

Testimony for Public Hearing
United States Senate
Committee on Commerce, Science and Transportation
Russell Senate Office Building, Room 253
Washington, DC 20510-6125



NFL PLAYERS
ASSOCIATION

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Good afternoon Mr. Chairman and members of the Committee. My name is Teri Patterson and I serve as the Deputy Managing Director of the NFL Players Association whom I represent here on the panel today. We greatly appreciate the Committee's interest in the critical issue of domestic violence. We always welcome the opportunity to meet with any Members of the Committee to discuss the issues concerning our sport. We have seen in the past that the leadership of elected officials brought thoughtful and meaningful change to our sport, for example, concussions. We have worked with and supported members of this committee as they continued to push for better standards to protect athletes that participate in football on all levels.

We are here today to address your concerns surrounding domestic violence in professional sports. Neither our players nor the NFLPA condone domestic violence in any form. We understand the significance of our position, both for society at large and more importantly, for the families and individuals involved. Any incident of domestic violence by any player is too many, but it does not and should not reflect on the overwhelming majority of our members who contribute to their communities in countless ways. This week, for example, you will see players out in the community with many of your constituents and their children, as part of the Play60 campaign. For more examples of the extraordinary things our players do in the community, particularly during this Holiday season, please visit this link: <https://nflpa.com/news/all-news/nfl-players-give-back-for-thanksgiving-2>.

We believe that a comprehensive system of education, prevention, intervention, and counseling will help us find solutions to lowering the instances of domestic violence that present themselves each and every year. Specifically related to our sport we believe that those tools combined with fair and appropriate discipline is the best way to achieve the goals of preventing incidents of domestic violence and assisting those involved. Unfortunately we have seen repeated instances where discipline under the Personal Conduct Policy of the NFL, implemented unilaterally by its Commissioner, has failed to get us closer to those solutions.

We have seen on more than one occasion when disciplinary matters are left solely to the NFL, the process is mismanaged and often the end result has not been able to withstand outside review. For example, in the “Bounty” incident in New Orleans, the Commissioner’s unilaterally imposed discipline was overturned not only by a system arbitrator but also by a former NFL Commissioner who was tasked with reviewing the NFL’s actions. In the more recently imposed discipline of Ray Rice, the Commissioner’s arbitrary discipline was also overturned after further review by a former federal judge appointed as a neutral arbitrator. The current system, run unilaterally by the NFL, simply does not work. It does not work for our members but we have heard from your constituents as well as I am sure you have that continue to express distrust and displeasure in the current system of discipline.

So we have been tasked by our membership to find solutions and to collectively bargain with the NFL for a better process. Accordingly, in early October of this year, we established a Blue Ribbon Commission to advise us on matters of domestic violence prevention, intervention and processes of discipline. Members of that commission are as follows:

Deborah Epstein

Professor of Law and Director of the Domestic Violence Clinic
Georgetown Law School

Sue Else

CEO

Girl Scouts of Historic Georgia

**Former President and CEO of the National Network to End Domestic Violence, Inc.

Steve Stenstrom

President

Professional Athletes Outreach

**Former Player

John Jenkins

Pastor

First Baptist Church of Glenarden

Joshua DuBois

Founder

Values Partnerships

Kathy Ruemmler

Partner

Latham & Watkins

**Former White House Counsel to Presidents Clinton and Obama

Virginia Seitz

Partner

Sidley Austin

**Former USDOJ Assistant Attorney General of the Office of Legal Counsel

Billy Dexter

Partner, Global Diversity Advisory Services Practice

Heidrick & Struggles

We submit, at this time for the record along with this testimony, the full biographical information on the members of our commission for your review. We pleased to see that a member of our NFLPA Commission, Virginia Seitz, will be testifying at the hearing today. With the assistance of experts and community leaders, we have started a meaningful dialogue with our membership on ways to create programming and policy to address these societal issues. We requested that the NFL join with us in appointing the members of the Commission and participating in the Commission's work. The NFL declined to do so but that did not stop us from moving ahead.

But we cannot move ahead in bargaining alone. We have attempted to engage the NFL in formal negotiations and bargaining to improve the Personal Conduct Policy and the processes by which it is to be administered. We provided the NFL with a fair proposal over three weeks ago and despite the receipt of a letter response only this past Sunday, November 30, 2014, the NFL still refuses to commit to collective bargaining. We believe that a jointly bargained system is the only way to ensure that professional football's approach to the issue of domestic violence has the credibility and effectiveness the fans, the sport's business partners, and our players have come to expect and respect such as our comprehensive drug related policies.

We remain fully committed addressing these issues in a meaningful way because that is the only way we can ensure change happens. We also remain ready to assist any Members of the Committee in improving the way domestic violence is addressed in our sport and in our country. Thank you again for your time and we look forward to answering any questions you may have for us.