behaviour or is an outlier, organizations may also examine their other outside-of-sport activities, and what they have done to rehabilitate their image. One NBA front office employee noted that a player will be judged differently if, after a transgression, the player "does a lot of tutoring for other kids and goes to the Big Brother Big Sister club every Wednesday", rather than this transgression being a "common theme, (where) the kid continues to get in trouble and make bad decisions on and off the court" (MB2). Another mentioned that players will be assessed more kindly if their negative behaviour was "an isolated incident where a player committed this act, and is truly remorseful and understands and is getting help" (JB7).

7.3.3.6. Racial considerations

Race was discussed both as a factor that influences how criminal or negative behaviour is perceived and for how players are evaluated more generally. In terms of whether race impacts how player criminality is evaluated, most of the interviewees who were asked explicitly about race said that it did make a difference. While this only includes nine of 30 respondents, this is because this question about race was only added to the interview questionnaire after the 15th interview was conducted. It is also important to note that a large majority of interviewees were White, and therefore may not be attuned to the issue or cognizant of how it makes a difference.

Interestingly, all nine of the respondents who stated that race does make a difference to player evaluation and perception were journalists, in both the NFL and NBA. These respondents noted that race impacts not only how players are perceived after being arrested, but also the likelihood of being arrested in the first place. Of the four people of colour interviewed, three noted that race has a substantial impact, while the lone Black team employee said that it did not. In the quantitative analyses in chapters 5 and 6, it was difficult to assess whether the race of the player affected the impact of their arrest on their career outcomes, given the high percentage of Black players in both leagues, limiting the statistical power of the analyses to detect differences. In chapter 5, only 2 of the 31 arrested NBA players were not Black. In chapter 6, only 6 of the 117 arrested NFL players were not Black, and regression results indicated that race did not have a statistically significant effect on career outcomes (though an effect would be difficult to discern with such a small number of non-Black players).

Interviewees explained that Black players are likely to receive a “shorter leash” (JF4) and are more likely to be flagged as having “maturity” issues (JB9) if they are arrested. They also

noted that the American criminal justice system is generally biased against Black people, in terms of police stops, arrest rates, convictions, and sentencing. As one White journalist explained:

You may have Black/African American athletes who, should they have been arrested? Should they have been convicted? Whereas a white or non-person of color - are they even arrested for the same thing? Do they get to get a slap on the wrist or do they get 10 years in prison? So that's yet another factor someone has to consider when looking at someone's (record) - if they have a record, is this a legitimate record? Or is this a bunch of bullshit? Because, if this was a 15-year-old Black kid in Alabama, versus a 15-year-old kid in Westchester New York or the Catskills, wherever, some fairly sheltered, wealthy place where if you come from a privileged background, you're going to get the best lawyers and the best treatment in the court system (JBF1).

Several front office employees stated that race is not a factor in any of the decisions taken in their organization. One of them stated that “we do not consider a player’s race as a factor in any of our decision making” (MF4) and another said that, if there “was a Black and white player” arrested for the same charges, “I don’t think we would treat them any differently. I can't think of a reason why we would and I don't think we would do it unconsciously” (MF6).

Another NFL front office noted that “the NFL is pretty homogeneous in the sense that everyone's just thinking about the game and the money. If you can help us win, we'll bring you in. It’s not the enlightened point of view, it's really more of the colorblind, it's not culturally aware color blindness, it's just ‘treat everybody the same and pretend that we're all equal without recognizing the differences’” (MF5). He also followed up by saying that “I guess if I had different color skin, I may have a different point of view” (MF5).

However, two of the NFL journalists said that they expected that those “who work on teams” (JF4) would make such claims. These two NFL journalists noted that much of racism

today is actually ‘colour blind’, where people are unaware of their biases and unable to confront them. For example, JF4, a Black NFL journalist, told me:

I'm sure you already talked to a number of people that work on teams and stuff like that, and they'll say, ‘No, definitely not’. But, that's kind of how a lot of modern racism works, you have no idea that you're being racist, right? And so people that are really well intentioned... will actively engage in anti-racism and stuff like that, they'll not realize that they're giving a shorter leash to a Black player than a white player... My intuition is that white players get significantly more leeway than Black players, similar talent levels for similar crimes¹⁷ (JF4)

Black NFL journalist JF2 echoed this point, advising me “to not ignore the element of race that a lot of people will, that you're probably going to talk to” (JF2). He mentioned that people will say that they are “colorblind, quote unquote”, without understanding that in admitting this, they are acknowledging that they are ignoring their racial biases. As he explained:

Race goes into everything, even if you say ‘I’m not racist’, yes it fucking does. You can see him, you can see Mark Sanchez is Hispanic, you see Baker Mayfield is White, Lamar Jackson is Black. Whether you treat them (people) differently is up to you. But it matters because their race matters, their background matters... The rope’s gonna be longer, the benefit of the doubt will be awarded. It’s the same thing with Cam Newton in Boston, right? He’s gonna have a lot harder time winning over his fan base than Philip Rivers in Indianapolis. You have to see that and acknowledge that that's a thing. Whether it matters to *you* or not, is irrelevant. But you have to acknowledge that it is a thing. Most people don't even want to do that.

JF4 made a similar comparison of Black and white quarterbacks, discussing how Michael Vick, a Pro Bowl Black quarterback convicted of dogfighting, was out of the NFL and unsigned for two years, while Ben Roethlisberger, who was twice accused of sexual assault¹⁸, did not miss a single game for his team. He followed up by explaining that this sort of racism and race-based

¹⁷ Again, due to the limitations in the data, it is difficult to empirically assess this question.

¹⁸ In civil trials

perception of athletes is a product of the broader American context that decision makers live in and have grown up in.

I think that the people making these decisions are the product of the very same environment that leads to longer sentences for Black people committing the same crimes, right? And they exist in the same country, they come from the same communities. And so, it's kind of really difficult to get past that. And of course, the fact that they have much more exposure to a majority Black population, just by working with them, certainly changes things and it impacts their perspective. But you know, a lot of times NFL teams and NFL coaches and NFL GMs won't do active work to kind of see what is impacting their biases (JF4).

JF2 also noted that, because of stereotypes related to playing quarterback in the NFL, on and off-field mistakes by Black quarterbacks impact evaluations for future Black quarterbacks, while the same mistakes or performance by white quarterbacks do not affect the evaluation of other white quarterbacks.

So if a Black person does something wrong, it's an indictment on all Black people for the most part. A Black quarterback gets caught with a gun, so then evaluators are like, 'Oh shit, we can't be out here taking Black quarterbacks'. Whereas nothing Johnny Manziel did was an indictment of white quarterbacks. Nothing, not a damn thing. Not smacking his girlfriend in the ear, not disguising himself and going to Vegas to gamble, not showing up to work hungover. None of that (turned into) "oh, we should stop taking white quarterbacks". Hell, none of that was even an indictment on Texas A&M. It's the difference in the benefit of the doubt. 'Oh, that's just Johnny', and then there's Jamaricus Russell¹⁹, and it's 'let's not take Black quarterbacks'. (JF2).

One of the white NBA journalists also echoed this point, mentioning that "coaches and organizations maybe need to check their bias... we just need to be really conscious of who gets second chances and who doesn't. And if you talk about a maturity issue, you talk about that maturity issue a little harder for a person of color" (JB9). Others also reiterated that racial bias in

¹⁹ A Black quarterback who was drafted first overall and did not perform well, only playing a few seasons in the NFL.

evaluations of player criminality is reflective of race relations in the United States; “we live in America, where I think Black players’ transgressions tend to be blown up a lot more than white players transgressions. That's just the reality” (JB8, white).

Racial bias was also discussed as a reason for why teams must take a case-by-case approach to player criminality, because of the possibility that Black players may be unfairly arrested and charged.

If you're a Black kid in America, you've probably been falsely arrested at some point, because this country is still so racist... [Teams] have to evaluate every single one of these instances under a microscope, to understand the context of what happens, and to get the player’s side and others’ sides, because, as we know, people can get arrested all the time, under completely false pretenses or misunderstandings, or just racism (JB2, white).

The issue of racial bias in evaluations or in criminal justice situations may be particularly acute in the NFL and NBA, where most players are Black. Because of the higher potential for Black men to be falsely accused or mistakenly apprehended by police, teams may in certain cases be right to not jump to any conclusions when a player is arrested. At the same time, they could also use this ‘case by case’ evaluation method as an excuse to keep talented players who have been credibly accused of an act of violence against women. It is also not clear whether players accused of violence against women are treated more harshly by teams and leagues in other North American men’s professional leagues like Major League Baseball (MLB), Major League Soccer (MLS) and the National Hockey League (NHL). It is possible that because these leagues have fewer public accusations of violence by players, they treat these allegations more harshly when they do occur. However, it should be noted that of these five leagues, only the

NHL does not have a specific domestic and sexual violence policy in their collective bargaining agreement between players and the league.

It is also possible that arrested NFL and NBA players are treated more harshly than their counterparts in other sports, because of disparities in how White and Black defendants are treated in the criminal justice system and in the media generally and/or because the leagues and teams want to show that they are taking a firmer stand against violence against women. The journalists interviewed for this study (who commented on the importance of race) seem to have taken this view. A final counterintuitive possibility is that because of racist expectations that team executives and fans might have about Black men and Black athletes specifically, they would expect Black players to engage in criminal behaviour, and therefore their careers will not be severely impacted by an allegation. This logic is drawn from work that looks at the impact of removing the “Box” that employees are often required to check on job applications if they have committed a criminal offense (Doleac & Hansen, 2016; Finlay, 2009; Stoll, 2009). Some scholars have found that when this box is removed, employers might discriminate against Black candidates based on the *presumption* (without the “Box” indicator”) that a Black candidate is more likely to have a criminal record. In the context of the NFL and NBA, if teams and fans hold racist presumptions that Black men are more violent or criminal, they may therefore not be surprised when an allegation comes to light, though to be clear, this was not a position expressed by any interviewees.

7.3.3.7. Age of player and different limits for negative behaviour

Interviewees discussed the importance of the age of a player when they committed the offense or negative act in question in organizations’ evaluation of players. Those who brought up the age of the player unanimously said that the younger a player was when the incident occurred,

the less negatively it would impact their evaluation. As one NBA journalist explained, “the younger player is, I think that they get more room for forgiveness” (JB9). This corroborates findings from both my NFL study above and Allen’s (2015) study which found that older players incur more severe costs in the labour market for off-field transgressions.

Interviewees often linked the severity of a crime with a player’s age, giving hypothetical examples of comparatively minor crimes or transgressions that happened when a player was young to illustrate the point that these types of minor offenses do not hold the same weight as more severe crimes committed as college players or as professionals. Front office employees in both leagues mentioned that a high school student stealing (MF3), failing a drug test” (MF2), getting “into a fight with a couple of friends” or “joyriding” could all be considered as just “childish mistakes” that should not “doom the kid” (MF2). Other journalists also mentioned young players getting in legal trouble for “partying” (JB1) or for a “public disturbance” (JF4) as examples of minor offenses that, especially if a player was in high school or even college at the time, do not carry significant weight in organizations decision making. They do not treat these “youthful indiscretions” (JB7) the same way that they would assess “a 25 year old free agent in the NBA doing this stuff, an older person, an adult” (JB9). While interviewees connected mistakes made by younger players to the importance of ‘second chances’, teams may also provide these second chances for a more instrumental, cost-benefit based reason. Team decision makers may be more reluctant to give up on a young player because of the possibility that the player blossoms into an elite performer that helps their team win. It could simply be less risky (from the team’s perspective) to cut ties with an older player whose unlikely to drastically improve than it is to do so with a younger player with more ‘star’ potential.

