NCAA Football, Domestic Violence, and The Need for Reform

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Because a disproportionate number of student-athletes abuse partners, the National Collegiate Athletic Association (NCAA) should adopt a new policy to adequately address the problem. The NCAA does not currently have a policy in place to deal with student athletes who commit domestic violence. Universities have failed to take the initiative or demonstrate leadership in handling these cases without any guidance or uniformity, which has led to significant problems. Several obstacles remain in the way of adopting a new policy. First, NCAA Football is a billion dollar business. Taking star athletes off the field for conduct relating to domestic violence could lead to a decrease in revenue generated. Second, an unhealthy level of school pride can lead to unfounded loyalty causing authorities to ignore or to diminish the actions of the offending athlete. In response, this article proposes three main arguments: first, the NCAA needs to adopt a policy to address domestic violence and student athletes; second, education is needed for coaches, players, and staff with a mandatory reporting policy; and third, incentives should be given to universities for compliance with the new policy. By adopting a specific policy dealing with domestic violence issues, the NCAA will bring uniformity to the universities that fall under its control. Through education, the policies will be understood and in place to increase the likelihood of implementation. By adopting a new domestic violence policy, universities will not only understand what is required of them, but will be incentivized to comply rather than be punished for noncompliance. Cohesion must be brought to universities across the country, the NCAA should protect its goals and image, and fewer athletes will therefore engage in domestic violence.

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Introduction

The percentage of college and professional athletes who abuse their partners is significantly greater than that of the general public. Issues of race, culture, and wealth play a significant role in athletes that engage in domestic violence. Some argue that engaging in sports that require near-brutal physical contact makes it difficult for the athlete to disengage from the sport or “leave it on the field.” It has become commonplace to see professional sports athletes engaged in domestic violence and dealing with the circumstances resulting from their actions. College players are not much different.

NCAA football is a massive industry that brings enjoyment to thousands of fans while bringing in vast amounts of money to universities. Currently the NCAA does not have a policy that addresses domestic violence. This is a serious problem because incidents of domestic violence

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5 See Nack, supra note 1 at 102.
violence involving student athletes occur with regularity. The NCAA has enormous power and is far reaching within the collegiate arena. Because so many universities are affiliated with the NCAA, it has both the ability and the responsibility to create and enact new policy that will address the problem of domestic violence.

The NCAA will then be in position to positively influence the problems associated with college football and domestic violence and further their main goals, “…to be an integral part of higher education and to focus on the development of our student-athletes.” By addressing domestic violence in the NCAA, it will bring much needed uniformity to what is required of players, coaches and staff members. While the NCAA takes the time to explain in sometimes painstaking detail what constitutes acceptance of improper benefits and how that can lead to the athlete becoming immediately ineligible to play football, there is currently nothing in place to deal with a student-athlete who faces criminal charges. Though difficult, adopting a new policy addressing the unique challenges presented by domestic violence, the NCAA may then begin to actually fulfill its mission.

It is also true that many issues stand in the way of reform. First, because NCAA Football has become a billion dollar business and many universities rely heavily on the revenue generated by their football programs, they will likely be hesitant to sideline star players involved

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8 See Nack, supra note 1 at 102.
9 NCAA Manual, supra note 7 (A detailed look through the NCAA Const. illustrates the power that this governing body possesses).
10 Member Schools, NCAA (2011), http://www.ncaa.com/schools/. (listing the over one thousand member schools alphabetically).
12 Stewart Mandel, Bowls, Polls & Tattered Souls 244-250 (John Wiley & Sons, Inc. 2007).
in domestic violence.\textsuperscript{14} Second, misconceptions exist: students often side with the offending player under the guise of “school spirit or pride”, which leads to denial, victim blaming, and downgrading the seriousness of the offenses as discussed by Jeff Benedict in an interview with Dateline.\textsuperscript{15} Such examples of diminishing the serious incidents can be seen most recently in the Penn State scandal and in the scandal involving Syracuse University.\textsuperscript{16} To avoid these terrible acts and the possible devastating outcome of an athlete killing a partner the NCAA must look at this time as the perfect opportunity to insert a new policy that will not only be beneficial to the protection of victims and student-athletes in the long run, but also in the short term to rehabilitate the image of NCAA football.\textsuperscript{17}

A new policy adopted by the NCAA is not an insurmountable task. Rather, by looking to other policies that deal with drugs and performance enhancers, the NCAA has a suitable model for implementing a domestic violence policy.\textsuperscript{18} Implementing a new policy will provide uniformity for all universities that are governed by the NCAA. New policies will also provide understanding of how to deal with these problems and will reveal the resources available to universities’ staff, coaches, and student athletes, as well as delineate clear requirements, incentives, and punishments.

A new policy must be integrated to provide education for student athletes, coaches and staff. While it is important to have consequences outlined for infractions, the best measure that

\textsuperscript{14} See Isidore, supra note 6.
\textsuperscript{15} See e.g., Dateline: All the Right Moves (NBC television broadcast, Jan. 5, 1999)[hereinafter Dateline].
\textsuperscript{17} Erik Brady, Virginia Lacrosse Player’s Death Stuns Campus Community, USA TODAY (May 5, 2010 8:07 PM), http://www.usatoday.com/sports/college/lacrosse/2010-05-04-virginia-lacrosse-death_N.htm.
\textsuperscript{18} NCAA Manual, supra note 7 at 46.
can be taken is to instruct and educate student athletes to avoid the behavior before it has begun. The new policy will provide incentives for universities that are in compliance. By providing incentives the policy will seek to reward and recognize those programs that are meeting the goals of the NCAA. This will help to change the culture of NCAA football, which often only seeks to punish for bad behavior rather than reward for doing the right thing.\textsuperscript{19} While the policy will have incentives in place for football programs in compliance, there will be punishments and sanctions for programs that have not met the standard of the policy. It is important not only to reshape the culture of the sport through incentives, but equally important to ensure that programs maintain accountability. The possibility of punishment and sanctions will guarantee that accountability exists.

The time is now to reexamine the culture of the NCAA football and how student athletes are perceived. The public will no longer sit back and forgive inaction and cover-ups. Universities must be held to the same standard across the board and only the NCAA can provide for that. A new policy will go a long way in helping student athletes, avoiding serious incidents of domestic violence, and help the NCAA’s public image. In short, the proposed policy makes good sense.

