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Concussions

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ESPN reported this week that the NFL had pulled funding for concussion research because one of the principal researchers was Dr. Robert Stern of Boston University who has been critical of the NFL. The grant was awarded by the National Institute of Health (NIH) and the NFL denied pulling out of the grant saying that the NIH made all funding decisions and that the NFL has no veto power over the use of the \$30M it had donated to the NIH in 2012 with no strings attached. It turns out however that it did retain a veto over the use of the funds. Apparently a veto is not a string in the NFL.

All of this comes in the same week that "Concussion," the feature film, opened at a theater near you. I have yet to see the film but will likely do so soon. I have however revisited the materials I used for my book *NFL Football: A History of America's New National Pastime*. The story of the relationship between the NFL and the concussion issue is quite interesting and it may offer some guidance for watching this film and for making judgments on this week's controversy over the NIH research grant.

The link between football and concussions has long been known, but not taken very seriously. As early as 1928 an article in the *Journal of the American Medical Association* pointed to such a link. The article was virtually ignored. Concussions for the most part were not regarded as particularly serious. In the popular vernacular of sport a concussion was referenced as "getting your bell rung."

In the early 1990s there was an increase in the number of concussions in the NFL and they seemed to be related to the increased size and speed of the players. The basic rules of physics seemed to suggest that such a spike in concussions was inevitable. In addition reports began to appear in the press of former players having drug, personality, and memory issues. As these reports appeared the NFL denied that there was any connection between concussions and football.

In 1994 Commissioner Tagliabue dismissed the linkage as "pack journalism" and offered statistical data claiming that there was only one concussion in the NFL every three or four games. Non-league counts suggested it was closer to

three to four concussions each game. The Commissioner did establish the Mild Traumatic Brain Injury Committee to further study the issue. The Chair of the Committee was a rheumatologist and Tagliabue's personal physician. No neurologists served on the committee. Its primary function seemed to be to deny any connection between football, concussions, and memory issues.

In 2004 the National Institute for Occupational Safety and Health reported that NFL linemen were 52% more likely to die of a heart attack than the general population. In 2006 the *Journal of the American Medical Association* reported that 56% of NFL players were "obese." The reaction to these studies by the NFL was to downplay their significance or claim that they were flawed and misleading. This would in fact be the pattern for the NFL dealing with various concussion studies over the next several years.

When former Pittsburgh Steeler center Mike Webster died in September of 2002 the relationship between concussions and the NFL took a sharp turn. Working in the county coroner's office in Pittsburgh Bennet Omalu met Mike Webster for the first time. Omalu knew little of the Pittsburgh Steelers although he had read the stories of Mike Webster's tragic life. He was puzzled by the fact that a relatively young man could have exhibited the symptoms shown by Webster and decided to seek permission from the family to study Webster's brain. It was in this process that Omalu found that Webster's brain was severely damaged and that it contained high levels of tau, a substance often associated with Alzheimer's disease.

Omalu sought opinions from his mentors and neurologists and his diagnosis was confirmed and then reinforced when the brains of other ex-NFL players showed similar patterns of disease. Scientific papers were prepared, presented, and published in a peer reviewed journal and as the evidence mounted the NFL correspondingly mounted an attack on Omalu and his studies, at one point demanding he retract his published paper.

In June of 2007 a House Committee heard testimony from former players about their struggles medically, mentally, and financially. The NFL denied these were connected to football. Then in the fall of 2009 the University of Michigan reported on a study of former NFL players that showed that 6% of retired players surveyed reported that

they had been diagnosed with some form of memory disease. This was a rate of 1.9% which was 19 times higher than the national average for men of their age. The NFL had no comment.

This led to another Congressional Hearing in October of 2009. Again a number of ex-players and surviving spouses and relatives testified dramatically about their problems. One set of witnesses were ex-Tampa Bay Buc players brought to the committee hearings by Gay Culverhouse, former Tampa Bay Buc president. She was particularly critical of team doctors whose primary function she claimed was to get players back onto the field.

NFL Commissioner Roger Goodell testified that the NFL had been studying the issue for fifteen years and its team of scientists and medical professionals could find no connection between football and brain diseases. In point of fact for fifteen years the committee created by Commissioner Tagliabue had worked vigorously to discredit all evidence indicting otherwise. Goodell's testimony led Committee Chair Linda Sanchez to tell Goodell that he reminded her of all of the Tobacco Executives who had come before Congress and denied any connection between cancer and smoking. Goodell's silence was deafening.

This was a turning point in the public discussion. In November Commissioner Goodell issued a directive that any player suffering a concussion was required to seek advice from independent neurologists. The co-directors of the NFL committee resigned and its activities were suspended. The following month the NFL announced a \$1M donation to the Boston University Center for the Study of Traumatic Encephalopathy and encouraged players and ex-players to donate their brains to the Center.

Since that point many more cases involving ex-players were diagnosed including several cases involving suicide, depression, and personality change. A mounting number of players began to sue the league and those suits were consolidated into a class action suit before U.S. District Judge Anita Brody. The final disposition of that case is still not settled.

Any settlement of the case will be a victory for the NFL in so far as a settlement will allow the league to avoid having to offer evidence on what the league knew, when it

knew it, and what it did to hide the evidence from its players and the public.

No matter how it now seems the NFL, despite the \$30M contribution to the Foundation of the NIH for concussion study, has never admitted that there is a direct connection between the various symptoms of brain diseases exhibited by its players and the act of playing football in the NFL. Despite all the public relations fog and all the expressions of concern the bottom line is the National Football League remains in denial.

Given the long history of seeking to deny connections, to trash the work of scientists, to destroy the career of Bennet Omalu, and to cover it all with expressions of deep concern, it would seem less than wise to accept this latest denial by the NFL. It continues in its own way to follow the path laid out over the past two plus decades by two Commissioners seeking to minimize the PR damage to the league as well as any legal liability it may have to embrace.

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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