



## **PERSONAL CONDUCT POLICY**

### **League Policies for Players**

### **2016**

It is a privilege to be part of the National Football League. **Everyone** who is part of the league must refrain from “conduct detrimental to the integrity of and public confidence in” the NFL. This includes owners, coaches, players, other team employees, game officials, and employees of the league office, NFL Films, NFL Network, or any other NFL business.

Conduct by anyone in the league that is illegal, violent, dangerous, or irresponsible puts innocent victims at risk, damages the reputation of others in the game, and undercuts public respect and support for the NFL. We must endeavor at all times to be people of high character; we must show respect for others inside and outside our workplace; and we must strive to conduct ourselves in ways that favorably reflect on ourselves, our teams, the communities we represent, and the NFL.

To this end, the league has increased education regarding respect and appropriate behavior, has provided resources for all employees to assist them in conforming their behavior to the standards expected of them, and has made clear that the league’s goal is to prevent violations of the Personal Conduct Policy. In order to uphold our high standards, when violations of this Personal Conduct Policy do occur, appropriate disciplinary action must follow.

This Personal Conduct Policy is issued pursuant to the Commissioner’s authority under the Constitution and Bylaws, Collective Bargaining Agreement and NFL Player Contract to address and sanction conduct detrimental to the league and professional football. It applies to players under contract; all rookie players selected in the NFL college draft and all undrafted rookie players, unsigned veterans who were under contract in the prior League Year; and other prospective players once they commence negotiations with a club concerning employment.

## **Expectations and Standards of Conduct**

It is not enough simply to avoid being found guilty of a crime. We are all held to a higher standard and must conduct ourselves in a way that is responsible, promotes the values of the NFL, and is lawful.

Players convicted of a crime or subject to a disposition of a criminal proceeding (as defined in this Policy) are subject to discipline. But even if the conduct does not result in a criminal conviction, players found to have engaged in any of the following conduct will be subject to discipline. Prohibited conduct includes but is not limited to the following:

- Actual or threatened physical violence against another person, including dating violence, domestic violence, child abuse, and other forms of family violence;
- Assault and/or battery, including sexual assault or other sex offenses;
- Violent or threatening behavior toward another employee or a third party in any workplace setting;
- Stalking, harassment, or similar forms of intimidation;
- Illegal possession of a gun or other weapon (such as explosives, toxic substances, and the like), or possession of a gun or other weapon in any workplace setting;
- Illegal possession, use, or distribution of alcohol or drugs;
- Possession, use, or distribution of steroids or other performance enhancing substances;
- Crimes involving cruelty to animals as defined by state or federal law;
- Crimes of dishonesty such as blackmail, extortion, fraud, money laundering, or racketeering;
- Theft-related crimes such as burglary, robbery, or larceny;
- Disorderly conduct;
- Crimes against law enforcement, such as obstruction, resisting arrest, or harming a police officer or other law enforcement officer;
- Conduct that poses a genuine danger to the safety and well-being of another person; and
- Conduct that undermines or puts at risk the integrity of the NFL, NFL clubs, or NFL personnel.

## **What Happens When a Violation of This Policy is Suspected?**

**Evaluation, Counseling, and Services** – Any player arrested or charged with violent or threatening conduct that would violate this policy will be offered a formal clinical evaluation, the cost of which will be paid by the league, and appropriate follow-up education, counseling, or treatment programs. These evaluations will be available at designated facilities around the country on a confidential basis. The player may select the particular provider at the designated facility.

The evaluation, counseling and other services are not disciplinary, but are instead intended to help and assist the player address the issues giving rise to the proceedings. The player's decision to make beneficial use of these clinical services will be considered a positive factor in determining eventual discipline if a violation is found, and his satisfactory participation in counseling, treatment, or therapy may mitigate the fine or suspension that might otherwise be imposed.

In appropriate cases (for example, cases involving domestic violence or child abuse), the league will make available assistance to victims and families, as well as the player. This assistance may include providing or direction to appropriate counseling, social and other services, clergy, medical professionals, and specialists in dealing with children and youth. These resources will be provided through specialized Critical Response Teams affiliated with the league office and club. These teams will develop standard protocols based on experts' recommendations of appropriate and constructive responses to reported incidents of violence, particularly incidents of domestic violence, child abuse, or sexual assault. These response teams will assist victims and families in matters of personal security and other needs following a reported incident. In addition, information about local non-league resources to help victims and family members will be provided to affected parties.

**Investigations** – Whenever the league office becomes aware of a possible violation of the Personal Conduct Policy, it will undertake an investigation, the timing and scope of which will be based upon the particular circumstances of the matter. Any such investigation may be conducted by NFL Security, independent parties, or by a combination of the two. In cases that are also being investigated by law enforcement, the league will work to cooperate with and to avoid any conflict or interference with the law enforcement proceedings.