\textbf{I. Disproportionate Number of Athletes Abuse Partners}

It is unfortunate to see that more athletes abuse partners than non-athletes.\textsuperscript{20} Sadly, reading of the sports page often will disclose the latest incident concerning an athlete who has engaged in domestic violence.\textsuperscript{21} After years of studying and analyzing domestic violence, researchers have found that these incidents are not as a result of one “losing control” in the heat

\textsuperscript{19} See NCAA Manual, supra note 7 (the NCAA Const. outlines rules set forth and punishments for failure to comply but nowhere does the NCAA Const. provide incentives for universities).

\textsuperscript{20} See Nack, supra note 1 at 102.

\textsuperscript{21} Benedict, supra note 4.
of the moment, but rather what Dr. David Adams calls “a planned pattern of coercive control.”

Athletes are prone to seeking power and control. The dynamics associated with power and control play perfectly into the realm of football. On the football field players are encouraged to use their physical strength, mental prowess, and intimidation to gain any possible advantage. In abusive relationships, the abuser seeks to exert power and control through an abusive cycle of physical violence and mental manipulation.

Some clarity begins to form when comparing the typical abuser and a football player. Both have a specific purpose in mind when exerting their influence. In the case of football players, it seems plausible that while the player has become accustomed to using his physical strength, intelligence, and intimidation to get his way on the field, that athlete may then seek to implement those same tactics in personal relationships. It can become difficult for the athlete to separate his conduct on the field with the proper behaviors that are suitable off the field.

Many studies have been conducted throughout the country sampling universities to understand if and why student-athletes are more involved in domestic violence (including sexual assault) than the general student body. Researchers have not come to complete agreement on the causes of why student-athletes are more susceptible to committing acts of domestic and domestic violence.

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22 David Adams, Identifying the Assaultive Husband in Court: You Be the Judge, BOSTON B.J., June-July 1989, at 25.
23 Geoff Calkins, Athletes and Domestic Violence, SUN-SENTINEL (Fort Lauderdale), Oct. 17, 1995, at 1C, 10C.
24 Id.
25 See Adams, supra note 22 at 25.
26 See Calkins, supra note 23 at 1C.
27 Id.
28 See BERNARD LEFKOWITZ, OUR GUYS, 3 (1997). According to a sexual assault study at the National Institute of Health, athletes’ involvement accounted for 33% of the reported cases. See Id. at 279.
A. Why Athletes Are More Prone to Becoming Abusive

A former Dallas Cowboy, John Niland, once said, “Any athlete who thinks he can be as violent as you can be playing football, and leave it all on the fiend is kidding himself.”\(^{30}\) It has been argued that athletes are more prone to violent behavior in relationships because they play a sport that is inherently violent in nature, they often come from abusive backgrounds, and many receive special treatment by judges and the justice system.\(^{31}\)

A high percentage of athletes are minorities who grew up in tough neighborhoods and many of them come from abusive backgrounds themselves.\(^{32}\) Not only are a number of athletes direct victims of domestic violence in their past, but even more have been subjected to violent atmospheres and incidents in their homes.\(^{33}\) Research has shown that this type of background and exposure to domestic violence, even if not directly witnessed by the child, can have a significant impact on the development of that child.\(^{34}\) The child begins to develop an understanding that the abuse to which they have been exposed is a proper and suitable way to interact with a partner.\(^{35}\) As children grow older and become adults, these behaviors become engrained in them.\(^{36}\) These individuals may find it more difficult to distance themselves from that behavior and reevaluate what is acceptable.\(^{37}\)

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\(^{30}\) See Falk, supra note 3.

\(^{31}\) See Calkins, supra note 23 at 1C, 10C.; John Fantuzzo & Rachel Fusco, Children’s Direct Exposure to Types of Domestic Violence Crime: A Population-based Investigation, 22 U. PA. J. FAM. VIOLENCE 543, 545-52 (2007) (discussing a study conducted that shows minority children are more likely to be exposed to incidents of domestic violence than non-minority children).; See Brubaker, supra note 29 at A25.

\(^{32}\) See Fantuzzo, supra note 31 at 550.

\(^{33}\) Id.

\(^{34}\) Id.

\(^{35}\) Id.

\(^{36}\) Id.

\(^{37}\) Id.
Often times it seems as though athletes are treated differently than non-athletes in the criminal justice system and specifically by judges.\(^{38}\) When an athlete is charged with a crime, it is not uncommon for him to receive probation, fines, or community service when a non-athlete who commits a similar crime would regularly be punished by time in jail or prison.\(^{39}\) This special treatment can lead athletes to feel a sense of entitlement and minimize their own actions since it seems everyone else, even those in power, do so.\(^{40}\) With such a sense of entitlement, it is difficult to convince the individual that their behavior is unacceptable. They know that they are rarely reported for their conduct and even when they are, they do not fear the slap on the wrist that often awaits them.

**B. Troubling Statistics**

According to the National Sexual Violence Resource Center, one in four women will be sexually assaulted during their college years.\(^{41}\) This statistic, along with the research done by Southern University Professor Jeff Benedict, confirms how volatile the situation remains. In his groundbreaking study, Professor Benedict found that male student-athletes comprised only 3.3 percent of the total male population, yet represented 19 percent of the perpetrators reported for sexual assault.\(^{42}\) Women are already at high risk, in general, of being sexually assaulted.\(^{43}\) Not only is this statistic troubling, but also when coupled with the fact that student-athletes are more prone to committing domestic violence, it becomes clear that something must be done.

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\(^{38}\) See Brubaker, *supra* note 29 at A25.

\(^{39}\) *Id.*

\(^{40}\) See Dateline, *supra* note 15.


\(^{43}\) See Fisher, *supra* note 41.
Incidents of sexual assault are underreported on a national level. Of those reported, many more go unreported. Evidenced by the fact that the number of student-athlete related incidents have not gone down, it is imperative that something must change. The NCAA is well-suited take responsibility to address these numbers. If victims see that student-athletes are being held accountable by the NCAA, it is likely that reporting will increase, which will lead to victims receiving justice, student-athletes realizing they are responsible for their actions, and, hopefully, less incidents of domestic violence. The NCAA would have an opportunity to lower troubling statistics, make universities safer in general, and help these student-athletes in their development, which can carry on with them throughout their lives.

C. Race, Culture, and Wealth

As many of the student-athletes who play football at the college level are minorities, it is necessary to understand the possible correlations that their race, culture, and wealth have with engaging in acts of domestic violence. When children are exposed to domestic violence, they are more likely to engage in such behavior themselves. Without the help of education and proper counseling, many of those children who have been exposed to domestic violence will either be more susceptible to engaging in that type of behavior (mostly males) or in becoming victims (mostly females) themselves, not having known anything different.

