

# **RESEARCH BRIEF: Gender-Based Violence In Athletics: A Focus on Division I Football Programs and the NFL**

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*By:* Taylor Thulson

Department of Political Science, Carleton College

## **Background**

Gender-based violence occurs in every aspect of society, including the spotlighted and admired realm of college and professional athletics. In fact, it seems that gender-based violence is especially pervasive within some sports. One of those sports is football which this brief will explore at both the college and professional level. This brief will convey why young athletes, specifically football athletes, need to be educated and trained on issues relating to sexual and domestic violence in order to combat the larger trends of violence among college and professional football players.

## **How Student-Athletes are Different From the General Student Population in Terms of Gender-Based Violence**

Though the sport that an athlete plays does not define who they are, nor does it ensure that they will act in a certain way, the environment of college athletics strongly impacts individual athletes and influences decisions that they make on and off the field/court. In some instances, this influence can be negative and warps the perception that athletes have toward real-life situations. For example, if an athlete is particularly good at their sport they may receive media attention or special treatment from people in their life which could lead them to develop a sense of “athletic entitlement” -- a belief that they can have anything they want in life (Mordecai, 2017, p. 38). Environmental effects such as this help to explain why student-athletes in college are much more likely to be accused of sexual misconduct. To begin this discussion it is important to highlight how student-athlete beliefs surrounding gender-based violence issues differ from a non student-athlete. Below are some findings that highlight this phenomenon:

- Student-athletes report holding more traditional gender roles than nonathletes (Young, 2017, p. 803).
- Student-athletes have larger rape myth acceptance scores, aka they are more likely to believe common rape myths (Young, 2017, p. 803).
- Student-athletes are more likely to endorse beliefs that are reflective of rape supportive culture than nonathletes (Cantor, 2020, p. 4).

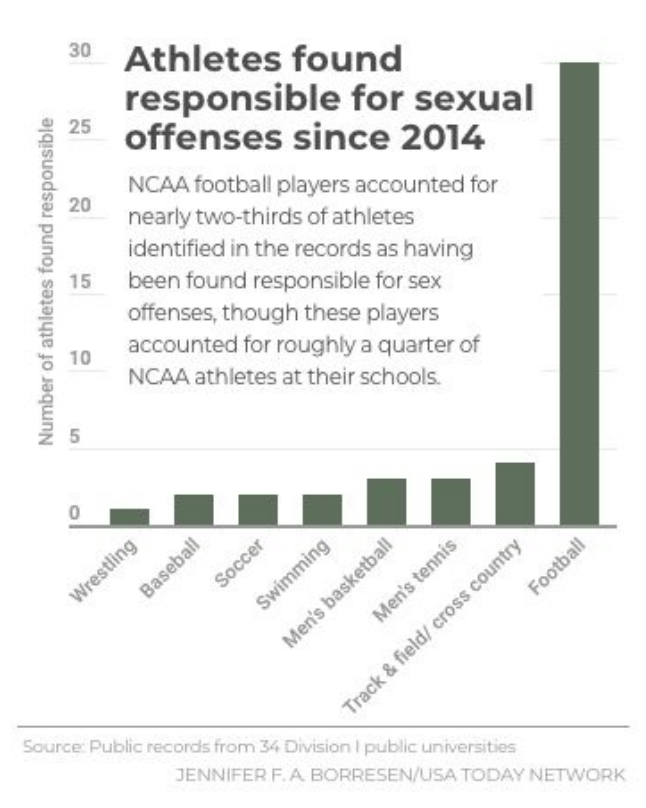
In the end, these beliefs help to explain why student-athletes are **77% more likely** to engage in sexual coercion than non athletes (Young, 2017, p. 804).

## **Occurrence of Gender-Based Violence and Sexual Misconduct in College Athletics**

Though college athletics is often discussed under one large umbrella, it is important to recognize that Division I athletic programs differ wildly from Division II and III programs. While not a universal rule, most Division I athletic programs are much larger, receive more funding, and field more athletes into the professional leagues after graduation. In terms of sexual violence, there are also differences of reportings of sexual violence between NCAA divisions. Jacquelyn Wiersma-Mosely and Kristen Jozkowski (2019) found that on Division I campuses with NCAA programs there were higher reportings of rape, domestic violence, dating violence and stalking compared to Division II and III schools, and schools without NCAA affiliation. While reportings in Division II and III schools are just as important, this research brief will focus on Division I programs since the most occurrences happen there.