Given the variety of subjective player-specific and team-specific factors that influence how teams evaluate whether to acquire players, it is also unsurprising that more than half of respondents made the point that teams have different limits for negative behaviour. These limits determine what kind of tolerance teams have for negative behaviour or criminal behaviour both before a player has been acquired, or while they are on a team. As one NBA front office employee explained, “different teams have different thresholds on their own ability to handle players like that. So I think if a certain team thought that they have the culture and the structure in place to handle a troublemaker, I think that that calculus changes from team to team” (MB4). As mentioned above, several respondents brought up the Cincinnati Bengals and the Portland Trail Blazers as franchises that were notorious for being willing to take on players with criminal history in their past, while other teams are much less likely to acquire such players.

7.4. Conclusion

Interviews with NBA and NFL stakeholders provided interesting insight into decision making processes, especially with regards to how organizations evaluate players accused of acts of acts of violence against women and other crimes. Nearly all respondents mentioned that alleged criminality has a negative impact on a player's evaluation, with many mentioning domestic violence, sexual violence, or any act of violence against women as particularly egregious incidents with a proportionately higher impact. However, they also noted that each alleged incident and each player's history of criminality is evaluated individually, with no one allegation necessarily excluding a player from being drafted or signed.

All respondents noted that evaluation of players is done on an individualized, case-by-case basis, and this extends to evaluations of a player's character and potential criminal issues. Front office employees universally noted the importance of conducting their own internal team research and gathering information about any alleged player criminality. This is undoubtedly important, especially in situations involving young Black men who are falsely accused and arrested at higher rates than other demographic groups. However, treating each individual player's case as distinct - coupled with a lack of firm boundaries on acceptable and unacceptable criminal behaviours - opens the door to inconsistency and the excusing of violent behaviour when it is beneficial for organizations.

These interviews made clear that the talent and productivity of a player has a substantial impact on how any alleged criminality impacts their career, corroborating the findings of chapter 2. While front office employees were less likely than journalists to voice this point, several still did, and journalists were nearly unanimous in admitting that there are higher levels of tolerance for higher-performing players. Respondents also noted that a player's criminal history becomes

more important if they are a fringe level or more replaceable player, and can be used as a deciding factor in choosing between two similarly skilled players. Some respondents also separated a player's personality or character from their alleged criminality in their assessment of players, explaining that a player's perceived 'locker room fit' or strong leadership abilities on the field or court could be used to help excuse their criminal behaviour. Even with players accused of violent crime, organizations seem to be making a rational choice calculation of the player's 'worth' as a worker and employee, including the 'cost' of their criminal history in this calculation. Player worth is based on both their talent and productivity and their stylistic and personality 'fit' with the team, while in the case of examining players with criminal history, cost is determined by a host of factors related to the player's alleged criminality.

These factors extend beyond the veracity of the allegation and the severity of the act. As respondents explained, societal and fan responses to criminality, how recently the criminal act happened, whether the act is part of a pattern of behaviour, the age of the player when it occurred, and whether the act reflects their character all impact the role player criminality plays in evaluation. It is important to note, however, that interviewees gave mixed reasons for *why* these factors play a role. For the most part, these factors are used to determine the cost of drafting or acquiring a player, rather than to determine whether the behaviour was too egregious (from a moral perspective) for the player to warrant selection. Considerations of whether the alleged criminality is part of a pattern of behaviour or whether it reflects the player's character were sometimes discussed in terms of a player's personality or demeanour. However, even these conversations were generally framed in terms of how this would impact a player's fit on the team, their effect on team chemistry, and their coachability – factors linked to player and team performance.

Discussions related to the severity of the crime, societal and fan response, and the age of the player were also most often framed in terms of how they might impact a player's availability to play for the team, or how they might impact the organization's revenue. If a player is accused of committing an act of violence against women (considered by respondents to be a more severe or the *most* severe criminal allegation), much of the negative impact of this accusation stems from the higher likelihood of the player missing games in the present or future due to the allegation. The severity of a particular allegation also impacts how much media coverage it garners. If allegations of domestic or sexual violence are covered extensively by the media and are more widely known about, they can result in reduced fan interest, merchandise and ticket sales, and sponsorship opportunities for the organization employing them.

This rational choice calculation of worth versus cost was also made clear in the asset and investment-based language used by respondents to discuss player acquisition in the two leagues. Players were often discussed in terms of their value as an "asset", with decisions about acquiring them framed as investments with different levels of risk attached. This framing extended to conversations about player criminality, as respondents noted that the importance of player criminality is based partially around the level of investment or risk undertaken by the organization. Many interviewees noted that decisions about player criminality differ when a team is using a higher draft selection (investing more of their draft capital), or spending more money on a free agent signing (investing more of their salary cap capital). Though the facts of a particular criminal allegation do not change based on whether a player is drafted in the 1st or 5th round of the draft, the importance of the criminal allegation seems to.

Interviewees also linked the level of organizational risk of acquiring particular players to their organization's self-perceived ability to 'control' or 'handle' a player. Both front office

employees and journalists noted that a team's strong organizational culture or the presence of veteran leadership in the locker room could mitigate the negative consequences of a misbehaving player, allowing them to take greater 'risks' on talented players who may have issues beyond the field of play. Respondents even noted that organizations will use the negative behaviour of players as a form of market inefficiency in player acquisition, as some organizations feel they can acquire talented players below what would be their talent-based based market rate, because of their negative reputation. This negative reputation can be based in either alleged criminality or in more general character flaws related to a player's past interactions with teammates and coaches. Either way, some organizations view negative behaviour as an opportunity, rather than as a deterrent to player acquisition. While organizations granting employees second chances may seem commendable, these organizations do not seem to be granting second chances for altruistic or morality-based purposes but rather based simply on potential profit calculations.

Chapter 8. Discussion and Conclusion

The results of this study suggest that the argument that accusations that do not result in conviction (or outright false accusations) are nearly or just as dangerous as acts of violence themselves is misplaced. Accusations of violence for marginal and lower-performing players may have an impact, but this impact is due as much or more to their performance than anything else. While I was not able to discuss how arrests may impact the public image and endorsement opportunities of players, for most players, their employment in the NBA and NFL is largely unaffected. In the NFL case, given the size of rosters, the frequent turnover of players on teams and in the league more generally, and the NFL's general strategy of branding and promoting teams rather than individual players, most players have very little opportunity for sponsorship to begin with. The retention of players on teams and their continued presence in the league is a much more suitable indicator of career consequences.

Violence against women arrests do not ruin player careers

Athlete arrests, even for an act of violence against women, are not in and of themselves a career death sentence; in fact, quite far from it. The three studies conducted indicate that an athlete arrest is only one factor used in the evaluation of players, and is likely superseded by evaluations of their talent and productivity as athletes and employees. The argument that athlete arrests can ruin player careers is often used to claim that accusations that do not result in conviction or outright false accusations are nearly or just as dangerous as the acts of violence themselves (Delgado, 2014; TMZ, 2018). Notwithstanding the assessment that only approximately 5% of allegations of domestic violence appear to be false allegations (Ferguson and Malouff, 2016), the findings presented in this dissertation suggest that the claims about the

arrests themselves being enough to destroy an athlete's career seem exaggerated or even misplaced.

Cynics of sport business may find the findings of this dissertation unsurprising, as would some proponents of sociological conflict perspectives, who might consider professional athletes as part of the wealthy, dominant class of people who stand above the law. It is important to note, however, that these findings stand in contrast with research on general employment contexts, which conclusively show that criminality has a significant negative effect on employment, particularly for Black men (Agan, 2017; Vuolo et al., 2017). Even though 29 of the 32 arrested NBA players and 111 of 117 arrested NFL players in these two studies are Black, these athletes' careers were not substantially altered by their arrests. These findings highlight the strong effect that class and wealth have both on how athletes are perceived and on their ability (and that of their team and the league) to control the narratives surrounding arrests, as well as on the value management places on their athletic labour. It appears then that in professional basketball and football, the effects of wealth, status, celebrity, and productivity are more powerful than the racial biases that habitually affect arrested Black men's futures.

The lack of substantial career effects due to arrests for most players following violence against women may also be related to the nature of the crime itself. Research examining the effects of criminality or arrests on employment normally looks at criminality generally, rather than at a specific subset of crimes, such as violence against women. While it is now generally acknowledged that violence against women is a criminal activity, many still consider it a private, domestic act that occurs between spouses or romantic partners, and therefore something that is best dealt with privately by couples (Faris and Holman, 2015; Nair, 2001). Some even attribute certain cases of violence against women to misunderstandings between couples (Franiuk et al.,

2008) or to other violence against women myths like women provoking violence, acting violently first, or that if there was violence, the woman should have left (and thus had the resources and power to leave) the relationship (Megías et al., 2018). 24 of the 32 arrests in the NBA study involved alleged acts against a romantic partner, as did 94 of the 117 arrests in the NFL study. These arrests are also reliant on formal complaints by the women involved, and many people are hesitant to believe the women in these cases, as the private nature of most of these acts often does not allow them to present tangible evidence (Catalano, 2012; Felson et al., 2002). This fact not only affects the amount of violence against women arrests that are recorded by law enforcement agencies, but could also influence the rates of conviction and the legal and extra-legal consequences of arrests that are made.

Given the prevalence of off-field violence among collegiate football players (Beaver, 2019; Gage, 2008; McCray, 2019b; B.-R. Young et al., 2017) and given the status of NBA and NFL players as role models (Choi & Rifon, 2007), it is possible that the lack of punishment at the professional levels influences behaviors at the collegiate level as well. If professional players did suffer negative career consequences, the deterrent effect of this sanctioning could extend beyond these specific players and even beyond athlete contexts. Drawing from the early work of Emile Durkheim on the boundary-making function of punishment, expressive theories of punishment posit that sanctions for criminal or deviant behaviour can also have broader educative-moralizing effects on the members of a society (Garland, 1993; Pickett & Baker, 2017). What a particular society deems as criminal – coupled with the certainty, severity, and swiftness of punishment for engaging in this criminal behaviour - creates and sustains the social and moral norms of a society (Durkheim, 2014; Nagin, 2013). If certain criminal behaviours are

not punished, especially when this is committed publicly, “norms are weakened and shown to be less universal in their binding force” (Garland, 1993, p. 33).

NFL players are highly visible public figures who garner substantial media attention, and also serve as prominent role models for youth and a large population of sports fans (Benedict, 1997; Burch & Murray, 1999; Choi & Rifon, 2007). As such, the importance of tangible and visible consequences for their actions may go beyond the mere effects on the athletes themselves. When athletes who have misbehaved or committed criminal acts visibly pay a price for these acts, this has the potential to serve as an educational tool, setting or reaffirming social norms regarding violence against women (Benedict, 1997; Kim & Parlow, 2009) for both athletes and the general population. If NBA and NFL teams were committed to deterring the prevalence of such incidents, even just among the league’s players, deterrence theory suggests that players should suffer negative career consequences in response to arrests and convictions for acts of violence against women. This also points to the role of organizations in attempting to reduce instances of violence, especially given the role they have in promoting this type of behaviour on the field.