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44 Id. at 23.
45 Id.
47 See Fantuzzo, supra note 31 at 550.
48 Id.
Other challenges arise from accepting students from poor and minority backgrounds.\textsuperscript{49} In 2009 the University of Central Florida's Institute for Diversity and Ethics in Sports conducted a study based on NCAA statistics collected from member institutions.\textsuperscript{50} The analysis was centered on the 67 schools that had accepted bowl invitations at the time the data was compiled.\textsuperscript{51} Of the 67 universities, 21 schools graduated less than 50 percent of their black athletes while 57 schools had graduation success rates of 66 percent or higher for white football players.\textsuperscript{52} One significant challenge facing the NCAA and universities is what to do with student-athletes coming from backgrounds of poverty and poor school systems.\textsuperscript{53}

A large number of student-athletes are minorities.\textsuperscript{54} According to the NCAA, in 2010, black student-athletes made up 45.8 percent of all athletes in Division I football.\textsuperscript{55} This number tells an interesting story. The percentage of minority students continues to rise, and in the past 10 years has risen 6.3 percent in Division I football alone.\textsuperscript{56} While it is commendable that minority enrollment in universities is growing, the minority athlete presents many challenges to both the NCAA and the universities.\textsuperscript{57} The United States Bureau of the Census estimates that in 2010, 27.4 percent of blacks were poor, compared to 9.9 percent of non-Hispanic whites.\textsuperscript{58} These statistics show a disproportion in the type of background and upbringing to which black student-

\textsuperscript{50} \textit{Id.}
\textsuperscript{51} \textit{Id.}
\textsuperscript{52} \textit{Id.}
\textsuperscript{53} \textit{Id.}
\textsuperscript{54} NCAA, \textit{supra} note 46.
\textsuperscript{55} \textit{Id.}
\textsuperscript{56} \textit{Id.}
\textsuperscript{57} \textit{See} Fantuzzo, \textit{supra} note 31 at 550.
athletes are accustomed. The NCAA and the universities have a responsibility to understand and deal with these complexities and to put these players in a position to succeed.

The NCAA continues to show improvement in enrolling minorities and in helping them to succeed as a whole, but statistics that reflect improvement also factor in other sports as well as female student-athletes who traditionally outperform their male counterparts in general.\(^59\) When looking through the lens of college football, the numbers indicate a shortcoming on the part of the NCAA and individual universities in helping their black student-athletes.\(^60\) Richard Lapchick, the director of the institute that conducted the research points to another reason for the disparity.\(^61\) “Too many student-athletes recruited from those areas are so far behind when they come to college, it’s difficult to catch up.”\(^62\)

Because these student-athletes are coming from backgrounds of high poverty and poor school systems they have a more difficult time staying on top of their studies and have lower chances for success at the college level.\(^63\) Not only are these students struggling to compete on the playing field and get enough time practicing but they also have to take out more student loans (which are capped based on the cost of attendance as dictated by each individual university), or find jobs to pay for normal college expenses.\(^64\) They are forced to do this and the natural thing they sacrifice is their schoolwork even when they are at a competitive disadvantage in the classroom.\(^65\) These students may feel a lack of control over much of what is happening in their lives. They have to deal with added pressure and stress that many of their white student-athlete

\(^59\) NCAA, *supra* note 46.
\(^60\) Gonzalez, *supra* note 49.
\(^61\) *Id.*
\(^62\) *Id.*
\(^63\) *Id.*
\(^64\) *Id.*
\(^65\) *Id.*
counterparts do not. This lack of control may lead them to desire even more control over other areas of their life and may lead to increased acts of domestic violence.

A large number of the minority student-athlete population have experienced or been exposed to domestic violence. This culture plays a significant role in the shaping of an individual. Children exposed to domestic violence may believe it is common and acceptable. Sadly they know nothing different. While this exploration of race, culture, and wealth undoubtedly play a role in the lives of student-athletes who abuse their partners, it is not meant to diminish or take away accountability for the individual. Though these factors can contribute to one engaging in domestic violence, this is not to say that every batterer has felt the effects of poverty or was raised in an environment of domestic violence. A major issue relating to domestic violence deals with power and control, yet understanding how these are influenced by race, culture, and wealth is important. Because many of these student-athletes have dealt with factors outside of their control like their upbringing in poverty and the stress of money or the lack thereof, it becomes important to realize that these issues add to their desire to be able to maintain power and control in their lives. This is simply an additional set of factors that must be considered in order to address the full spectrum of challenges that are presented in creating policies to deal with domestic violence.

II. No NCAA Domestic Violence Policy

66 Id.
67 See Fantuzzo, supra note 31 at 550.
68 Id.
69 See People v. Malone, 180 Misc 2d 744, 747, 693 N.Y.S.2d 390, citing Frazee, Noel and Brenneke, Violence Against Women, Law and Litigation § 1:40, at 1-43—1-44 [Clark Boardman Callaghan 1997]).
70 See Fantuzzo, supra note 31 at 550.
71 Id.
72 See DeNavas-Walt, supra note 58; see also Fantuzzo, supra note 31 at 550.
It seems inexplicable that the NCAA’s constitution and bylaws take over 400 pages to go through painstaking detail of the many issues that could possibly arise in college sports, yet there is nothing in place to address student-athletes and domestic violence.73 Looking through the NCAA’s constitution and bylaws, it quickly becomes apparent that the NCAA is more concerned with a player receiving improper benefits and pay than with having policies in place to deal with criminal conduct of student-athletes.74 This has a troubling effect not only on the student-athletes and football programs trying to manage behavior, but also on the victims of domestic violence at the hands of student-athletes.75

Domestic violence, in general, has often led to victim blaming as well as minimizing the role and behavior of the offender in the incident.76 Victims are already less likely to report domestic violence in the general public for various reasons ranging from the nature of the intimate relationships and fear of retribution, to lack of protection and disbelief.77 Victims of domestic violence from student-athletes have added stress to deal with because of the public nature of the university setting. When a star football player is accused, the incident may become public due to the high profile of the student-athlete.78 Angry fans and supporters of the program may blame the victim and in the end often nothing is done, the victim is left in a worse situation for having reported the crime.79 Moreover, the victim may fear that the university will not seek to

73 See NCAA Bylaws, art. 16.7.2, reprinted in NCAA Manual, supra note 7 at 200. (discussing when team movies are allowed); see also NCAA Bylaws, art 12.5.4.1, reprinted in NCAA supra note 7 at 75. (discussing the permissible length of a uniform’s washing instruction tag).
75 See Mandel, supra note 12 at 250.
77 Id.
79 See Gracia, supra note 76 at 536.
deal with the incident with the care it requires because of the status of the student-athlete and the
stake the university has in the outcome of the investigation (if there is one). This leads to a
serious problem in which each university is left to decide how they will deal with such criminal
behavior. Because each university may choose to serve their own interests justice may be
forgotten and the victim of domestic violence may “take one for the team”. This should not be.
Therefore, it is necessary for the NCAA to adopt a new policy to address the problem. By not
having a common policy in place, each individual university is put in a position to make hard
decisions that could possibly affect their athletic programs negatively.

