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# Rice Decision

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How surprising was it when the arbitrator in the Ray Rice case ruled that Roger Goodell had acted "arbitrary in his discretion," and had punished Rice twice for the same offense? In addition when Goodell claimed that Ray Rice misled him about the severity of the incident, the arbitrator found otherwise. Goodell was fully apprised by Rice as to the severity of the incident.

A football term comes to mind, as this was not the first "fumble" of Goodell's tenure as Commissioner. The list, in fact, is growing. It should not be surprising that for someone whose primary mission as Commissioner is to "Protect the Shield," that his compass spins with the shifting and swirling winds in public opinion. This is particularly true when that same person is a self-appointed guardian of standards of conduct, when those standards are not clear, and when the guardian seems to be making those standards up with each shift in the winds.

The first conduct case came in Goodell's first year as Commissioner when the New England Patriots were found spying on their opponents. Goodell put the hammer down, or so it seemed to some, fining the Patriots $250,000, taking away a first round draft pick, and fining Coach Belechick $500,000. Goodell than destroyed the tapes before any other questions could be asked about the extent of this practice in New England and across the NFL.

Also in Goodell's first year three dozen players were arrested for assorted offenses and that led the Commissioner to announce that he was strengthening the league conduct policy to allow him to discipline teams, players, and league and team personnel. A not guilty verdict in a courtroom was not good enough, he declared, as NFL personnel would be held to a higher standard. It was nearly perfect PR.

Next came the Michael Vick dog-fighting case and here the Commissioner moved cautiously allowing the court cases to move to conclusion before suspending Vick. After serving time in prison Vick sought reinstatement in the NFL and again Goodell acted with caution and reinstated Vick. Public fallout was minimal.

In 2010 Pittsburgh Steeler quarterback Ben Roethlisberger was charged with sexual assault of a twenty-one year old female college student in a bar in Milledgeville, Georgia. Throughout the course of the case Goodell kept a very low profile. Jemele Hill of ESPN accused Goodell of racism pointing out that in several cases involving African-American players over the previous five years Goodell had quickly issued suspensions before criminal investigations were completed. When a suspension for six games came many felt the penalty was too soft especially after it was reduced to four games.

Whatever the misgivings a 2009 player poll by *Sports Illustrated* and CNN gave the Commissioner high marks. Two months later the owners rewarded Goodell with a five year extension on his contract. Owners cited Goodell's "already significant list of accomplishments" and "his strategic vision for the future of our league."

The NFL was experiencing record attendance and television ratings were moving steadily upward. Two more major achievements followed. Goodell guided the league through a very difficult labor negotiation that produced a long term Collective Bargaining Agreement guaranteeing labor peace for ten years. With the CBA in place Goodell moved on to new television contracts that reached astounding levels, something that the guarantee of labor peace facilitated.

For those who wonder why the owners have supported Goodell through the recent missteps and blunders it is only necessary to look at what the labor settlement and television contracts have done to team values. A lot of money has been delivered to the owners by Roger Goodell's achievements.

At the same time the Commissioner's record was already quite troubling on the concussion issue. Goodell continued the mantra of denial at every step along the way. It was a shabby performance and at one point in a public hearing Representative Linda Sanchez told Goodell that his attitude before the House committee reminded her of that of the tobacco industry as it repeatedly denied any linkage between tobacco and health. Goodell's silence was telling. As the lawsuits mounted and public discussion increased, the NFL and the Commissioner found it useful to modify their stance and to seek legal settlement in the courts.

As the concussion issue grew in the public eye, the New Orleans Saints were implicated in a bounty scandal in which players were given cash incentives to injure opposing players. Goodell moved quickly when he received the report on bounties and handed down heavy punishments and fines to players, coaches, and the team. Appeals followed and in the end Goodell was overruled by his predecessor, former Commissioner Paul Tagliabue, who serving as arbitrator reduced the penalties and then tried to cover Goodell by saying that the Commissioner had acted within his authority. What was clear in the public eye was that Goodell had made a mistake, and he was being publicly reprimanded for it.

Another public relations gaff hit the league when the referees were locked out at the opening of the season in 2012. This quickly turned into a fiasco as the league used scab referees who demonstrated their inadequacies on national television as Goodell pretended that all was well. A Commissioner who worried about the integrity of the League would never have gotten into this mess. Fans would tolerate a lot, but not the total disregard for the game on the field.

Then came the Rice Case which has been a disaster for Goodell and his Shield Protection strategies. Add to it the Adrian Pederson case and more missteps and hesitations further damaged the Commissioner's image. If in the end the "independent" investigator finds that Roger Goodell lied about when he saw the Ray Rice video, Goodell will most certainly have to go. He probably should already be gone, and would be of his own volition if he is really interested in Protecting the Shield.

In the end the owners will make the decision on the Commissioner's fate. He has served them well and increased their incomes. Treating players unfairly has never been a crime in the eyes of most owners and so Goodell may survive, but the Shield will never be quite the same.

On Sport and Society this is Dick Crepeau reminding you that you don't have to be a good sport to be a bad loser.

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