While deterrence theory provides a framework for understanding the importance of punishment in deterring future incidents of violence against women, NBA and NFL teams’ actual commitment to deterring such incidents clearly cannot be taken for granted. While one can assume these teams *hope* that players are not accused of acts of violence against women (given near-universal societal condemnation of such behaviour), it is clear there are other factors that are more important when assessing whether to retain or acquire an accused player. Unlike in general crime deterrence situations, where it is only those who commit the crime (and their family and friends) who are negatively impacted by the decision to punish, in this situation both

the accused (the player) and the sanctioning body (the team) can be negatively impacted by the team's decision to punish. If an NBA or NFL team punishes a talented, valuable player by releasing them from the team or by not signing them to a subsequent contract, both the team and the player might suffer. Not only might they lose out on the productive players, but another team without similar standards of behaviour could acquire the player and gain a competitive advantage. For teams, the desire to retain or acquire a talented, productive, and/or valuable players accused of an act of violence against women clearly often supersedes their desire to release the player and help deter future incidents of violence against women. This privileging of player productivity and talent factors above off-field behavioural factors might help explain why athletes continue to commit acts of violence against women, though there are of course a myriad reasons for this. Organizations share a complicity in the continued prevalence of these acts.

Though my analysis indicates that the fear that allegations of violence against women hurt player careers is empirically false for most NBA and NFL players, this fear may nevertheless exist. Therefore, it could be that the mere perception of an effect could still serve as a deterrent among athletes. To know whether NBA and NFL policies or team decision making regarding violence has a deterrent effect on players' likelihood to commit acts of violence against women, one would need to assess whether they *believed* these arrests hurt their career. The quantitative analyses in chapters 5 and 6 indicate that empirically, arrests do not have a significant impact on player career outcomes for most players, suggesting that this lack of impact may serve as a potential explanation for why violence against women arrests continue to occur. If NBA and NFL players believe their careers will be ruined by arrests for violence against women, yet persist in committing these acts at high rates, then there are likely other factors at play here beyond deterrence. These factors will be discussed in depth in the following section.

Regardless of the possible misperception between perceived and real career consequences for athletes, the lack of extralegal sanctions and career consequences for NBA and NFL players accused of acts of violence against women are important for violence-prevention efforts. Social-control mechanisms do not seem to carry much weight in these cases. This in turn, has implications for athletes at all levels. Starting at a young age, elite basketball and football players often receive preferential treatment from coaches, teachers, administrators, parents, and even law enforcement in some cases. This can result in a belief that they are above the law, or that they will be protected from the consequences of any wrongdoing because of their talents (O'Hear, 2001; Trebon, 2007; Wallgren, 2009). Unfortunately, this belief may actually be warranted for players who reach the professional ranks, especially those performing at even an average level. This once again illustrates some of the sport structural issues at play here.

According to the logic of deterrence theories, NBA and NFL teams' lackluster treatment of players accused of acts of violence against women could stunt efforts to reduce the prevalence of these crimes. While I was unable to directly measure whether stronger penalties for violence against women arrests would deter other athletes from engaging in violent behavior, studies from various contexts suggest that the threat of future extralegal consequences and adverse effects in the labor market related to arrests may serve as a powerful deterrent to future crime and violence (Bellair et al., 2017; Imai & Krishna, 2004; Sitren & Applegate, 2012). The fact that this has not been the case in the present setting therefore does not bode well for efforts to reduce future violence against women among professional athletes.

While one must be cautious about generalizing the results of this study to other sports or employment contexts, which could have context-specific rules, policies, and cultures that affect how these arrests impact career outcomes, this analysis emphasizes the way elite performers are

differentially impacted by legal and extralegal systems of control. As Jacobs (2021) writes, “if you’re exceptionally gifted at football, the NFL will almost always find a place for you no matter what you do in your spare time”. This notion was corroborated by many interviewees in my own analysis, with several noting that if a player is talented or productive enough, there is no crime (other than murder) that would be enough in and of itself to end a player’s professional career. While the severity of the offense, the specific offense, and the result of the legal case undoubtedly have an impact, an arrest for an act of violence against women does not necessarily spell the end of an NBA or NFL player’s career. In fact, when assessing their future in the league, these players should be much more concerned with their performance on the field than their behaviour off it.

Beyond deterrence: Other explanations for continued athlete violence against women

It is important to note that even changes in the extralegal sanctioning of athletes are unlikely to eliminate off-the-field violence. There are many reasons for the continued prevalence of violence against women perpetrated by athletes, and only some of them may be related to a lack of sufficient response and consequences. Any deterrence-based argument should mention several important limitations to this theoretical perspective. Beyond the possible difference between the consequences players actually suffer and what they *believe* they might suffer, deterrence perspectives can be hindered by limits on people’s capacity to behave rationally (bounded rationality). Players may also have insufficient information (about potential consequences, for examples) to make a rational choice. Violent crime can also often be based in anger or poor impulse control, where perpetrators do not make any sort of deterrence-based calculation of whether it is in their best interests to commit a violent act.

Clearly, the context in which this violence occurs should also be considered. Professional sports, in particular professional football, are in many ways a breeding ground for fraternal, toxic masculinity that promotes violence and domination (Gage, 2008; Hargreaves, 1986; Washington-Childs, 2017). Some argue that the violence and aggression often demanded from professional athletes during games may have spillover effects onto their personal lives, as players are expected to exhibit aggression, strength, and physical dominance over their opposition (Bloom & Smith, 1996; Spaaij & Schailée, 2019). While it might not be clear whether aggressive and violent young people self-select into violent sports or whether this aggression is learned and conditioned after they begin playing the game (Kreager, 2007), it is nevertheless clear that this type of aggression is rewarded in many sport contexts.

Another complicating factor in explaining how football might lead to violence is the risk of chronic traumatic encephalopathy (CTE) among players, due to repeated blows to the head and to concussions (Cummings et al., 2018). Given the nature of the sport, NFL players are particularly likely to suffer from CTE, which results in a diverse set of clinical symptoms, including emotional and behavioral problems such as depression, anxiety, suicidality, aggression, and explosive bouts of anger” (Cummings et al., 2018, p. 710), which may manifest in violence. Aaron Hernandez, a New England Patriots tight end who was convicted of murder in 2015 and later died of suicide in prison, is perhaps the highest profile case of a violent player with CTE. Hernandez was diagnosed with a severe case of CTE at the time of his death, at an age (27) where he would have (without his conviction) been in the middle of his NFL career (Gregory, 2020). At this point, CTE can only be diagnosed post-mortem (Cummings et al., 2018), so it is impossible to assess whether most players accused or convicted of violent off-field acts are suffering from the condition. The NFL has attempted to shield the results of these studies from

the public (Paolini, 2018), given the inextricable link between the sport, brain injury, and the variety of social harms that stem from it. However, it should also be noted that the link between CTE and off-field violence is not completely proven, and is surely not the only cause of violence. As Martin and McMillan (2020) stated, “there is no reason to suppose that *only* blunt force hits to the head shape the thoughts, feelings and actions of participants in violent sports and their sportsworlds in ways that are worthy of public and scientific concern”.

NBA and NFL players may also commit acts of violence against women for some of the same reasons that men in the general population do. One prominent explanation could be growing up in poorer neighborhoods in precarious economic circumstances, in families where violence is normalized and learned, and in areas with less positive police presence (Johnson et al., 2007; Waters & World Health Organization, 2004). According to the National Coalition Against Domestic Violence, “Black women and Black men (also) experience intimate partner violence at a disproportionately high rate” (2020, p. 1), likely due to a higher likelihood of living in poverty (Cho, 2012) and to systemic racism (National Coalition Against Domestic Violence, 2020). Low income and unemployed men are also more likely to engage in violence against women, which is often linked to these men’s desire to assert masculinity through violence when they are unable to do so through a traditional breadwinning role (Johnson et al., 2007). These factors only affect the likelihood that these players engage in acts of violence against women though, and once again do not speak to how the NBA and NFL and its decision makers respond to allegations of these acts.

Excusing violence against women as a rational response to market incentives

Though elite athletes may have certain violent tendencies (either self-selected or learned), come from particularly structurally disadvantaged social locations, or have higher risk for brain

injuries that exacerbate violence, how institutions and leaders respond to athlete violence remains vital. While team decision makers all noted that violence against women was unacceptable, and nearly all of them mentioned this type of violence when asked about what types of crimes were more severe, the actions taken by teams regarding accused players mostly tell a different story. If organizations had a zero-tolerance, morality-based policy to criminality or to specific crimes (such as violence against women), the talent and productivity of a player would not have any impact on a player's evaluation. In such a hypothetical scenario, organizations would be mainly concerned with the severity of the crime, the veracity of the allegation, and perhaps the age of the player²⁰. They may also consider whether the player is a repeat offender, if they were acting in self defense, if they suffer from a mental health issue, or if they were unfairly apprehended by police. In such a hypothetical scenario, considerations related to the talent level of the player and the media attention surrounding their allegation or conviction would hold no weight. In reality however, given the case-by-case assessment of each player, alleged criminality (even for violent crimes) is often considered just another 'cost' in organizations' rational choice calculation of whether to acquire a player. Nearly all interviewees mentioned that organizations are guided centrally by their desire to field winning teams and to make money, and this *raison d'être* guides decisions related to player criminality as well.

Organizations' goals of making money and winning games have not changed over time. While many respondents noted an increase in media attention and public focus and concern for acts of violence against women in recent years, from the perspective of team decision making,

²⁰ In this morality-based assessment, age would have an impact only if the crime or act of violence happened at a sufficiently young age where a team could determine that the player should not be held responsible. While age does have an impact on player career outcomes in the model in chapter 2, based on the rest of the model and on the qualitative data in chapter 7, this importance of age has to do with the productivity level of the player, not on how criminal behaviour and responsibility is assessed.

this increased focus was important only insofar as it may impact a team's ability to make money. While the NFL's Ray Rice scandal or the #MeToo movement may have brought increased media attention to the prevalence and negative consequences of violence against women, teams in the NBA and NFL have not systematically stopped signing, retaining, or drafting players accused of acts of violence against women. Instead, the increased societal and media attention to the issue may be causing organizations to focus more on creating the *perception* that they care about certain social issues (a point made explicitly by several interviewees), but this focus might be based on an evaluation of whether a player is 'worth' their violence against women allegation.

When paired with professional sport's harm-producing structures and rewarding of male aggression and violence in the field of play, this admission – that teams' decisions regarding the employment of players accused of violence is as much or more about the talent and productivity of the player as the facts of their case – points to team and league complicity in the ongoing violence done by athletes. By not intervening and holding players accountable when doing so would hurt team success and revenue, and intervening harshly when a player is situated lower in the team's hierarchy, sport organizations and the decision makers within them are putting profits and the protection of capital ahead of those that may be harmed, which includes both victims and potentially those accused.

The importance of business considerations to player evaluation and decision making does perhaps also point to the power fans in shaping responses to players' acts of violence against women. As long as North American professional sports organizations exist as capitalist entities, their winning and money-making goals are unlikely to change considerably. However, if organization decision-making regarding players accused of violence is responsive to fan and media reactions, fan withholding of support for teams employing such players may be the best

lever sport consumers have for reducing the frequency of violent acts. While some team decision makers were hesitant about assigning too much decision-making influence to fans and consumers, they all readily admitted that the NBA and NFL teams they worked for are businesses, with the goal of each team being to make money. Fielding a winning team is and has always been the primary and most reliable way that sport organizations accomplish this goal, as winning teams bring more fans into arenas and stadiums, attract larger sponsorship and television contracts, and sell more merchandise. Due to the connection between team success and fan engagement and spending and media coverage and profit, sport organizations (whether they admit to it or not) are responsive to fan and media reaction. Given the limits of the justice system in appropriately punishing men with gender and wealth-based privilege, as well as professional sport organizations' on-going willingness to acquire criminally violent players if these players increase their bottom line, boycotting teams that employ players with a history of violence against women may be the best avenue (for sport consumers) for changing player behaviour and organizational decision-making.