Although universities have an affiliation with the NCAA, the NCAA is not subject to the
rules and regulations of any one university. Membership in the NCAA is optional, which
allows the NCAA to maintain a sense of independence from individual universities. The
NCAA is therefore the best choice for bringing about an effective change in policies regarding
domestic violence. By adopting a domestic violence specific policy, the NCAA can act as an
independent third party that has no sense of loyalty to the individual offender or the university.
This would allow for a more fair assessment of what to do in an incident of domestic violence
because the NCAA would have a clear policy outlined where each university would understand
their responsibility.

A. Lack of Uniformity Leaves Universities Implementing Their Own Policies

80 See Kossan, supra note 78.
81 See Mandel, supra note 12.
82 Id.
83 See NCAA Manual, supra note 7.
84 NCAA, supra note 10.
The non-uniformity that has been created gives universities too much leeway, and causes problems for each member school.\textsuperscript{85} When a university is given the chance to implement its own policy for dealing with incidents of domestic violence involving student-athletes, damage can be done.\textsuperscript{86} There is no accountability at any level.\textsuperscript{87} With each university operating under its own policy, it is difficult to track incidents and enforcements of each policy.\textsuperscript{88}

Another potential problem exists under the current system in which each university can adopt its own standards where one student-athlete may be treated more leniently or harshly based on the university attended.\textsuperscript{89} At one university, a particular domestic violence related incident might lead to suspension from the team while at another university no action may be taken.\textsuperscript{90} Lack of a uniform policy leads to a competitive advantage for universities that do not have strict punishments in line for domestic violence conduct, and penalizes those universities seeking to do the right thing by taking a tougher stance on domestic violence.\textsuperscript{91}

Because college football generates so much revenue for a university, it becomes extremely important that the program is able to recruit the most talented players and field the best possible teams.\textsuperscript{92} Positioning themselves to play in bowl games brings in even more money

\textsuperscript{85} Steve Wieberg, \textit{More Schools Laying Down the Law}, USA TODAY, Sept. 18, 1998, at 17C.
\textsuperscript{86} \textit{Id.}
\textsuperscript{87} \textit{Id.}
\textsuperscript{88} \textit{Id.}
\textsuperscript{89} \textit{Id.}
\textsuperscript{90} \textit{Special Report: Colleges Confront Athlete’s Crimes}, USA TODAY, Sept. 18, 1998, at 20C [hereinafter Special Report] (in 1998, University of Georgia had a written policy that governed immediate suspensions for athletes charged with felonies, while leaving discipline issues involving misdemeanors to the discretion of the coach).
\textsuperscript{91} \textit{Id.} (in 1998, final disciplinary decisions at the University of Florida were left to the athletic director, who consulted with judicial affairs, the university attorney, and, at times, the school president); \textit{Id.} (conversely in 1998, Northwestern University kept the athletic department out of its disciplinary decisions, and instead left the disciplinary decisions to the vice president of student affairs. As a result, the school’s star running back was suspended by the university for the final game of the season after being accused of gambling).
\textsuperscript{92} See Isidore, \textit{supra} note 6.
for the university.\textsuperscript{93} It is difficult to expect that a university with a stake in the outcome of an investigation will be objective in conducting a thorough, fair investigation without any serious publicity. Therefore, the NCAA needs to step in with a new domestic violence policy in which every university would be required to take the same actions and steps to deal with any act of domestic violence. Uniformity would exist and discretion of individual football programs would cease.

\textbf{B. Shortcomings in Enforcement of Policies}

In this situation, where the NCAA has decided to leave out a policy to address domestic violence, it is obvious that there will be shortcomings in enforcement because no uniform policy exists. Rather, there are hundreds of policies in place, where each university has gone through its own decision-making process to implement a policy or none at all.\textsuperscript{94}

Some universities, such as Missouri State University, have strict policies in place with tough enforcement and harsh punishments for offending student-athletes while other universities have weak or no policies at all.\textsuperscript{95} Various universities make the enforcement of their policies overly arduous, even placing the burden on the victim at times.\textsuperscript{96} Because of the sensitive nature of domestic violence and the unique challenges it presents, universities should not have to police themselves through individualized policy. Rather, the NCAA must set the standard for what is

\textsuperscript{93} Id.

\textsuperscript{94} See Mandel, \textit{supra} note 12.


expected. With a strong policy in place, universities will not be left facing the difficult decisions of how to enforce policies dealing with student-athletes. Uniformity will exist and universities will know that they are not the only ones being held to a high standard. This will lead to better implementation and enforcement of the NCAA’s domestic violence policy. It will also take unneeded pressure off of the NCAA member universities when they are faced with difficult decisions regarding enforcing the problem because they will know that the NCAA acting as a neutral third party will be ready to step in with punishments and sanctions when a university is noncompliant.

III. Challenges to Reform

A policy combating the effects of domestic violence in college football is no different. Issues arise as a result of the money that is generated through college football. Since so much money is made each year, not only the NCAA but also individual universities may resist new policy because all have a stake in the business and revenue generated.

Many individuals hold student-athletes in high esteem. Sadly, regarding these student-athletes as celebrities, as well as exuding extreme school pride can lead to downplayng problems or actions of individuals associated with the football program. Another challenge in creating a new policy is the difficulty in drafting new language with no model in place to use.