In 2019, USA Today collected data from Division I universities on the reportings of sexual violence on campus that involved a student-athlete (Jacoby, 2019). While USA Today reached out to 226 Division I programs, only 35 contributed data and were forthcoming with information. The other 191 programs chose to opt out despite FERPA guidelines, and chose to protect the identities of alleged abusers within their campus community. However, from the data provided by the schools that did contribute information the study found that:

- While on average only **3%** of the student population is made up of student-athletes, athletes made up nearly **9%** of the students found responsible for sexual offenses.
- Of the **47** athletes identified in the university records as having been found responsible for sexual offenses, at least **11** transferred and continued their playing careers at other NCAA schools.



To expand on this, ESPN found that at Power 5 schools, athletes were **three times as likely** to be accused of sexual misconduct or domestic violence in complaints (Lavigne, 2018).

### Focusing in on Football

Looking at the graph above it is incredibly clear that football athletes make up a much higher amount of the athletes found responsible for sexual violence than other athletes in Division I programs. USA Today (Jacoby) found that:

- While football players represent less than **1%** of the overall student population at the schools with football teams, gridiron standouts accounted for more than **6%** of those found responsible for sexual misconduct.
- Forty-seven athletes appeared on the list of athletes found responsible for misconduct but **nearly two-thirds** — 30 — played football. Their representation among disciplined students was more than **eight times higher** than non-football players.

### Stories of Misconduct by Athletes and Universities Today

#### *NCAA Sued For Failure to Protect Athletes From Gender-Based Violence*

In April of 2020 female athletes from Michigan State and Nebraska filed a federal lawsuit against the NCAA for “failing to address gender-based violence by male athletes against female students at colleges and universities” (Trister, 2020). The lawsuit focuses on the coaches and

Universities' response (or lack thereof) to the female athletes' reports of being raped by other male athletes. Specifically, the lawsuit “accuses the defendants of negligence, intentional infliction of emotional distress, negligent infliction of emotional distress, negligent supervision, fraud, breach of contract with student-athletes and breach of contract with non-student athletes” (Trister, 2020).

### *Continued Mismanagement of Sexual Violence Cases by LSU*

While LSU is well known for their esteemed athletic programs, and is especially famous for their national champion football program, the university has continued to mishandle reports of sexual violence, especially when it involves star football players. Between 2016 and 2017 LSU fielded allegations and reports against running back Derrius Guice, but each time LSU officials either doubted the women's stories, didn't investigate, or didn't call the police, which allowed Guice to continue his football career (Jacoby et al., 2020). Guice was never punished by LSU and is now out on bond after facing charges of physical assault from an ex-girlfriend in Virginia.

More recently, on November 18, 2020 former LSU tennis player, Jade Lewis, posted on Twitter that that co-head coach Julia Sell failed to report her allegations of sexual assault against her ex-boyfriend LSU wide-receiver Drake Davis in 2018 (Schlabach, 2020). She claimed that instead of reporting her allegations to the Title IX office, as mandated under federal law, Sell instructed the tennis team to stay away from Lewis during the criminal proceedings and took away a massive support system away from Lewis (Schlabach, 2020). In USA Today's report, it was reported that at least 7 LSU officials knew that Davis was assaulting Lewis but did nothing about it (Schlabach, 2020). After nearly a year of fielding reports of assault against Davis, he was expelled from the school in 2019 and is now facing charges of dating violence against a different dating partner. Temple University professor Elizabeth Taylor who studies sexual assault and harassment within athletics organizations claims, “LSU exhibits the same pattern of continually mishandling these types of incidents that was seen at Baylor, Penn State and Michigan State.” (Jacoby et al., 2020).