‘Woke capitalism’ and increasing societal attention paid to violence against women

Many of my interviewees noted that violence against women is more commonly discussed now than in the past, and that teams are now more concerned with these types of arrest. Interviewees linked this heightened importance to broad societal changes regarding violence against women, as well as to the #MeToo movement and to fallout from the Ray Rice incident. Excluding homicide²¹, they noted that violence against women is the most severe crime that a player can be accused of. However, many also mentioned that this sort of violent arrest

²¹ And perhaps pedophilia, though this was not mentioned by interviewees

would not automatically disqualify a player from joining or staying on a team if they were strong enough performers or if there was uncertainty around the legal case. Having said this, I found a small statistically significant impact for the increasing negative effect of violence against women arrests over time in the NFL, as the impact of an arrest has gotten progressively more negative over the past 20 years. However, this impact is substantially smaller than the effect of performance and age factors, and disappears when I examine only the top 75% of players. While perhaps violence against women is more commonly discussed and is considered a more serious issue today, the only large-scale tangible result of this has been that lower-performing players can no longer afford to be arrested, as they could see their careers being ended slightly earlier than they would have otherwise. This is perhaps why several interviewed NBA and NFL journalists noted that there has not been a substantial change to team decision making regarding players accused of violence against women following #MeToo or the Ray Rice incident, even though teams and the leagues may claim this is the case.

As discussions of the importance of social issues in sport (like violence against women) continue to increase, sport organizations may be incentivized to engage in (or continue to engage in) ‘woke capitalism’ (Douthat, 2018; Lewis, 2020). ‘Woke capitalism’ is a term used to explain the phenomenon where organizations or brands purport to take a stand against social injustice by removing a person from a job or releasing a company statement, without making any substantial changes to the policies or systems that allow those behaviours or beliefs to perpetuate. Often used as a critique of ‘cancel culture’, Lewis (2020) notes that “brands will gravitate toward low-cost, high-noise signals as a substitute for genuine reform, to ensure their survival”. The removal of an offending person is often tokenistic, used by employers to demonstrate that they are progressive and to push a narrative that change is happening quicker than it

really is (Douthat, 2018; Lewis, 2020). As expendable employees, lower performing seem to be disproportionately impacted by this wider cultural change and societal push to take allegations of violence against women more seriously, as their release can be used by teams to ‘show’ that they care about victims of violence, without negatively impacting their team’s performance and the organization’s bottom line.

While the strategy of sacrificing non-valuable players to demonstrate a team’s commitment to justice may be working as of now, it once again points to the opportunity fans and consumers have of affecting how this type of violent behaviour is handled by teams. If consumers and fans see through this performative ‘woke capitalism’ and withhold support from teams that base their evaluation of player arrests on the quality of the player rather than the veracity and severity of the arrest, teams may be forced to properly sanction players with a history of violence against women.

With recent social justice initiatives in both the NBA and NFL focused on anti-Black racism and racial injustice (Evans et al., 2020; Montez, 2020; M. B. Thomas & Wright, 2021), it will be interesting to see whether performative woke capitalism is used to excuse violence committed by high-performing Black players. Under the guise of protecting the right to due process and to equal treatment by the justice system for (predominantly) Black players, teams could acquire or retain players accused of or with significant proof of an act of violence against women. It is possible, as some interviewees have suggested, that teams already do this. To be clear, I am not suggesting that athletes do not deserve or should not receive fair treatment and proper investigation into criminal accusations, especially given North American law enforcement’s history of biased and unequal treatment of young Black men, and the historic exploitation of Black athletic labour (Hawkins, 2013). Rather, I am suggesting that this fair

treatment and investigation should be provided equally to all players, and should not be based on the player's value as an athletic labourer and to the amount of media scrutiny their allegation and case garners. As explained in Chapter 6, the pending situation of star quarterback Deshaun Watson, who was accused of assault and harassment in civil lawsuits by 22 different women²² (Shpigel, 2021), provides an interesting forthcoming test case of this hypothesis. As of the current writing²³, Watson remains employed by the Houston Texans, but has not played a game yet this season.

Conflict theories: productivity supersedes race

Based on the results from both the quantitative and qualitative chapters, player productivity and talent are the strongest predictors of an arrested player's career outcomes. For the most part, arrested players did not suffer substantial career consequences compared to similar caliber players. Given that this sample of players was overwhelmingly Black, and young Black men generally suffer substantial consequences in their careers for criminal allegations, this may come as a surprise to some.

However, it is important to note that these particular athletes are supported due to their instrumental value to their organizations (employers), rather than due to any inherent desire to provide all players a second chance or the benefit of the doubt, or a desire to promote greater racial equity and better treatment for Black men in the criminal justice system. These players remain employed because of their ability to produce value for their organizations while sacrificing their bodies, and teams' decisions to continue paying these players for their labour is

²² With allegations ranging from lewd behavior to sexual assault (Shpigel, 2021)

²³ December 15, 2021

based only on protecting their capital investment, rather than in any altruistic motive related to either rehabilitation or the protection of victims of violence.

These motives are made clear in several ways. First, there is no substantial difference in career consequences for players who are convicted of the crime they were arrested for, compared to those whose charges were dropped, dismissed, or found not guilty. While the team decision makers in chapter 7 were quick to point out that their teams conducted their own investigations into the veracity of any criminal allegation and to potential mitigating circumstances, several non-productive players were released immediately following their arrest (some even the same or next day). Other more productive players who were convicted of their crime or signed plea deals (with many involving a guilty plea of some sort) were not. Based on both the quantitative findings in chapters 5 and 6 and on comments made by decision makers and journalists in chapter 7, factors related to a player's ability to positively impact team performance and therefore produce wins and revenue are those that predicted career outcomes.

Though talent and player value may supersede race for arrested players, this does not speak to the way these players may still be treated by the police as young Black men in North America. While they may receive lenient treatment from the justice system and from their employers due to their status as highly valued sport employees, it is still possible that Black professional athletes are arrested at high rates due to their race and age. This contrast – between the way athletes may be treated by police and the way they are then treated by judicial and extralegal systems of power – illustrates the importance of visible and invisible bias and privilege at different levels of the criminal justice system. NBA and NFL players may have wealth-based privileges once their identity is known, and once they are deemed to warrant protection and aid from their professional sports teams or leagues due to the value their labour

provides. However, when they are arrested or observed by police in a precarious situation, they may simply be treated as young Black men. While some research has found that NFL players are not arrested more than people in the general population (Leal et al., 2015), their arrest rates are still higher than people of a similar income bracket. This could be because from a police perspective, it is difficult to discern that these players are wealthy – and therefore ‘deserving’ of better treatment – until after an arrest has been made. This may be especially true for Black men living in high-income neighbourhoods, who are likely not viewed by police as ‘typical’ residents of this income bracket.

Balancing due process and proportionate sanctions

While the findings of this dissertation demonstrate that NBA and NFL teams have been lenient in their treatment of players accused of violence against women, it is difficult to enact league or team policies and practices that balance the need to provide proportionate justice to survivors and deterring for potential future perpetrators with also ensuring athletes are treated fairly. One must be cautious with how much power is granted to professional leagues and their organizations to punish players without any sort of legal or investigatory process, especially given the unequal power relations that exist in elite sport (Hawkins, 2013; Mellis et al., 2021a, 2021b). As private organizations that are largely unaccountable to the public, there is a danger in providing these organizations with *carte blanche* to discipline players without due process, even in cases of alleged violence. If sport organizations were granted the ability to terminate player contracts immediately and without pay for any arrest or rumoured misbehaviour, they could use such a provision in nefarious ways. Given the cutthroat nature of sport and the win-at-all-costs mentality discussed by interviewees, organizations could try to rid themselves of an injured

player or of any player who is perceived to not be performing at a level commensurate to the money the team owes them, using the player's supposed negative behaviour as justification.

This tension – between ensuring accountability for players' bad behaviour and ensuring that these players are treated fairly as workers by their powerful employers – is especially salient in the case of violence against women by NBA and NFL players, as these situations usually involve both a group of alleged perpetrators who have been historically mistreated and over-criminalized (young Black men) and a group of victims who have been historically ignored and underserved (women victims of men's violence). Several interviewees brought up this point, noting that violence against women remains an issue in professional sport, but that Black men are often the targets of unfair and biased treatment at all levels of the criminal justice system. If players could be cut or released for merely being apprehended or questioned by law enforcement, this could unjustly hurt Black players who are more frequently stopped by police. This applies for all sorts of alleged criminal misconduct, and is not limited to allegations of violence against women. However, requiring a legal conviction to sanction players also leaves many victims without justice, and does not deter future players from similar behaviour. Interviewees did not have a clear-cut answer to this issue (perhaps because one does not exist), with most stating that journalists, teams and anyone who writes about or discusses athlete violence against women should be aware of and mention this tension, and avoid reductive or sensationalist depictions of the issue or of particular cases of violence against women.

Some might also ask why professional sport organizations whether it is appropriate for sport organizations to intervene and sanction players for criminal or behavioural wrongdoing done outside of their roles as employees. This perspective largely ignores the structural role sport

and especially professional sport plays in encouraging violence among athletes, and exacerbating harm in pursuit of profit (Corteen, 2018; Hawkins, 2013; L. Robinson, 1998; Schwartz, 2021).

Limitations

There are some limitations to this research that must be noted. While the datasets for both the NBA study (study 1) and the NFL study (study 2) both represent the entire population of players arrested for an act of violence against women between 2000-2018 and 2000-2019, these populations remain small. In study 1, this population of just 32 players and 32 matched pairs only allowed for t-test analyses, as more sophisticated methods were impossible with this small population. The small population also did not allow for any sort of statistical analysis on population subgroups like those who were convicted of their act of violence against women and less valuable players earning less than 2,000,000\$ annually. However, it should be noted that even non-statistically significant findings are important in this case, given that I am studying the entire population of NBA players arrested for an act of violence against women. Theoretically, samples are designed to produce statistical conclusions that can be generalized to a population. In this case, I am already examining the population, and therefore any difference, even those that are not statistically significant, should not be ignored.

In study 2, the 117 arrested players (and 234 total players, including matched pairs) allowed for more sophisticated Bayesian multi-level regression modelling, though it is possible that this still-small sample explains the lack of statistical significance on some of the variable coefficients, and in the coefficients for some of the interaction terms. However, even with this relatively small sample, the models used in chapter 2 still had good predictive power, and the interaction term (which often require larger samples to show statistical significance) for how the

impact of an arrest changes over time was still statistically significant. Like the NBA study, the NFL study also uses the full population of players arrested for an act of violence against women.

While study 2 uses more sophisticated statistical analyses, it is also important to reiterate that career length only represents one proxy for career outcomes. While this variable accounts for how long a player remains employed and earning a salary in the NFL, it does not account for the dollar amount of that salary, whether they played professional football and earned a salary elsewhere, and whether they earn any other income through endorsement or sponsorship. This same limitation exists for the quantitative analysis in chapter 5, which does not account for career outcomes in terms of endorsement earnings, or in terms of earnings from salary in other professional basketball leagues.