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97 See Isidore, supra note 6.
98 Id.
99 See St. Clair, supra at 96.
Others argue that there is no fair way to place sanctions on a university and a policy will encourage those types of punishments.101

A. Billion Dollar Business

Each year NCAA football generates more than 1 billion dollars.102 When this much money is in play, it is understandable that many different people would take issue to a new policy that adds additional, strict standards regulating the conduct of student-athletes that are bringing in this money every year. Not only does college football generate money for the NCAA, but also it generates money for the individual universities as well as bowl game executives.103

The NCAA has a stake in the money produced by college football.104 However, the benefits that a domestic violence policy would make should far outweigh the potential loss in revenue. If the NCAA seeks to shape student-athletes into productive individuals beyond their football skills, then while it is possible that money could be lost when players are suspended or dismissed from football programs, the focus should be on making the tough choices and doing what is right. Moreover, in making the tough choices, the NCAA can demonstrate to the public its commitment to cleaning up the sport. While the NCAA may initially lose revenue because of

102 See Isidore, supra note 6.
103 See Sean Gregory, Bowl Game CEOs: College Football’s Big Winners, TIME MAGAZINE (Dec. 30, 2010), http://www.time.com/time/magazine/article/0,9171,2040202,00.html.
104 Office of the President, supra note 11.
star players being benched or dismissed, more sponsors can be attracted to this new image to make up for any lost revenue.\textsuperscript{105}

Universities that are members of the NCAA must follow all of the policies set forth or risk being put on probation or having their membership revoked.\textsuperscript{106} While this is a tough stance to take, individual universities make a substantial amount of money through the NCAA and their football programs.\textsuperscript{107} If a university is unhappy with the policies of the NCAA, they do have alternative options, one being that they are free to leave the NCAA. However, the university should be willing to implement a domestic violence policy not only to stay in line with the NCAA, but also to do the right thing for their students. Individual universities have a responsibility to reasonably ensure the safety of all their students.

The interests of a wealthy few can be a challenge to the NCAA in drafting new policies.\textsuperscript{108} Bowl game executives and CEOs make enormous amounts of money for one game per year that lasts a few hours.\textsuperscript{109} They too have a potential reason to oppose the domestic violence policy.\textsuperscript{110} By forcing universities to keep high standards for their student-athletes, it is possible that some would become ineligible to play in a bowl game. While this may seem troubling for the bowl game executives, the fear of losing sponsorship for their games because of an incident relating to domestic violence should weigh more heavily than not having an individual athlete on the field.\textsuperscript{111} Universities have been forced to sit out bowl games, yet bowl

\textsuperscript{105} Sean Gregory, \textit{Tiger Woods’ Sponsors: Will Any Stick by Him?}, TIME MAGAZINE (Dec. 16, 2009), http://www.time.com/time/nation/article/0,8599,1948181,00.html. (discussing sponsors’ reluctance to endorse athletes or products with a bad public image).
\textsuperscript{106} NCAA Manual, \textit{supra} note 7.
\textsuperscript{107} See Isidore, \textit{supra} note 6.
\textsuperscript{108} See Gregory, \textit{supra} note 103.
\textsuperscript{109} Id.
\textsuperscript{110} See Id.
\textsuperscript{111} See generally Gregory, supra note 105. (sponsors do not like to sponsor products that have a negative public image).
games continue to thrive.\textsuperscript{112} If the bowl game executives were to lend their support for the domestic violence policy, it could possibly be even more beneficial to them. It would be good publicity as well as potentially attract new sponsors for their games.\textsuperscript{113}

B. Student Perceptions of Student-Athletes, Coaches, and School Pride

When student-athletes are elevated to cult hero or celebrity status, they begin to feel larger than life and, to a certain degree, invincible.\textsuperscript{114} Not only are they idolized on the football field, but also when they are recognized on the street, people want to be around them, want their autograph, and enforce the idea that they are important because of their role in the football program.\textsuperscript{115} This leads student-athletes to also believe that so long as they are performing well on the football field, that their conduct off the field is irrelevant.\textsuperscript{116} Often student-athletes make headlines in the news for their bad behavior.\textsuperscript{117}

Between January and August of 2010, there were 70 college football players arrested for serious crimes.\textsuperscript{118} Large portions of these crimes were acts of domestic violence.\textsuperscript{119} One example is of Oregon star running back LaMichael James.\textsuperscript{120} In 2009 James set a Pac-10-record by rushing for 1,546 yards as a freshman.\textsuperscript{121} In the offseason, he was charged with menacing,

\textsuperscript{112} See Gregory, supra note 103.
\textsuperscript{114} See Brubaker, supra note 29 at A25.
\textsuperscript{115} Id.
\textsuperscript{116} Id.
\textsuperscript{117} Id.
\textsuperscript{118} Benedict, supra note 4.
\textsuperscript{119} Id.
\textsuperscript{120} Id.
\textsuperscript{121} Id.
strangulation, and assault of his former girlfriend.\textsuperscript{122} In March of 2010, he pled guilty to one misdemeanor harassment charge and was sentenced to 10 days in jail, though he did not serve any time behind bars.\textsuperscript{123} Rather, James was allowed to wear an electronic surveillance device and Oregon’s coach Chip Kelly suspended James for one game.\textsuperscript{124} Research has shown that batterers respond well to limits placed on them as seen with protective orders deterring batterers when ordered by a court and successfully enforced by law enforcement.\textsuperscript{125} Domestic violence does not occur simply because the batterer loses his temper, but rather it is a pattern of coercive control.\textsuperscript{126} But as long as student-athlete batterers see this type of special treatment, they are likely to continue to engage in domestic violence.\textsuperscript{127}

The current scandal facing Penn State University is another example of what can happen when the interests of a football program are placed ahead of recognizing a problem and holding those found at fault accountable.\textsuperscript{128} While the situation at Penn State involves the sexual molestation and rape of young boys, victims of domestic violence (including instances of sexual assault) are no less deserving of having their offenders held responsible.\textsuperscript{129} In the wake of this scandal, the NCAA should look at this as the perfect opportunity to address the problem of domestic violence within college football. The NCAA can take preventative steps now to ensure this type of scandal does not happen again.

\textsuperscript{122} \textit{Id.} \\
\textsuperscript{123} \textit{Id.} \\
\textsuperscript{124} \textit{Id.} \\
\textsuperscript{125} \textit{See} T.K. LOGAN, ROBERT WALKER, WILLIAM HOYT & TERI FARAGHER, THE KENTUCKY CIVIL PROTECTIVE ORDER STUDY 154 (2009). \\
\textsuperscript{126} \textit{See} Adams, \textit{supra} note 22 at 25. \\
\textsuperscript{127} \textit{See} Benedict, \textit{supra} note 4. \\
\textsuperscript{128} \textit{See e.g.}, Associated Press, \textit{supra} note 16. \\
\textsuperscript{129} \textit{Id.}
C. Ignoring and Downplaying the Problem

In 2003 Darnel Henderson was given a football scholarship to Arizona State University. As a condition of the scholarship he was required to attend Summer Bridge, a four-week program aimed at helping new freshmen integrate into college life. However he was in trouble within a few days. He was accused of grabbing and touching women in the dorm, exposing himself to female staff members and threatening freshman women. Henderson was expelled from the program, but the head coach of the football team, Dirk Koetter, arranged to bring Henderson back to Arizona State at the start of the fall as a student and more importantly, a student-athlete.