### **Moving Beyond College Athletics to the Professional Leagues**

Because it is rare for football athletes to receive just and appropriate punishment for their acts of violence against women in college, gender-based violence is common in the National Football League (NFL). To showcase this, in 2015 Vice released a list of 44 NFL football players that had been accused of some form of gender-based violence in the past few years (Staff, 2015). Here are some of the stories:

- In 2014 Ahmad Brooks, a former outside linebacker for the 49ers, groped a woman at a party who later filed a suit for sexual battery. The prosecution offered a plea deal to him and he was only convicted of battery. He was only required to complete 100 hours of community services and pay restitution to the victim. He now plays for the Green Bay Packers (Kaplan 2018)

- Ben Roethlisberger has been accused of sexual assault twice, and he only missed a few games each time while never receiving formal punishment from the NFL or the criminal justice system. First, he was accused in 2009 of rape but it was settled out of court and Roethlisberger faced no consequences from the NFL. Again, in 2017, another accusation surfaced that he had raped a woman in a Georgia nightclub but due to lack of evidence charges were never filed and the NFL did not punish him (Smith, 2020)
- In 2016 C.J Spillman, a former Dallas Cowboys safety, was found guilty of sexual assault for raping a woman in 2014. Though justice was eventually served when Spillman was found guilty, when the incident first became public the Cowboys did not drop him and Spillman continued to play throughout the 2014 season. It was not until 2015 that the Cowboys dropped him and he became a free agent, highlighting the reluctance of NFL teams to properly punish their athletes for acts of violence (Rapp, 2015).

These are only a small fraction of the stories of NFL football players committing acts of violence against women. What these stories do highlight though is how the NFL continues to protect sexual predators and overlook acts of violence committed by their players simply because they are good athletes. The NFL as a whole has adopted this ideology because in their eyes “it’s easier to sweep violence against women under the rug and keep the best players on the field despite their records. It’s easier for PR teams to try to protect players and minimize the incident, and to hope victims don’t press charges” (Doerer, 2018). The farthest the NFL has gone to recognize this problem is by requiring a certain number of domestic violence training every year, “but there is no data that shows that short-term, infrequent intervention can actually have an impact on recidivist abuse” (Doerer, 2018). This ineffective approach of addressing gender-based violence within the league needs to be resolved. The NFL could follow the route of Australia’s AFL, which after a series of high-profile incidents in 2004, tackled the issue by delivering an annual education program for players and strengthened their anti-sexual harassment and discrimination procedures (Doerer, 2018). Or it could follow in the steps of the Canadian Football League which has endorsed the VOICE program which encourages participants to “identify, interrupt, and intervene within cultures and systems fostering gender-based violence and discrimination” (KSKS Staff, 2020). Whatever the approach, the NFL needs to fully recognize the pervasiveness of this problem within the league, and adopt a strategy to combat violence.

### **The Light at the End of the Tunnel: Ways to Combat Gender-Based Violence in Sports**

While the current status of this problem seems bleak, there are ways that sports can be utilized to teach young people skills and ideals that are not supportive of violence and can serve to reverse violent trends. For example, the Sport for Development movement focuses on shaping young boy’s beliefs on the field by “educating boys about true masculinity, violence prevention, and rights of women” (Hamilton, 2020). If you can begin to teach these values and perspectives in areas that are influential in people’s lives, violence can be prevented before it even happens.

When it comes to preventing gender-based violence caused by athletes on college campuses, there are practical and real steps athletic programs and admissions officials can take to prevent abuse from happening. In order to create a safe and welcoming campus, “one approach to reducing the number of instances of sexual violence is vetting prospective students through the implementation of some form of background check” (Cintron et al., 2020, p. 44). While this does not have to be limited to student-athletes, conducting background checks can ensure that individuals with a history of sexual violence, or any violence for that matter, can be excluded from campus.

## **Conclusion**

Though it is important to recognize that gender-based violence is not isolated to the athletic world, it is clear that it is more prevalent within some college athletic programs which can have negative consequences in the pro leagues. Gender-based violence must be addressed at every level, and this is an area where a difference could be made by implementing educational programs about gender-based violence.

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