Study 3 also relies upon purposeful sampling of NFL and NBA decision makers and journalists, which lowers the generalizability of my results. It is possible that those who did not respond to my requests for interviews might have responded quite differently to my questions, and it is also possible that those who did respond to my interview requests were more candid and more likely to speak negatively about NBA and NFL team decision-making. Those who ignored or refused to participate in interviews may have been more reluctant to tease out some of the hypocrisies in how NBA and NFL teams handle different players accused of criminal and non-criminal wrongdoing, and also may have been more likely to support the actions of the teams they work for and cover. While I tried to shield the main purpose of my interviews when recruiting participants by saying that I was “conducting research about player evaluation and decision making”, any search into my academic background and research interests (where I have public profiles on LinkedIn, Google Scholar, and Twitter, among others) would tip participants off to my potential interest in violence against women. Those who participated in interviews

therefore may have self-selected into the sample as those who were comfortable and wanted to discuss this issue.

As with any qualitative interview sample, the sample of interviewees in chapter 6 does not reflect the views of all NBA and NFL decision makers and journalists. Moreover, my sample includes only five people of colour, two white women, and no women of colour. While I did reach out and request interviews with many women of colour, white women, and men of colour, most of those who responded to my interview requests were white men. The majority of NBA and NFL journalists and front office workers are white men. As minorities within their industry, it is possible that the people of colour and women that I contacted did not feel comfortable discussing their work with a researcher. While only approximately 5-10 front office staff that I contacted explicitly said that they were not at liberty or did not feel comfortable disclosing team affairs, this may have been a sentiment felt by others who simply ignored my initial email and/or message. Nevertheless, an ideal sample would have had stronger representation of people of colour and women.

Future Research

Other measures of career consequences

Future research examining athlete arrests for acts of violence against women could examine how these arrests affect athlete sponsorship, endorsement contracts, and other sources of income. Player sponsorship, endorsement earnings, and other income associated with a player's athletic career are difficult to locate in any sort of systematic or accurate way, making large scale quantitative analysis of these player career outcomes challenging. However, these are nevertheless important alternative outcome measures to assess a player's career following an arrest for an act of violence against women.

Qualitative analysis of athlete violence against women incidents

The relationship between athlete violence against women arrests and player careers could also be explored qualitatively in a variety of ways, including more in-depth analyses of a few professional sports cases where an arrest or conviction for an act of violence against women did have a negative effect on an athlete's career. Such an investigation would allow for the examination of the factors at play in cases where athletes do pay a price for their actions, including the particular nature and details of the incident, the victim's behaviour and intersectional identity, and the media's response to the incident. The Ray Rice (Christensen et al., 2016; T. Martin, 2017) and Kobe Bryant (Franiuk et al., 2008; Markovitz, 2006) incidents have already been studied in detail, but there are several other incidents of violence against women by high-profile players (Deshaun Watson, Tyreek Hill, Reuben Foster) that could also be analyzed in further depth.

Moreover, most of the in-depth qualitative research about specific cases of violence against women are centered around media content analysis and some survey methodologies (to assess fan and public perceptions of the athlete or the team). While these methods are helpful, future research of key cases could benefit from qualitative interviewing of decision makers and young athletes to assess both why these cases resulted or did not result in significant consequences for the player involved, as well as how this incident may have impacted other athletes.

Interviews of youth and professional athletes could help assess whether the actions of sport leagues and teams (at all levels) have any sort of deterrent effect on athlete criminality or deviance more generally. As explained in the discussion, these three studies do not tell us whether NBA and NFL players *feel* that arrests can ruin their careers, even if I have shown that

empirically, they generally do not. Research interviewing athletes about this question could determine how athletes feel violence against women arrests (or other arrests) impact their careers or their future careers (in the case of collegiate and amateur athletes).

Different athletic and non-athletic contexts

Future research could also examine the effects of arrests following violence against women on career outcomes for athletes in other professional sports leagues, both in North America and abroad. This work could test whether leagues with historically harsher consequences for arrested players have subsequently seen a drop in athlete arrests, in line with deterrence principles.

Conducting this research in other athletic and cultural contexts could also help tease out whether the responses of organizations are due to league, sport, or culture specific factors. This would help determine what needs to be changed to deter future acts of violence among athletes. For example, if leagues that imposed more certain or harsher punishments against alleged acts of violence against women saw subsequent decreases in these acts among their players, this points to the importance of anti-violence regulation and those particular policies. On the other hand, if leagues with fan bases who are less tolerant of violence against women and who expect more socially just behaviour from their teams have less violent players, then perhaps violence prevention is based more on fan reaction and pressure. Regardless of what these hypothetical research projects find, work in other sport, league, and cultural contexts can help determine how best to curb acts of violence against women.

High-status perpetrators and the #MeToo movement

The impact of the #MeToo movement is another interesting avenue for future research, as athlete arrests in the years following the rise of this movement may have a stronger effect on

career outcomes than those before it. In the current studies, I was unable to directly assess the effects of the #metoo movement, as not enough time has passed since these more recent arrests to assess career outcomes in many cases. Several interviewees brought up the movement, though its impact was not universally agreed upon.

Analysis of the #MeToo movement also should not be limited to professional athletes, but should include celebrities, entertainers, and politicians. These alleged perpetrators of violence are all highly valued employees with considerable economic resources and substantial media coverage. Like athletes, celebrities, entertainers, and politicians have historically used their social status and social and economic capital to avoid detection and in some cases punishment for acts of violence and sexual violence against women. Moreover, with these groups, we see the same sort of narratives that arrests and even informal, non-criminal allegations or rumours can ‘ruin’ their careers. Given that this narrative was largely disproven with regards to the athletes in this study, it would be interesting to assess whether it is more applicable in the case of other high-status, wealthy individuals. It is possible that the same sort of dynamics at play with professional athletes – where highly valued and productive athletes do not suffer consequences but those who are less valuable to their organization do – are at play with entertainers and politicians. However, similar systematic analyses to what was done in this study are still needed to answer this question.

The changing impact of violence against women arrests following #MeToo

Studies 2 and 3 both point to a small increasing importance for the impact of violence against women arrests. Interviewees in study 3 explained that this changing impact is due in large part to increasing awareness of the pervasiveness and prevalence of violence against women, as well as to fans and sport consumers’ increased concern about teams employing

players with a history of criminal violence. With this said, it will be important in upcoming years to assess whether teams' increased attention to player violence against women (even if only for lower performing players) dissipates as the #MeToo movement moves out of public consciousness. Does this period represent of time following the Ray Rice incident (in 2013) and the #MeToo movement (which reached international attention in 2017) represent the beginning of steeper consequences for those accused of violence against women, or is this merely an isolated period of increased attention that will fade away?

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Appendices

Appendix A – NBA Matched Pairs List (n=62)

	Player	Incident	Intervention date	Age at intervention	PPG	FG%	RPG	APG	Draft round and number		Pre-Intervention Salary
Pair 1	Jabari Bird	Assault and battery	13-Sept-18	23	3	57.77	1.5	0.6	2	56	\$1,349,383.00
	Daniel Hamilton		13-Sept-18	22	2	45.50	0.8	1.3	2	56	\$562,493.00
Pair 2	Darren Collison	Domestic violence	30-May-16	28	13.4	47.54	2.5	4.4	1	21	\$5,013,559.00
	George Hill		30-May-15	28	13.3	45.01	3.8	4.3	1	26	\$8,000,000.00
Pair 3	Jeffrey Taylor	Domestic assault	25-Sep-14	25	6.5	41.71	2.0	0.8	2	31	\$759,705.00
	Chris Johnson		25-Sep-14	23	5.9	40.42	2.3	0.7	U	U	\$285,515.67
Pair 4	James Johnson	Domestic assault	07-Jun-14	26	7.3	44.24	3.6	1.7	1	16	\$1,000,000.00
	Darrel Arthur		07-Jun-13	24	7.2	46.90	2.3	0.7	1	27	\$4,837,500.00
Pair 5	Kendrick Perkins	Assault	10-Oct-13	28	4.8	47.89	6.6	1.2	1	27	\$8,500,000.00
	Samuel Dalembert		10-Oct-11	30	7.5	50.56	8.8	0.6	1	26	\$10,833,333.33
Pair 6	Dante Cunningham	Domestic assault	03-Apr-14	26	6.8	48.02	4.4	0.8	2	33	\$2,009,000.00
	Luc Mbah a Moute		03-Apr-13	26	6.9	45.43	5.0	0.9	2	37	\$4,700,000.00

Pair 7	Jared Sullinger	Assault	03-Sep-13	21	6.0	49.30	5.9	0.8	1	21	\$1,335,000.00
	Terrence Jones		03-Sep-13	22	5.5	45.70	3.4	0.8	1	18	\$1,520,000.00
Pair 8	Deandre Liggins	Domestic assault	31-Aug-13	25	1.6	45.70	1.2	0.4	2	53	\$825,000.00
	Kim English		31-Aug-14	24	2.9	37.50	0.9	0.6	2	44	\$473,604.00
Pair 9	Terrence Williams	Assault, threatening	19-May-13	25	5.7	43.47	2.6	1.9	1	11	\$598,912.00
	Jordan Hamilton		19-May-15	24	5.7	40.16	2.7	0.7	1	26	\$580,000.00
Pair 10	Jordan Hill	Domestic assault	29-Feb-12	25	5.7	49.39	4.7	0.4	1	8	\$2,850,000.00
	Thomas Robinson		29-Feb-15	24	4.9	46.97	5.0	0.6	1	5	\$3,680,000.00
Pair 11	Derrick Character	Battery	24-Apr-11	22	2.0	48.50	1.0	0.2	2	58	\$473,604.00
	Trey Thompkins		24-Apr-12	21	2.4	39.30	1.0	0.1	2	37	\$381,193.00
Pair 12	Hamed Haddadi	Assault	25-Nov-10	25	2.1	45.52	2.2	0.3	U	U	\$1,600,000.00
	Kyrylo Fesenko		25-Nov-10	24	2.3	50.70	1.9	0.3	2	38	\$870,000.00
Pair 13	Matt Barnes	Domestic Violence	08-Sep-10	30	8.6	44.54	5.2	2.1	2	46	\$1,800,000.00
	Shane Battier		08-Sep-08	30	9.8	45.41	4.8	1.9	1	6	\$6,133,333.33
Pair 14	Lance Stephenson	Domestic assault	15-Aug-10	19	3.1	33.33	1.5	1.8	2	40	\$837,500.00
	Will Barton		15-Aug-12	22	4.0	38.20	2.0	0.8	2	40	\$750,000.00
Pair 15	Charlie Villanueva	Domestic assault	19-May-10	25	13.3	44.04	5.8	1.2	1	7	\$7,540,000.00
	Channing Frye		19-May-10	26	9.2	45.79	5.1	1.0	1	8	\$2,000,000.00