Henderson was told that he would be under a zero-tolerance policy for the type of behavior he demonstrated during the summer program, but records indicate that no such policy was ever implemented. On March 11, 2004, he began openly stalking his victim, “J.K.” and on March 12, he entered “J.K”’s dorm through an unlocked door and raped her. A police investigation was conducted and even though the university police concluded that Henderson had assaulted the woman, he was not even interviewed for three weeks. He was caught in a series of lies during his interview and when the investigation was passed on to the county, the

130 See Kossan, supra note 78.
133 Id.
134 Id.
135 See Gatlin, supra note 131.
136 See Munson, supra note 132.
137 Id.
prosecuting attorney declined to charge Henderson.\textsuperscript{138} Even after the police concluded that Henderson had engaged in “non-consensual sexual conduct”, the university allowed him to finish the semester.\textsuperscript{139} He was not even forced to move out of the dormitories until May 10, 2004.\textsuperscript{140} Finally, the university decided to expel Henderson in May after concluding that he "had more likely than not" sexually assaulted the woman.\textsuperscript{141} After being expelled, ASU’s football coach Koetter further downplayed the serious situation by actively trying to help Henderson obtain a scholarship at Arkansas-Pine Bluff and other programs, according to a later university investigation.\textsuperscript{142} With no help for the victim through the criminal justice system, “J.K.”, was able to finally find some form of justice through civil litigation in 2006.\textsuperscript{143}

During the civil case, it was discovered that ASU had destroyed records of Henderson’s conduct during the summer program and deleted emails.\textsuperscript{144} The records were discovered and pointed to people in positions of power within the university being aware of the danger Henderson posed.\textsuperscript{145} The civil case was completed and as part of the settlement, disclosure of its terms was made public.\textsuperscript{146} Arizona State agreed to pay $850,000 to the victim and to create a position for a safety officer to review and reform policies for reporting and investigating incidents of sexual harassment and assault within the University.\textsuperscript{147}

\begin{footnotesize}
\begin{enumerate}
\item[138] Id.
\item[139] See Gatlin, supra note 131.
\item[140] Id.
\item[141] See Munson, supra note 132.
\item[142] Id.
\item[143] See Kossan, supra note 78.
\item[144] See Munson, supra note 132.
\item[145] Id.
\item[146] See Kossan, supra note 78.
\item[147] Id.
\end{enumerate}
\end{footnotesize}
Unfortunately, cases like this are very common; the uncommon part is the university being held responsible civilly. The common aspect to this incident is that student-athlete offenders such as Darnel Henderson avoid jail time and often are not even prosecuted at all. Instead, the incident is downplayed and frequently the victim is held responsible for it or at least forced to take part of the blame. Downplaying the problem of domestic violence, defined in part by Arizona Revised Statutes 25-403.03 as “Intentionally, knowingly or recklessly causes or attempts to cause sexual assault or serious physical injury” by student-athletes has become all too common in university culture. The diminishing of these serious acts of domestic violence by both players and staff is a challenge to illustrating the need for new policy on domestic violence.

**D. No Model In Existence**

Some will argue that implementing a new, inclusive policy to address domestic violence would be too difficult because no model currently exists. However the NCAA has policies in place regarding substance abuse and performance enhancing drugs that could provide for a model for a domestic violence policy. The NCAA can also look to individual universities’ policies that have been shown to work such as the student-athlete policy in place at Missouri State University.

Beyond adopting a model similar to drug enforcement policies, the NCAA can look to universities who have implemented policies demanding higher standards for their student-

\[\text{\textsuperscript{148} See Id.}\]
\[\text{\textsuperscript{149} See Kossan, supra note 78.}\]
\[\text{\textsuperscript{150} See St. Clair, supra note 96.}\]
\[\text{\textsuperscript{152} See Mandel, supra note 12 at 250.}\]
\[\text{\textsuperscript{153} NCAA Manual, supra note 7 at 46.}\]
\[\text{\textsuperscript{154} Mo. State Policies, supra note 95.}\]
athletes.\textsuperscript{155} For example, the University of Missouri has a policy that prohibits athletes charged with a felony from playing until the case is resolved.\textsuperscript{156} In 2010, they made good on enforcing their policy.\textsuperscript{157} When star running back Derrick Washington was charged with felony sexual assault.\textsuperscript{158} At the time Washington was leading the team in rushing and touchdowns over the past two seasons, however the team followed the school’s policy and dismissed him from the team.\textsuperscript{159} Adopting a similar policy would help to avoid the problems discussed above where the lack of uniformity has caused significant problems.

E. Unfair to Punish Current Players for Past Players’ Misconduct

When players or coaches commit NCAA violations, the sanctions often last well past the departure or dismissal of the student-athlete or coach.\textsuperscript{160} Many feel that it is unfair to sanction a program for the conduct of past student-athletes, as the sanctions will stay with the university long after any punishment is dealt to the individuals responsible.\textsuperscript{161} However, university officials are often complicit in the conspiracies involving players.\textsuperscript{162} Two recent examples of this involve

\begin{itemize}
  \item See Id.
  \item Benedict, supra note 4.
  \item Id.
  \item Id.
  \item Id.
  \item See Ohio State gets One-year Bowl Ban, ESPN (Dec. 20, 2011, 3:53 PM), \url{http://espn.go.com/college-football/story/_/id/7372757/ohio-state-buckeyes-football-penalties-include-bowl-ban}, [hereinafter Ohio State Ban] (discussing how the university was punished more severely because the Head Coach knew of the infractions and did nothing).
  \item Bill N., Ten Reasons Why USC Football NCAA Sanctions are Not Fair, BLEACHERREPORT.COM (July 14, 2010), \url{http://bleacherreport.com/articles/420087-ten-reasons-why-usc-football-ncaa-sanctions-are-not-fair}.
  \item See Ohio State Ban, supra note 160.
\end{itemize}
Heisman Trophy winner Reggie Bush and the University of Southern California as well as Ohio State football star Terrelle Pryor, and his coach Jim Tressel.\textsuperscript{163}