In conducting investigations, the league office will make reasonable efforts to safeguard requests for confidentiality from witnesses and others with information. In addition, the league will not tolerate any retaliation against anyone who in good faith reports a possible violation or provides truthful information

during an investigation. Any person who directly or indirectly through others interferes in any manner with an investigation, including by retaliating or threatening to retaliate against a victim or witness, will face separate disciplinary action under this policy. Prohibited retaliation includes, but is not limited to: threats, intimidation, harassment, or any other adverse action threatened, expressly or impliedly, or taken against anyone who reports a violation or suspected violation of this Policy or who participates in an investigation of a complaint.

In investigating a potential violation, the league may rely on information obtained by law enforcement agencies, court records, or independent investigations conducted at the direction of the NFL. League and team employees including players are required to cooperate in any such investigation and are obligated to be fully responsive and truthful in responding to requests from investigators for information (testimony, documents, physical evidence, or other information) that may bear on whether the Policy has been violated. A failure to cooperate with an investigation or to be truthful in responding to inquiries will be separate grounds for disciplinary action. Players who are interviewed in the course of an investigation may be accompanied by an NFLPA representative as provided by Article 51, Section 11 of the CBA.

Because the Fifth Amendment's protection against self-incrimination does not apply in a workplace investigation, the league will reserve the right to compel a player to cooperate in its investigations even when he is the target of a pending law enforcement investigation or proceeding. A player's refusal to speak to a league investigator under such circumstances will not preclude an investigation from proceeding or discipline from being imposed.

**Leave with Pay** – A player may be placed on paid administrative leave pursuant to the Commissioner Exempt List under either of the following circumstances:

First, when a player is formally charged with a crime of violence, meaning that he is accused of having used physical force or a weapon to injure or threaten another person, of having engaged in a sexual assault by force or a sexual assault of a person who was incapable of giving consent, of having engaged in other conduct that poses a genuine danger to the safety or well-being of another person, or of having engaged in animal abuse. The formal charges may be in the form of an indictment by a grand jury, the filing of charges by a prosecutor, or an arraignment in a criminal court.

Second, when an investigation leads the Commissioner to believe that a player may have violated this Policy by committing any of the conduct identified above, he may act where the circumstances and

evidence warrant doing so. This decision will not reflect a finding of guilt or innocence and will not be guided by the same legal standards and considerations that would apply in a criminal trial.

In cases in which a violation relating to a crime of violence is suspected but further investigation is required, the Commissioner may determine to place a player on the Commissioner Exempt List on a limited and temporary basis to permit the league to conduct an investigation. Based on the results of this investigation, the player may be returned to duty, be placed on the Commissioner Exempt List for a longer period, or be subject to discipline.

A player who is placed on the Commissioner Exempt List may not practice or attend games, but with the club's permission he may be present at the club's facility on a reasonable basis for meetings, individual workouts, therapy and rehabilitation, and other permitted non-football activities.

A player placed on the Commissioner Exempt List will be notified promptly in writing with a copy to the NFLPA. Within three (3) business days following such notification, the player, or the NFLPA with the player's approval, may appeal his placement in writing to the Commissioner. Appeals of placement on the Commissioner Exempt List will be processed pursuant to Article 46 of the Collective Bargaining Agreement.

Leave with pay will generally last until the league makes a disciplinary decision and any appeal from that discipline is fully resolved.

**Discipline** – A player violates this policy when he has a disposition of a criminal proceeding (as defined), or if the league's investigation demonstrates that he engaged in conduct prohibited by the Personal Conduct Policy. In cases where a player is not charged with a crime, or is charged but not convicted, he may still be found to have violated the Policy if the credible evidence establishes that he engaged in conduct prohibited by this Personal Conduct Policy.

A disciplinary officer, a member of the league office staff who will be a highly-qualified individual with a criminal justice background, will follow the process outlined below to investigate a potential violation, produce a report and if desired present a disciplinary recommendation for the Commissioner's consideration. The Commissioner will review the report (and recommendation if presented) and determine the appropriate discipline, if any, to be imposed on the player.

To assist in evaluating a potential violation, expert and independent advisors may be consulted by the disciplinary officer, the Commissioner, and others as needed. Such advisors may include former

players and others with appropriate backgrounds and experience in law enforcement, academia, judicial and public service, mental health, and persons with other specialized subject matter expertise. Any experts or advisors consulted in this respect may provide advice and counsel or testimony as appropriate, but will not make any disciplinary determinations.

Players who are subject to discipline will be given notice of the potential violation for which discipline may be imposed. The player will be furnished with the records and other reports that were relied on in addressing the matter, including records from law enforcement and a copy of any investigatory report and any documents relied upon by a league investigator in generating the report. The player will be permitted to submit information in writing to rebut or otherwise respond to the report. In addition, he will have the opportunity to meet with the disciplinary officer in advance of discipline being imposed. In cases where there has been a criminal disposition, the underlying disposition may not be challenged in a disciplinary hearing and the court's judgment and factual findings shall be conclusive and binding, and only the level of discipline will be at issue. Notwithstanding, the player will be free to offer facts regarding the disposition that may mitigate the discipline imposed, as was permitted in previous versions of this policy.