Pair 16	Ron Artest	Domestic violence	05-Mar-07	27	18.5	42.53	5.7	3.6	1	16	\$6,800,000.00
	Caron Butler		05-Mar-09	28	20.1	46.04	6.8	4.3	1	10	\$6,457,142.86
Pair 17	Lee Nailon	Domestic violence	24-Jan-06	30	9.5	47.04	3.3	1.1	2	43	\$790,428.00
	Ira Newble		24-Jan-06	31	5.9	44.03	3.1	1.2	U	U	\$2,950,100.00
Pair 18	Bobby Simmons	Assault	01-Oct-05	25	12.7	43.52	5.4	2.3	2	42	\$9,416,533.40
	Desmond Mason		01-Oct-04	26	14.4	46.06	5.4	1.9	1	17	\$7,300,000.00
Pair 19	Eddie Griffin	Aggravated assault	25-Oct-03	21	8.7	38.34	5.9	0.9	1	7	\$2,161,920.00
	Jumaine Jones		25-Oct-02	22	7.8	44.19	4.8	1.1	1	27	\$735,200.00
Pair 20	Jerry Stackhouse	Assault	13-Jul-03	28	24.4	40.25	3.9	5.0	1	3	\$5,714,285.00
	Michael Finley		13-Jul-03	29	20.5	44.92	5.4	3.6	1	21	\$14,614,285.71
Pair 21	Kobe Bryant	Sexual assault	04-Jul-03	24	27.9	46.11	6.1	5.5	1	13	\$11,666,666.00
	Tracy McGrady		04-Jul-04	24	28.6	44.26	6.8	5.4	1	9	\$13,285,714.29
Pair 22	Jason Richardson	Domestic violence	29-Apr-03	22	15.0	41.79	4.5	3.0	1	5	\$2,600,000.00
	Corey Maggette		29-Apr-02	22	12.7	45.00	4.3	1.6	1	13	\$1,353,333.33
Pair 23	Ruben Patterson	Domestic assault	25-Nov-03	28	10.8	50.02	4.1	1.5	1	31	\$5,633,333.33
	Corliss Williamson		25-Nov-01	27	11.5	49.69	4.2	1.1	1	13	\$3,750,000.00
Pair 24	Ruben Patterson	Sexual assault	08-May-01	25	12.3	51.57	5.2	1.8	1	31	\$839,500.00
	Corliss Williamson		08-May-99	24	14.7	49.65	4.9	2.3	1	13	\$1,057,840.00

Pair 25	Kurt Thomas	Assault	30-Sep-02	29	10.8	50.32	7.4	1.0	1	10	\$4,860,000.00
	Joe Smith		30-Sep-02	27	10.9	46.09	6.5	1.1	1	1	\$5,666,666.67
Pair 26	Glenn Robinson	Domestic assault	20-Jul-02	29	21.2	46.92	6.4	2.7	1	1	\$6,800,000.00
	Jamal Mashburn			28	19.4	42.44	6.3	4.6	1	4	\$10,600,000.00
Pair 27	Darvin Ham	Battery	31-Dec-01	28	4.4	51.39	3.7	1.0	U	U	\$1,730,000.00
	Don Reid		31-Dec-00	27	3.9	55.56	3.4	0.4	2	58	\$933,333.33
Pair 28	Michael Olowokandi	Abuse	01-Dec-01	26	9.8	43.50	7.8	0.7	1	1	\$3,629,038.00
	Erick Dampier		01-Dec-00	24	9.9	41.82	7.7	1.2	1	10	\$6,306,700.00
Pair 29	Jason Kidd	Domestic abuse	18-Jan-01	27	16.0	41.88	6.8	10.2	1	2	\$8,466,666.67
	Steve Nash		18-Jan-03	28	17.1	47.79	3.1	7.4	1	15	\$5,650,000.00
Pair 30	Corey Benjamin	Domestic battery	17-Oct-00	22	6.2	39.91	1.6	0.8	1	28	\$661,720.00
	Dion Glover		17-Oct-01	23	6.1	40.83	2.0	1.1	1	20	\$1,116,408.00
Pair 31	Roshown Mcleod	Battery of a pregnant woman	17-Apr-00	24	6.2	38.85	2.4	0.9	1	20	\$877,786.67
	Walter McCarty		17-Apr-98	23	7.3	39.74	3.3	1.7	1	19	\$862,520.00
<p>* All player statistics are based on three-season averages in the three seasons before the intervention date “U” in the draft round and number column denotes undrafted players</p> <p>* PPG = points per game; FG% = field goal percentage; RPG = rebounds per game; APG = assists per game</p>											

Appendix B – NFL Matched Pairs list (N = 234)

Player	Arrested	Intervention		Draft Round	Before Years	Before Games	Before Starts	Total AV	Last Season		Adjusted Per/Game AV	Position	Pro Bowl
		Date	Age						AV	AV			
Reuben Foster	1	2018	24	1	2	16	16	5		3	0.69	LB	0
Zach Cunningham	0	2018	24	2	2	30	27	5		9	0.77	LB	0
Adam Gotsis	1	2017	25	2	2	32	13	2		6	0.44	DE	0
Dean Lowry	0	2017	24	4	2	31	11	1		6	0.42	DE	0
Reuben Foster	1	2017	23	1	1	10	10	0		5	1.00	LB	0
Zach Cunningham	0	2017	23	2	1	16	13	0		5	0.63	LB	0
Roy Miller	1	2017	30	3	9	119	84	38		1	0.34	DT	0
Evander Hood	0	2017	30	1	9	129	73	38		6	0.39	DT	0
Tramaine Brock	1	2016	28	0	8	91	40	13		6	0.27	CB	0
Nolan Carroll	0	2016	29	5	7	101	54	17		6	0.29	CB	0
Will Parks	1	2016	22	6	1	16	0	0		1	0.13	S	0
Jarrod Wilson	0	2016	22	0	1	16	9	0		1	0.13	S	0

Ethan												
Westbrooks	1	2016	26	0	3	35	2	3	3	0.26	DT	0
Zach Kerr	0	2016	26	0	3	36	8	4	3	0.28	DT	0
Rashede												
Hageman	1	2015	25	2	2	32	12	1	5	0.34	DT	0
Will Sutton	0	2015	25	3	2	28	12	2	4	0.36	DT	0
Johnny Manziel	1	2015	24	1	2	15	10	1	4	0.60	QB	0
Zach												
Mettenberger	0	2015	24	6	2	14	10	1	0	0.07	QB	0
Ahmad Brooks	1	2014	31	3	8	103	69	39	6	0.50	LB	1
D'Qwell Jackson	0	2014	32	2	8	123	122	53	12	0.63	LB	1
Ray McDonald	1	2014	30	3	8	115	68	32	7	0.40	DL	0
Mathias												
Kiwanuka	0	2014	31	0	9	120	82	38	5	0.40	DE	0
Josh Brown	1	2014	35	7	12	180	180	35	4	0.24	K	1
Sebastian												
Janikowski	0	2014	37	0	14	236	236	46	4	0.23	K	1
Rodney Austin	1	2014	26	0	3	1	0	0	0	0.00	OG	0

Andrew												
McDonald	0	2014	26	0	2	2	0	0	0	0.00	OT	0
Bruce Miller	1	2014	27	7	4	61	42	5	1	0.11	FB	0
Jed Collins	0	2014	28	0	4	63	28	3	0	0.05	FB	0
Josh McNary	1	2014	26	0	2	20	4	1	3	0.35	LB	0
Steven Johnson	0	2014	26	0	3	41	7	2	4	0.24	LB	0
Junior Galette	1	2014	26	0	5	64	30	13	5	0.36	LB	0
Vincent Rey	0	2014	27	0	5	66	17	8	7	0.33	LB	0
Jonathan Dwyer	1	2014	25	6	4	36	6	6	2	0.28	RB	0
Jacquizz Rodgers	0	2014	24	5	3	47	4	10	5	0.43	RB	0
Quincy Enunwa	1	2014	22	6	1	1	0	0	0	0.00	WR	0
Robert Herron	0	2014	22	6	1	8	0	0	0	0.00	WR	0
Ray McDonald	1	2013	29	3	7	101	54	25	7	0.39	DE	0
Mathias												
Kiwanuka	0	2013	30	1	8	109	71	32	6	0.40	DE	0
Greg Hardy	1	2013	26	6	5	63	40	13	14	0.65	DE	1
Jason Pierre Paul	0	2013	25	1	3	59	33	26	5	0.61	DE	1
Ray Rice	1	2013	26	2	6	92	80	66	4	0.80	RB	1

Jamaal Charles	0	2013	27	3	6	77	48	39	16	0.92	RB	1
AJ Jefferson	1	2013	25	0	4	43	14	7	1	0.21	CB	0
Robert McClain	0	2013	25	7	4	41	9	4	3	0.24	CB	0
Daryl												
Washington	1	2012	26	2	3	47	41	14	17	1.02	LB	1
Jerod Mayo	0	2012	26	2	5	75	73	36	10	0.75	LB	1
William Moore	1	2012	27	2	4	42	38	12	8	0.67	S	1
Thomas Decoud	0	2012	27	2	5	64	53	21	10	0.64	S	1
Amari Spivey	1	2012	24	3	3	35	26	11	1	0.37	S	0
Don Carey	0	2012	25	6	3	29	16	3	3	0.31	S	0
Leroy Hill	1	2012	30	3	8	97	89	38	7	0.54	LB	0
Rocky McIntosh	0	2012	30	2	7	108	78	38	5	0.44	LB	0
Chris Rainey	1	2012	25	5	1	16	0	0	1	0.13	RB	0
Baron Batch	0	2012	24	0	1	12	0	0	1	0.17	RB	0
Robert Sands	1	2012	23	5	2	1	0	0	0	0.00	S	0
Tracy Wilson	0	2012	23	0	2	14	0	0	0	0.00	S	0
Bryan Thomas	1	2012	33	1	11	157	104	57	6	0.44	LB	0

Will												
Witherspoon	0	2012	33	3	11	173	150	70	3	0.44	LB	0
Chad Johnson	1	2011	33	3	11	166	135	101	3	0.64	WR	1
TJ												
Houshmanzadeh	0	2011	34	7	11	146	92	65	1	0.46	WR	1
Dez Bryant	1	2011	24	1	2	27	15	7	8	0.85	WR	1
Hakeem Nicks	0	2011	24	1	3	42	33	16	10	0.86	WR	0
Albert McClellan	1	2011	26	0	1	16	1	0	2	0.25	LB	0
Eugene Sims	0	2011	26	6	2	25	0	1	1	0.12	LB	0
Erik Walden	1	2011	26	6	4	53	17	4	7	0.34	LB	0
Joe Mays	0	2011	26	0	4	41	18	3	6	0.37	LB	0
Chris Cook	1	2011	24	2	2	12	8	2	1	0.33	CB	0
Kyle Wilson	0	2011	24	1	2	32	12	3	3	0.28	CB	0
Ryan McBean	1	2011	27	4	3.5	37	18	8	1.5	0.30	DT	0
Antonio Johnson	0	2011	27	5	3.5	45	27	10	1	0.27	DT	0
Brandon												
Underwood	1	2010	24	6	2	23	0	1	1	0.13	CB	0
Ryan Mouton	0	2010	24	3	2	23	2	2	0	0.09	CB	0