In the case involving Reggie Bush, it was discovered after he had left for the NFL that he had accepted improper benefits as a student-athlete that violated his amateur status.\textsuperscript{164} The NCAA heavily sanctioned the university.\textsuperscript{165} USC was banned from playing in any bowl game for two years as well as losing 10 scholarships per year for three years.\textsuperscript{166} Reggie Bush already in the NFL as well as his coach during the time in question, Pete Carroll, was safe from any repercussions from the NCAA.\textsuperscript{167} Instead the players currently at the school and the university were left to bear the brunt of the sanctions imposed.\textsuperscript{168}

In the incident with Terrelle Pryor, and Jim Tressel, Pryor was one of several student-athletes who received improper benefits from a local tattoo shop.\textsuperscript{169} Tressel was found to have had knowledge and covered it up.\textsuperscript{170} Ohio State decided to impose its own sanctions in hopes of avoiding further punishment from the NCAA.\textsuperscript{171} The university vacated the 2010 season including a bowl victory.\textsuperscript{172} They also self-imposed a two year NCAA probation and suspended six players, including Pryor, for the first five games of the next season.\textsuperscript{173} Tressel was forced to resign amidst the scandal and Pryor, rather than serving his suspension, left the school in favor of

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\textsuperscript{163} Madison Gray, \textit{USC Trojans Get Black Eye Over Reggie Bush Scandal}, TIME MAGAZINE (Jun. 10, 2010),
http://newsfeed.time.com/2010/06/10/usc-trojans-get-black-eye-over-reggie-bush-scandal/; see also Ohio State Ban, \textit{supra} note 160.
\textsuperscript{164} Gray, \textit{supra} note 163.
\textsuperscript{165} \textit{Id.}
\textsuperscript{166} \textit{Id.}
\textsuperscript{167} \textit{Id.}
\textsuperscript{168} \textit{Id.}
\textsuperscript{169} Ohio State Ban, \textit{supra} note 160.
\textsuperscript{170} \textit{Id.}
\textsuperscript{171} \textit{Id.}
\textsuperscript{172} \textit{Id.}
\textsuperscript{173} \textit{Id.}
\end{flushleft}
the NFL’s supplemental draft where the Oakland Raiders selected him. The NCAA decided that these self-imposed sanctions were not severe enough and dealt Ohio State a one-year bowl ban.

Both of these instances illustrate the limit to the NCAA’s reach over former student-athletes. The basis for criticism of sanctioning a program and student-athletes long after the offender has left is not without merit. However, the fact remains that the NCAA does impose such sanctions on universities for violations relating to improper benefits or more specifically student-athletes taking money. In this article the discussion relates to instances of criminal conduct committed by student-athletes. The focus must change from what the university or the offending student-athlete are forced to deal with to the consequences of their actions. So long as the NCAA is willing to impose these harsh sanctions on universities whose student-athletes have violated rules regarding money, acts that are not crimes rather merely violation of rules, the NCAA should be equally ready to impose similar if not harsher sanctions for criminal conduct of student-athletes.

IV. New Look NCAA

In light of the recent scandals that have blackened the eye of college football, the NCAA should want to turn a new leaf. The NCAA should be ready to depart from its long guarded stance of not punishing student-athletes for criminal conduct, specifically domestic violence. Instead, by adopting the proposed new domestic violence policy, the NCAA can show that it is

174 Id.
175 Id.
176 Id.; see also Gray, supra note 163.
177 See Bill N., supra note 161.
178 See Wharton, supra note 74 at D1.
serious about this type of conduct and that it will not tolerate its student-athletes engaging in such behavior. The NCAA will finally be fulfilling its stated goals of helping the student-athletes excel not only on the field, but also in life.\textsuperscript{179} The NCAA cannot afford to take the negative publicity that is felt through university scandals. Furthermore, the NCAA would probably save money by implementing the domestic violence policy because it would not have to use so many resources to investigate misconduct if it would put the policy in place to avoid the wrongdoing.

A. New Policy to Address Domestic Violence, Athletes, and Implementation

For purposes of the proposed policy, domestic violence is defined as “the willful intimidation, assault, battery, sexual assault or other abusive behavior perpetrated by one family member, household member, or domestic against another.”\textsuperscript{180} In most state laws addressing domestic violence, the relationship necessary for a charge of domestic assault or abuse generally includes a spouse, former spouse, persons currently residing together or those that have within the previous year, or persons who share a common child.\textsuperscript{181} In addition, as of 2007, a majority of states provide some level of statutory protection for victims of dating violence.\textsuperscript{182} If a student-athlete is arrested for conduct related to domestic violence, the student-athlete will be suspended from all athletic participation while the Head Coach conducts an internal investigation.\textsuperscript{183} The Head Coach will report such an arrest to the Athletic Director who will report it to the President

\textsuperscript{179} See Office of the President, \textit{supra} note 11.
\textsuperscript{182} \textit{Id.}
\textsuperscript{183} See, \textit{e.g.}, Mo. State Policies, \textit{supra} note 95.
and General Counsel of the University. After the investigation is completed, the Head Coach with input from the Athletic Director will determine what sanctions, if any, are appropriate pursuant to this policy.

In order for a new policy to be effective, more has to be done than simply adding the words to the NCAA’s constitution and bylaws. Proper implementation of the proposed domestic violence policy will be essential to its success. This would include experts who have been trained in domestic violence to go to each university and conduct on campus training for the coaches, players, and staff. A period of time would be needed to ensure that everyone reviews and understands the new policy before the training for more effective learning. During the training, an official from the NCAA should be present to answer questions regarding incentives, punishment, and reporting.

After the initial training by the domestic violence expert, the schools would be responsible for providing refresher training each year for those who have already been through the program while the same initial training would be conducted for new student-athletes, coaches, and staff. By conducting the training each year the schools will ensure that all personnel affiliated with the football program have undergone and continue to undergo the training. This will require adequate resources to foster implementation, regulations to ensure policy enforcement, and training programs to guarantee that all parties involved understand what is required of them and consequences for inaction.