Following review, the Commissioner, either directly or through a member of his staff, will communicate his decision to the player regarding any disciplinary action to be taken. Depending on the nature of the violation and the player's record, discipline may be a fine, a suspension for a fixed or an indefinite period of time, a combination of the two, or banishment from the league with an opportunity to reapply. Discipline may also include a probationary period and conditions that must be met for reinstatement and to remain eligible to participate in the league. Repeat offenders will be subject to enhanced and/or expedited discipline, including banishment from the league with an opportunity to reapply. In determining discipline, both aggravating and mitigating factors will be considered. Reference also may be made to requirements to seek ongoing counseling, treatment, or therapy where appropriate as well as the imposition of enhanced supervision, which upon satisfactory compliance would serve to mitigate the discipline otherwise imposed.

Ownership and club or league management have traditionally been held to a higher standard and will be subject to more significant discipline when violations of the Personal Conduct Policy occur.

With regard to violations of the Personal Conduct Policy that involve: (i) criminal assault or battery (felony); (ii) domestic violence, dating violence, child abuse and other forms of family violence; or (iii) sexual assault involving physical force or committed against someone incapable of giving consent, a first

offense will subject the offender to a baseline suspension without pay of six games, with consideration given to any aggravating or mitigating factors. The presence of possible aggravating factors may warrant a longer suspension. Possible aggravating factors include, but are not limited to, a prior violation of the Personal Conduct Policy, similar misconduct before joining the NFL, violence involving a weapon, choking, repeated striking, or when an act is committed against a particularly vulnerable person, such as a child, a pregnant woman, or an elderly person, or where the act is committed in the presence of a child. A second offense will result in permanent banishment from the NFL. An individual who has been banished may petition for reinstatement after one year, but there is no presumption or assurance that the petition will be granted.

Appeals of any disciplinary decision will be processed pursuant to Article 46 of the CBA.

**Reporting** – Clubs and players are obligated to promptly report any matter that comes to their attention (through, for example, victim or witness reports, law enforcement, or media reports) that may constitute a violation of this Policy. Clubs are expected to educate their employees on this obligation to report. Club reports should be made to NFL Security or Adolpho Birch of the Management Council legal staff. Questions about whether an incident triggers a reporting obligation should be directed to Adolpho Birch or Lisa Friel of the league office.

Failure to report an incident will be grounds for disciplinary action. This obligation to report is broader than simply reporting an arrest; it requires reporting to the league any incident that comes to the club's or player's attention which, if the allegations were true, would constitute a violation of the Personal Conduct Policy.

It is important to remember that the obligation to report is a continuing one, and is not satisfied simply by making an initial report of an incident. The obligation includes reporting on a timely basis all information of which a club or player becomes aware. If a club learns additional information, including but not limited to information regarding the nature of an incident, the identity of witnesses, statements regarding the incident (including by the accused), or the existence of evidentiary material (such as documents, electronic communications such as emails or text messages, medical reports, photographs, audio or video recordings, or social media activity), it must promptly report that information to the league office.

Anyone who believes that he or she is a victim of conduct that violates the Personal Conduct Policy or who learns of or witnesses such conduct is strongly encouraged to report the matter to the club or the

league office. Reports will be addressed promptly and confidentially, and the Critical Response Teams will be available to address issues regarding victim and family security and other support services. Any player with questions regarding either this reporting obligation or any other aspect of this Personal Conduct Policy may contact his club's Director of Security, Director of Player Engagement, the NFLPA, or the NFL Management Council.

**Conduct Committee** – To ensure that this policy remains current and consistent with best practices and evolving legal and social standards, the Commissioner has named a Conduct Committee. This committee will be made up of NFL owners, who will review this policy at least annually and recommend any appropriate changes in the policy, including investigatory practices, disciplinary levels or procedures, or service components. The committee will receive regular reports from the disciplinary officer, and may seek advice from current and former players, as well as a broad and diverse group of outside experts regarding best practices in academic, business, and public sector settings, and will review developments in similar workplace policies in other settings.

**Definitions –**

“Disposition of a Criminal Proceeding” – Includes an adjudication of guilt or admission to a criminal violation; a plea to a lesser included offense; a plea of nolo contendere or no contest; or the disposition of the proceeding through a diversionary program, deferred adjudication, disposition of supervision, conditional dismissal, or similar arrangements.

“Probationary Period” – Players found to have violated this policy may be placed on a period of probation as determined by the Commissioner. During such period, restrictions on certain activities, limitations on participation in Club activities, or other conditions may be imposed. Failure to comply with such conditions may result in additional discipline including an extension of the period of suspension.

“Repeat Offenders” – Players who have had previous violations of law or of this policy may be considered repeat offenders. When appropriate, conduct occurring prior to the player's association with the NFL will be considered.

“Workplace Setting” – The workplace setting means any location or conveyance used in connection with NFL activities, including the club facility, training camp, stadium, locker room, location at which a club-sponsored event takes place, and while traveling on team or NFL-related business.