Albert												
Haynesworth	1	2010	30	1	9	110	86	62	0	0.56	DT	1
Shaun Rogers	0	2010	31	2	10	140	124	65	2	0.49	DT	1
Kevin Alexander	1	2010	23	0	1	8	0	0	0	0.00	LB	0
Lee Robinson	0	2010	23	0	1	3	0	0	0	0.00	LB	0
Perrish Cox	1	2010	23	5	1	15	9	0	3	0.40	CB	0
EJ Biggers	0	2010	23	7	1	16	6	0	3	0.38	CB	0
Will Smith	1	2010	29	1	7	109	90	43	8	0.54	DE	1
Darnell Dockett	0	2010	29	3	7	111	110	54	10	0.67	DE	1
Brandon												
Underwood	1	2009	23	6	1	11	0	0	1	0.18	CB	0
Ryan Mouton	0	2009	23	5	1	12	0	0	1	0.17	CB	0
Phillip Merling	1	2009	24	2	2	32	4	3	2	0.22	DE	0
Andre Fluellen	0	2009	24	3	2	22	5	1	2	0.23	DE	0
Leroy Hill	1	2009	27	3	5	67	61	25	4	0.49	LB	0
Kirk Morrison	0	2009	27	3	5	80	79	30	7	0.55	LB	0
Tony McDaniel	1	2009	24	0	4	41	3	3	1	0.12	DT	0
Marcus Thomas	0	2009	24	0	3	48	21	8	0	0.17	DT	0

Jermaine Phillips	1	2009	30	5	8	96	74	36	1	0.40	S	0
Eugene Wilson	0	2009	29	2	7	96	86	28	3	0.35	S	0
Richard Quinn	1	2009	23	2	0.125	2	0	0	0	0.00	TE	0
Travis Beckum	0	2009	22	3	0.125	2	0	0	0	0.00	TE	0
Shawne												
Merriman	1	2008	25	1	4	43	38	32	0	0.74	LB	1
DJ Williams	0	2008	26	1	5	59	47	33	4	0.69	LB	0
Quinn Ojinnaka	1	2008	24	5	3	30	7	5	1	0.23	OT	0
Marcus Johnson	0	2008	24	2	4	47	18	9	1	0.23	OT	0
Cornell Green	1	2008	32	0	6	77	34	16	5	0.34	OT	0
Jonas Jennings	0	2008	31	3	8	75	75	32	1	0.45	OT	0
Brandon												
Marshall	1	2008	24	4	3	46	32	15	11	0.80	WR	1
Greg Jennings	0	2008	25	2	3	43	39	14	12	0.88	WR	1
Willie Andrews	1	2007	24	7	2	30	0	1	2	0.17	CB	0
TJ Rushing	0	2007	24	7	2	20	0	0	2	0.20	CB	0
Michael Boley	1	2007	25	5	3	48	40	12	8	0.58	LB	0
Kirk Morrison	0	2007	25	3	3	48	47	15	8	0.65	LB	0

Kalvin Pearson	1	2007	29	0	4	51	2	2	2	0.12	S	0
Jarrold Cooper	0	2007	29	5	7	87	10	8	1	0.11	S	0
Rocky Bernard	1	2007	28	5	6	88	39	19	7	0.38	DT	0
Larry Tripplett	0	2007	28	2	6	92	62	22	7	0.39	DT	0
Cedrick Wilson	1	2007	29	6	7	100	33	21	3	0.27	WR	0
Justin McCareins	0	2007	29	4	7	100	57	31	2	0.35	WR	0
James Harrison	1	2007	29	0	5	60	24	9	15	0.65	LB	1
Cato June	0	2007	28	6	5	72	59	26	8	0.58	LB	1
Brandon												
Marshall	1	2007	23	4	2	31	17	3	12	0.87	WR	1
Greg Jennings	0	2007	23	2	2	27	24	5	9	0.85	WR	1
Fabian												
Washington	1	2007	24	1	3	45	28	9	2	0.29	CB	0
Eric Green	0	2007	25	3	3	38	24	6	3	0.32	CB	0
Jerome Mathis	1	2007	24	4	3	17	0	3	1	0.29	WR	0
Sinorice Moss	0	2007	24	2	2	19	2	0	2	0.21	WR	0
Daniel Graham	1	2007	29	1	6	78	64	14	2	0.23	TE	0
Jerramy Stevens	0	2007	28	1	6	85	29	14	2	0.21	TE	0

Claude Terrell	1	2007	25	4	2	20	13	5	1	0.35	OG	0
Jonathan Scott	0	2007	24	5	2	20	6	3	1	0.25	OG	0
Najeh Davenport	1	2007	27	4	5	59	2	13	3	0.32	RB	0
Tony Fisher	0	2007	27	0	5	68	5	13	2	0.25	RB	0
Claude Wroten	1	2006	23	3	1	15	0	0	1	0.13	DT	0
Julian Jenkins	0	2006	23	5	1	12	0	0	1	0.17	DT	0
AJ Nicholson	1	2006	23	5	1	2	0	0	0	0.00	LB	0
Terna Nande	0	2006	23	5	1	1	0	0	0	0.00	LB	0
Brandon												
Marshall	1	2006	22	4	1	15	1	0	3	0.40	WR	1
Demetrius												
Williams	0	2006	23	4	1	16	0	0	4	0.50	WR	0
Donte Whitner	1	2006	21	1	1	15	14	0	6	0.80	S	1
Antoine Bethea	0	2006	22	6	1	14	14	0	5	0.71	S	0
Robert Reynolds	1	2006	25	5	3	33	2	2	0	0.06	LB	0
Jim Maxwell	0	2006	25	0	3	33	1	2	1	0.12	LB	0
Markus Curry	1	2006	25	0	1	2	0	0	0	0.00	CB	0
Michael Bragg	0	2006	25	0	1	4	0	0	0	0.00	CB	0

Dwight Smith	1	2005	27	3	5	78	63	19	6	0.40	S	0
Kenoy Kennedy	0	2005	28	2	6	89	59	24	6	0.40	S	0
Randy Starks	1	2005	22	3	2	30	24	4	6	0.53	DT	1
Mike Patterson	0	2005	22	1	1	16	7	0	5	0.63	DT	0
Jammal Brown	1	2005	24	1	1	13	13	0	5	0.77	OT	0
Alex Barron	0	2005	23	1	1	12	11	0	6	1.00	OT	0
Frostee Rucker	1	2006	24	3	0	0	0	0	0	0.00	DE	0
Quentin Moses	0	2006	24	3	0	0	0	0	0	0.00	DE	0
Santonio Holmes	1	2005	22	1	1	0	0	0	0	0.00	WR	0
Steve Smith	0	2005	22	1	1	0	0	0	0	0.00	WR	0
Reuben												
Droughns	1	2005	27	3	5	72	38	13	10	0.46	RB	0
Lamont Jordan	0	2005	27	2	5	76	14	13	11	0.46	RB	0
Bryce Fisher	1	2005	28	7	5	65	32	11	8	0.42	DE	0
Chike Okeafor	0	2005	28	7	7	105	67	27	8	0.41	DE	0
Damion												
McIntosh	1	2005	28	3	6	71	57	25	8	0.58	OT	0
Jeno James	0	2005	28	6	6	85	68	18	8	0.40	OT	0

Sean Locklear	1	2005	24	3	2	32	16	1	8	0.53	OT	0
Vernon Carey	0	2005	24	1	2	30	16	1	7	0.50	OT	0
Lional Dalton	1	2005	30	0	8	110	55	21	6	0.30	DT	0
ND Kalu	0	2005	30	5	8	104	26	18	5	0.27	DT	0
Larry Johnson	1	2005	26	1	2.5	20	4	8	4	0.80	RB	0
Deshaun Foster	0	2005	26	2	2.5	21	6	8	3	0.67	RB	0
Kevin Williams	1	2004	25	1	2	32	32	7	11	0.91	DT	1
John Henderson	0	2004	25	1	3	48	45	15	14	0.90	DT	1
Randy												
McMichael	1	2004	25	4	3	48	48	12	6	0.50	TE	0
LJ Smith	0	2004	24	2	2	31	13	4	4	0.39	TE	0
Sam Brandon	1	2004	25	3	3	41	12	7	1	0.22	S	0
Bwahoe Jue	0	2004	25	6	3	51	11	6	2	0.20	S	0
Nick Harper	1	2004	30	0	4	59	30	8	5	0.31	CB	0
Kelly Herndon	0	2004	28	0	3	45	27	7	6	0.42	CB	0
Tyrone Calico	1	2004	24	2	2	15	2	3	0	0.20	WR	0
Willie Ponder	0	2004	24	6	2	15	0	0	1	0.13	WR	0
Ahman Green	1	2004	27	3	7	107	72	65	11	0.81	RB	1

Shaun Alexander	0	2004	27	1	5	80	60	40	13	0.83	RB	1
Brad Hopkins	1	2004	34	1	12	179	173	85	6	0.54	OT	1
Ron Stone	0	2004	33	4	11	157	126	66	8	0.52	OT	1
Samari Rolle	1	2004	28	2	7	101	86	49	4	0.56	CB	1
Fernando Bryant	0	2004	27	1	6	82	81	34	4	0.51	CB	0
Willie												
Middlebrooks	1	2004	25	1	4	51	2	2	2	0.12	CB	0
Jamar Fletcher	0	2004	25	1	4	50	6	4	1	0.12	CB	0
Randy												
McMichael	1	2003	24	4	2	32	32	6	6	0.56	TE	0
LJ Smith	0	2003	23	2	1	15	5	0	4	0.53	TE	0
Sam Brandon	1	2003	24	4	2	32	12	2	5	0.38	S	0
Derrick Gibson	0	2003	24	1	3	47	25	5	5	0.32	S	0
Larry Johnson	1	2003	24	1	1	6	0	0	1	0.33	RB	0
Tatum Bell	0	2003	23	2	1	14	0	0	3	0.43	RB	0
Wayne Hunter	1	2002	23	3	0	0	0	0	0	0.00	OT	0
Stacy Andrews	0	2002	23	4	0	0	0	0	0	0.00	OT	0
Dwayne Carswell	1	2002	30	0	9	125	58	13	2	0.14	TE	1

Byron												
Chamberlain	0	2002	31	7	8	102	24	14	4	0.22	TE	1
Michael Pittman	1	2002	27	4	5	72	43	19	7	0.46	RB	0
Kevin Faulk	0	2002	26	2	4	57	12	14	8	0.53	RB	0
Cosey Coleman	1	2002	24	2	2.5	31	23	9	3	0.48	OG	0
Stockar												
McDougale	0	2002	25	1	2.5	23	16	5	2.5	0.43	OG	0
Chris Terry	1	2001	26	2	3	47	47	17	5	0.57	OT	0
Randy Thomas	0	2001	25	2	3	45	45	13	6	0.56	OT	0
Derrick Rodgers	1	2001	30	3	5	77	73	28	6	0.52	LB	0
Ronald												
McKinnon	0	2001	28	0	6	93	77	27	8	0.46	LB	0
Dominic Rhodes	1	2001	22	0	1	15	10	12	0	0.80	RB	0
Kevan Barlow	0	2001	22	3	0	15	0	8	0	0.53	RB	0
Bobby Hamilton	1	2001	30	0	6	86	43	17	9	0.41	DE	0
Oliver Gibson	0	2001	29	4	7	108	48	18	8	0.31	DE	0
Travis Henry	1	2001	23	2	0.5	7	6	2	0	0.29	RB	1