\(^{184}\) Id.
\(^{185}\) Id.
B. Education for Players as well as Coaches and Staff

Effective change begins with education. In this case, student-athletes, coaches, and staff all need to be educated regarding domestic violence. The proposed policy will allow for this essential education to be implemented. All parties involved must understand how domestic violence works. Through education everyone in the football program will be able to recognize signs leading to domestic violence, the power and control dynamics at play, that engaging in such action is a choice, and that that choice is wrong. No longer will those in charge be able to say that they did not know what signs to look for or how to deal with a situation once something has happened. By working together, the NCAA football program can be strengthened, eliminate distractions off the field, and protect victims of domestic violence.

C. Money Incentives for University Compliance

Instead of simply punishing and sanctioning universities for noncompliance, the NCAA domestic violence policy will look to reshape the culture of college football through incentives for compliance. For too long the NCAA has focused only on punishing programs and universities that fall out of compliance with policies.\(^{186}\) The NCAA has been missing an opportunity to recognize and reward universities that are doing exceptionally well in their efforts. By having these incentives in place, universities will see the importance of compliance as well as realize that they will be rewarded for their good efforts.

One way that the NCAA can incentivize compliance is through their shared revenue.\(^{187}\) Each member university of the NCAA receives a portion of the money generated by college

\(^{186}\) See generally NCAA Manual, supra note 7.

\(^{187}\) See Isidore, supra note 6.
football.\textsuperscript{188} By giving a greater portion of the shared revenue to universities that are in compliance, schools and football programs will have better reason to report and handle cases of domestic violence appropriately.

Football programs that are punished for violations are regularly sanctioned by having athletic scholarships removed from the university.\textsuperscript{189} In addition to this sanction, the NCAA’s domestic violence policy can also go the other way. By staying in compliance with the policy for certain amounts of time, the NCAA can reward programs by granting additional athletic scholarships. For example, each year that a school is in compliance with the domestic violence policy, they can be given added benefits such as additional scholarships to offer, or even more recruiting time allocated. This would be a significant reward as it would give the university a distinct advantage in how many players they can recruit, the time to recruit those players, and more scholarships available to extend. This extreme change from the norm will further motivate schools to remain in compliance of the domestic violence policy.

Another possible way to incentivize compliance with the new domestic violence policy is to have it affect student-athletes directly. The NCAA already makes athletic scholarships contingent on a number of regulations.\textsuperscript{190} Making the athletic scholarship conditioned on non-criminal behavior would not be a difficult addition. Financial aid through the government and a scholarship through the university should not give student-athletes a sense of entitlement. Instead, student-athletes must recognize the privilege and the help given allowing them to receive a college education.

\textsuperscript{188} \textit{Id.}

\textsuperscript{189} See Ohio State Ban, supra note 160.; see also Gray, supra note 163.

\textsuperscript{190} NCAA Manual, supra note 7 at 199.
D. Clear Punishments for Offenders

By bringing uniformity to the NCAA’s member universities, offenders will know that their decision to engage in domestic violence will be met with swift, decisive, and harsh punishments regardless of the university they are attending. No longer will a player be able to appeal to his coach for lenient treatment after engaging in acts of domestic violence. Further, the uniformity provided under the NCAA will ensure that the individual universities will not have the option to deal a lesser punishment than what is required by the policy.

In adopting the domestic violence policy, it will give student-athletes the benefit of having limits placed on them and convey the seriousness of these acts. Because batterers do well with limits, this policy in place creates a strong chance that potential incidents of domestic violence will be avoided. The policy will act as a deterrent to the student-athlete who is prone to committing acts of domestic violence. For those who do commit acts of domestic violence, the response taken under the proposed policy will further serve as a deterrent for other student-athletes across the country that see the action taken and the commitment by the NCAA and universities to stop domestic violence perpetrated by student-athletes.

E. Sanctions for University Noncompliance

Undoubtedly it remains necessary to include punishments for universities out of compliance with the domestic violence policy. Not every university or football program will be able to accustom itself to self-policing through the policy. For some rewards for being in compliance with the domestic violence policy may not be incentive enough. It will be for these

\[191 \text{ See Munson, supra note 132.} \]
\[192 \text{ See T.K. LOGAN, supra note 125 (for the proposition that like the success of orders of protection batterers respond well to limits placed on them).} \]
\[193 \text{ Id.} \]
\[194 \text{ Id.} \]
instances that punishment and sanctions will be used to encourage universities to stay within compliance. By seeing the NCAA willing to enforce the policy, the offending university will more likely be deterred from further acts of noncompliance while it can also serve as deterrence for other programs. Hopefully, when the NCAA imposes the sanctions for violation of the domestic violence policy, it will not have to be done often.

When the universities and football programs understand the NCAA’s willingness to support the policy fewer universities will be willing to face the NCAA’s sanctions and will be more forthcoming in reporting and dealing with incidents properly. When student-athletes observe this action taken by the universities, it can act as a further deterrence for the athletes themselves from engaging in any type of conduct related to domestic violence. This would ultimately serve to reduce the amount of domestic violence acts rather than just inducing fear of punishment for these actions.

F. Mandatory Reporting Required for Other Student-Athletes

After the educational aspect of the policy is implemented, students will have a working knowledge and understanding of domestic violence. Student-athletes should be held responsible to report any suspicious behavior or domestic violence acts if witnessed. These student-athletes will understand the serious nature of domestic violence and hopefully be persuaded to hold each other to a higher standard of conduct. This is not to say that the student-athletes would have to be put in the difficult position of directly confronting their teammate or even reporting to the police. The purpose of the policy would be to have the student-athlete who witnesses or discovers inappropriate behavior to report it to the head coach. It would be the responsibility of the head coach to ensure that a proper investigation take place.
Conclusion: Good Policy Makes Good Sense

With the nature of college football and the fact that student-athletes make up such a large percentage of those who commit domestic violence, the NCAA should adopt the proposed domestic violence policy. Not only will it benefit the NCAA, but also it will also support the development of student-athletes, and most importantly help future and current victims. The NCAA has taken a hands-off approach too long in dealing with criminal conduct of student-athletes. While it is true that researchers do not all agree on the reason, statistics show that athletes are more prone to committing domestic violence acts than other students. Student-athletes make up a large percentage of offenders on university campuses even though they are far outnumbered in the student body.

While there are many issues standing in the way of reform, they are not insurmountable. The NCAA has had to adapt with times, changing and adding policies to address such concerns as drugs and performance enhancers to protect the nature of the game. While domestic violence provides more challenges and intricacies to address, this is the very reason that change is needed. More than the nature of the game of football is at issue; lives are at stake. It is time for the NCAA to address the issue of domestic violence and student-athletes. In light of recent tragedies now is a great time to make the recommended changes.