Correll												
Buckhalter	0	2001	23	4	0.5	8	3	2.5	0	0.31	RB	0
Vaughn Booker	1	2000	32	0	7	95	61	34	4	0.44	DE	0
Dan Williams	0	2000	31	1	7	87	64	30	5	0.46	DE	0
Michael Pittman	1	2000	25	4	3	41	14	4	8	0.49	RB	0
James Allen	0	2000	25	0	3	34	30	3	7	0.50	RB	0
Michael Pittman	1	2000	25	4	3	41	14	4	8	0.49	RB	0
James Allen	0	2000	25	0	3	34	30	3	7	0.50	RB	0
Victor Riley	1	2000	26	1	3	48	47	15	9	0.69	OT	0
Tra Thomas	0	2000	26	1	3	48	47	10	9	0.58	OT	0
Terry Glenn	1	2000	26	1	5	64	62	34	8	0.78	WR	1
Eric Moulds	0	2000	27	1	5	78	58	41	10	0.78	WR	1
Dwayne Carswell	1	2000	28	0	7	93	35	5	5	0.16	TE	1
Byron												
Chamberlain	0	2000	29	7	6	73	0	5	3	0.15	TE	1
Dana												
Stubblefield	1	1999	29	1	7	100	97	57	7	0.71	DT	1
Michael McCrary	0	1999	29	7	7	89	60	29	13	0.62	DT	1

Corey Dillon	1	1999	25	2	3	46	36	21	10	0.89	RB	1
Warrick Dunn	0	1999	24	1	3	47	41	26	10	0.98	RB	1
Mario Bates	1	1999	26	2	6	85	43	19	1	0.25	RB	0
Charles Way	0	1999	27	6	5	75	55	15	1	0.23	RB	0
Steve Foley	1	1999	24	3	2	26	17	1	5	0.42	LB	0
Darren Hambrick	0	1999	24	5	2	30	12	1	7	0.50	LB	0
Rod Smith	1	1999	29	0	5	73	49	36	9	0.74	WR	1
Antonio Freeman	0	1999	27	3	5	70	58	40	9	0.83	WR	1

Appendix C

TABLE 5 Multilevel model fixed effects estimates, lower start percentage players removed (exponentiated)

	Estimate		Est.Error	95% credible interval		95% credible interval	
Intercept	1.314	(3.720)	0.162	0.984	1.640	(2.676)	(5.156)
Intervention year	-0.013	(0.987)	0.017	-0.046	0.020	(0.955)	(1.020)
Ray Rice	-0.196	(0.822)	0.247	-0.683	0.290	(0.505)	(1.336)
Arrested	0.257	(1.294)	0.165	-0.072	0.584	(0.931)	(1.793)
Before intervention seasons ^c	-0.047	(0.954)	0.053	-0.151	0.058	(0.860)	(1.059)
Before intervention seasons squared ^c	0.004	(1.004)	0.005	-0.006	0.014	(0.994)	(1.014)
**Age ^c	-0.092	(0.912)	0.038	-0.167	-0.017	(0.847)	(0.983)
Per-game approximate value ^s	0.092	(1.096)	0.066	-0.036	0.222	(0.964)	(1.248)
*After intervention approximate value ^s	0.147	(1.159)	0.082	-0.015	0.309	(0.985)	(1.363)
Before intervention start percentage ^c	-0.170	(0.844)	0.199	-0.563	0.217	(0.570)	(1.243)
After intervention start percentage ^c	0.268	(1.307)	0.243	-0.214	0.741	(0.807)	(2.099)
Draft round	0.031	(1.031)	0.020	-0.009	0.070	(0.991)	(1.073)
Repeat	0.032	(1.032)	0.081	-0.132	0.188	(0.877)	(1.207)
White	0.274	(1.316)	0.306	-0.338	0.847	(0.713)	(2.333)
Ray Rice:Arrested	-0.211	(0.810)	0.338	-0.889	0.445	(0.411)	(1.560)
Intervention year:Arrested	-0.012	(0.988)	0.023	-0.056	0.033	(0.945)	(1.034)
Before intervention seasons_c:Draft round	-0.001	(0.999)	0.007	-0.015	0.014	(0.985)	(1.014)

*denotes an effect within the 95% credibility intervals, ** denotes an effect within 90% credibility intervals

^c denotes that the variable was centered at its median

^s denotes that the variable was standardized

Appendix D

TABLE 7 Predicting Start Percentage and Approximate Value

	<i>Dependent variable:</i>			
	After intervention start percentage		After intervention per-game AV_s	
	(1)	(2)	(3)	(4)
Arrested	0.025 (0.050)	0.006 (0.022)	0.058 (0.131)	-0.004 (0.055)
Before intervention per-game AV		-0.104*** (0.020)		0.404*** (0.045)
After intervention per- game AV		0.341*** (0.015)		
After intervention start percentage				2.021*** (0.091)
Before intervention start percentage		0.387*** (0.054)		-0.846*** (0.136)
Age		0.004 (0.004)		-0.014 (0.011)
Intervention year		0.001 (0.003)		-0.029*** (0.008)
Draft round		-0.002 (0.005)		0.0001 (0.013)
White		-0.020 (0.055)		0.036 (0.134)
Ray Rice		-0.045 (0.044)		0.289*** (0.105)
Constant	0.452*** (0.036)	0.475*** (0.036)	-0.029 (0.093)	0.178** (0.087)
Observations	234	233	234	233
R ²	0.001	0.810	0.001	0.833

Adjusted R ²	-0.003	0.802	-0.003	0.827
Residual Std. Error	0.385 (df = 232)	0.171 (df = 223)	1.002 (df = 232)	0.416 (df = 223)
F Statistic	0.241 (df = 1; 232)	105.662*** (df = 9; 223)	0.197 (df = 1; 232)	123.863*** (df = 9; 223)
<i>Note:</i>			*p<0.1; **p<0.05; ***p<0.01	

Appendix E – Interview Schedules

A. Questions for Decision Makers

1. What is your current role in the NBA/NFL?
2. How long have you been in this role? What have you done before this?
3. What role do you have in team player evaluation and decision-making?
4. How many people are generally involved in player acquisition decisions?
5. When drafting players, what factors are examined in deciding who to pick?
6. What is the relative weight of each of these factors?
7. In drafting decisions, how much stock is put into seeing a player in person, versus seeing them on film or looking at their statistics? How important is in-person scouting to your team?
8. During the drafting process, how much importance does player personality have?
 - a. How does your team gather information about player personality?
 - b. How much importance does off the field/court misbehavior have in drafting decisions?
9. What factors are examined in decisions about acquiring players via trade or free agency?
 - a. How do you gather information about players personalities and off-court characteristics?
10. For trading or free agency purposes, how much importance does player personality have?
 - a. How do teams gather information about player personality?

- b. How much importance does off the field/court misbehavior have in drafting decisions?
- 11. Does your team try to have a conversation with every player before they are drafted?
- 12. Does your team try to have a conversation with every player before they are acquired?
- 13. How much research goes into the personal background of players in the drafting process? What about in acquiring players?
 - a. Do rumors about behaviour or off the court/field incidents matter? How much?
- 14. Do prior criminal arrests matter? How much?
 - a. How much does the specific type of arrest matters (i.e. drug possession vs assault)
 - b. How much does the result of the legal proceedings matter (i.e. a dropped charge vs. a conviction vs. a plea deal)
 - c. How does the media and fan response surrounding player criminality impact your decision-making process?
- 15. Who has the final say in draft decisions?
- 16. Who has the final say in decisions about acquiring players?
- 17. If a talented player was available to acquisition at a fair price or even below market rate, but they have a history of negative behaviour off the court/field, would your team acquire them?

18. Do you or other teams use negative behavior as a market inefficiency, to acquire talented players at a lower market value?

B. Questions for Journalists

1. What is your current position?
2. What other roles have you had in journalism?
3. When teams draft players, what factors are examined in deciding who to pick?
4. What is the relative weight of each of these factors?
5. In talent evaluation for the draft, do teams care more about statistics or their in person/film scouting?
6. During the drafting process, how much importance does player personality have?
 - a. How do teams gather information about player personality
 - b. How much importance does off the field/court misbehavior have in drafting decisions?
7. When teams make player acquisition (trade, free agency), what factors are examined by teams?
8. What is the relative weight of each of these factors?
9. In talent evaluation for player acquisition, do teams care more about statistics or their in person/film scouting?
10. For trading or free agency purposes, how much importance does player personality have?
 - a. How do teams gather information about player personality?
 - b. How much importance does off the field/court misbehavior have in drafting decisions?
11. How much research goes into the personal background of players in the drafting process? What about in acquiring players?

- a. Do rumors about behaviour or off the court/field incidents matter? How much?

12. Do prior criminal arrests matter? How much?

- a. How much does the specific type of arrest matters (i.e. drug possession vs assault)
- b. How much does the result of the legal proceedings matter (i.e. a dropped charge vs. a conviction vs. a plea deal)
- c. How does the media and fan response surrounding player criminality impact your decision making process?

13. If a talented player was available to acquisition at a fair price or even below market rate, but they have a history of negative behaviour off the court/field, do you believe the team you cover would acquire them? Do you believe most teams would acquire them?

- a. Why or why not?
- b. What factors into this decision?

14. Do you believe teams use negative behavior as a market inefficiency, to acquire talented players at a lower market value?

Appendix F – Recruitment message

*Please note that messages must be kept brief due to a 300 character limit on LinkedIn's connection message platform.

I am a PhD student and college basketball coach at McGill University in Montreal. I am conducting an academic study (completely confidential and backed by research ethics board) about how teams make player acquisition/drafting decisions. Would you be willing to participate in a short interview?

Appendix G – Verbal Consent Script

Dear Participant,

Thank you for agreeing to participate in our research study titled *Player evaluation and player acquisition strategies in the NBA and NFL* that is conducted by PhD candidate Daniel Sailofsky and Dr. Eran Shor at McGill University, and has been approved by the McGill University Research Ethics Board. The purpose of this research is to examine how NBA and NFL teams make player evaluation and player acquisition decisions, and how they weigh different factors in these decisions.

Your participation in this study will involve a 30-minute telephone interview related to your involvement with the NBA/NFL. With your consent, the interview will be audiotaped with a digital recorder. You may request that this audiotaping be stopped at any point during the interview. Your participation in this study is entirely voluntary. The researcher will do everything possible to ensure confidentiality. No personal, identifying information will be included in the subsequent dissemination of its findings. We request that no identifying information be revealed about a specific person or situation.

The findings of this research will be used for conference presentations, academic articles, and for the primary researcher's (Daniel Sailofsky) dissertation. The primary researcher and a professional transcriber will have access to the audiotaped data. The transcriber will be required to sign a confidentiality agreement. The audiotape will be deleted after transcription, and the transcribed notes will be stored in password-protected files on the password-protected computers of the primary researcher for five years. The transcriptions will be deleted after five years.

To better ensure the confidentiality of your participation in this interview, you will not be asked to sign this informed consent form. I will ask for your verbal consent to participate in the interview. You may choose to withdraw at any point during the interview or in the two weeks that follow, and decline to answer any questions that you do not feel comfortable answering. If you choose to withdraw from the study after the interview, the decision will be yours as to whether or not the interview data already collected will be used in the study. No transcripts will be sent to you following the interview unless requested at the time of the interview.

By providing **verbal consent**, you are indicating that you have read and understood the contents of this letter, understand the risks and benefits involved in participating in the study, and that you agree to participate in a 30-minute interview. I will also ask for your verbal consent to have the interview audiotaped.

Questions/Concerns:

If you have any further questions or require clarification on any aspects of the research and/or your participation, please contact:

Daniel Sailofsky

Doctoral Student, Sociology

McGill University

845 Sherbrooke St. W

Montreal, Qc, H3A 0G4

If you have any other questions related to the ethics of the research and would like to speak to someone outside of the research team, please feel free to contact the McGill REB office at 514-398-3996 or Deanna.collin@mcgill.ca