

The memo 4 players sent NFL commissioner Roger Goodell

The full text of the memo acquired by Yahoo Sports, as presented to NFL commissioner Roger Goodell and vice president of football operations Troy Vincent:

MEMORANDUM

TO: Roger Goodell, NFL Commissioner
Troy Vincent, Executive Vice President, NFL Football Operations

FROM: [Malcolm Jenkins, Philadelphia Eagles](#)
Anquan Boldin, [Buffalo Bills](#)
Torrey Smith, Philadelphia Eagles
Michael Bennett, [Seattle Seahawks](#)

RE: Player Activism for Racial Equality and Criminal Justice Reform

OVERVIEW

As players whom have been advocating for social justice for the past year, we appreciate the opportunity to engage with you, the league, owners, coaches and GMs to make our communities stronger. As we shared with you, the silence following our individual and collective demonstrations around the national anthem to raise awareness to racial inequality and issues surrounding criminal justice reform has been met with inconsistencies in press coverage and perceived lack of support.

To recap our discussion, currently there are more than 40 active players who have participated in our “Players Coalition” to work on criminal justice reform on various levels (some more than others). Below is a summary of the activities we have conducted to date. Our focus has been to identify and place our efforts on the key areas of reform where our influence and support can make a meaningful difference in the community. Those include prioritizing Criminal Justice Reform and Police/Community Relations Engagement. Within those two areas that includes: police transparency/accountability, bail reform, criminalization of poverty, mass incarceration (mandatory minimum sentences, juvenile life parole) and Clean Slate Act, which also includes emphasis on diversion of funds towards community based programs, education and training. (More information below – see Addendum). Through Police/Community Relations & Engagement, we are working with grass roots organizations and police directly through various efforts to build trust within our communities and increase educational and employment opportunities.

Criminal Justice Reform (State, Local and Federal)

– Visits to Capitol Hill and on the state/local level to meet with legislative groups, Senate/House Representatives from our home districts to lobby for reform through individual meetings and testimony before Committees

- Participation in Op-Eds, letters, emails, phone calls and recorded messages to legislators regarding specific criminal justice reform legislation and/or call to action to create legislation
- Participation in media interviews, campaigns and social media on specific issues and the larger goal
- Participation in creative content (videos, PSAs)
- Participation in high-profile educational institutional events or Conferences, such as keynotes, panel discussions and participation in workshops
- Engagement with bi-partisan federal, state and local organizations and non-profit initiatives focused on criminal justice reform to identify and receive information on legislative efforts, garner resources as well as support to distribute and amplify content/Op-Eds, letters, etc.

Police/Community Relations & Community Engagement

- Listen & Learn Tours (visits to prisons, sit-down meetings with Police Commissioners/Captains, police ride-alongs)
- Inviting the police to participate in our Foundation and community-related work (camps, events, outreach)
- Going into the Community, especially urban, poverty stricken and crime-laden communities to engage with families to speak and understand the issues they are experiencing (ie. the impact on the family both economically and emotionally when a family member is arrested, can't make bail, has a record and the financial implications of not being able to find a job or get training to better themselves).
- Meetings and engagement with grass roots organizations and educational outlets who are doing work to move legislation and provide resources (legal support, education, career counseling, job placement) for formerly incarcerated individuals
- Attending town halls to discuss issues and solutions
- Financial support of groups/organizations, including personal donations as well as hosting events to raise funds or resources
- Visits to schools, community organizations and groups who are offering curriculum and attention to human rights issues

CALL TO ACTION

To be clear, we are asking for your support. We appreciate your acknowledgment on the call regarding the clear distinction between support and permission. For us, support means: bear all or part of the weight of; hold up; give assistance to, especially financially; enable to function or act. We need support, collaboration and partnerships to achieve our

goal of strengthening the community. There are a variety of ways for you to get involved. Similar to the model we have in place for players to get involved, there are three tiers of engagement based on your comfort level.

To start, we appreciate your agreement on making this an immediate priority. In your words, from Protest to Progress, we need action. This would entail you and other interested owners, coaches and GM's participating in a Listen & Learn tour (a one/two-day tour) to gain the same knowledge and understanding of the issues and impact on the community. This would include a prison tour, meetings with grass-roots organizations, policy makers/non-profit leaders, police, families in the community and formerly incarcerated individuals.

Other ways we would like to pursue engagement are as follows. Depending on the individual's level of interest, the involvement can vary.

1) **National level** – This section will be focused on national/regional attention on the need for CJR and generating publicity, along with working on meaningful legislation when possible. By joining this effort, you agree to participate in conference calls when possible, commit to the next trip to Capitol Hill to meet with Congress, lend your name to Op-Eds, letters to legislators, press opportunities and social media for specific campaigns.

2) **State level** – With support from the Coalition's partners, meet with local legislators (Senator, Congress representative) in your state/district to discuss specific legislation. A representative would accompany and provide talking points/supportive statements. Your presence and willingness to support will help propel movement. State level is where there are a lot of opportunities to move legislation. This also includes testifying, meetings with state government officials and business leaders, Police Commissioner/Mayor's Office, District Attorney Office, non-profit and grass roots organizations, Op-eds, PSA's and so forth. The promise of impact here is very real and the players have tons of leverage on the state level because of who they are.

3) **Support with Community** – If time doesn't permit to attend or participate in meetings, you agree to lend support through financial commitment or resources to grass roots organizations and community-based organizations whom are doing the real work to impact criminal justice reform and the larger community at whole. Each city/market will be defined by need regarding key areas where you can lend the most support. We are also looking for a commitment to team resources, including broadcast/multi-media opportunities to share content (videos, PSAs featuring players) around specific issues we are trying to impact. This is a bi-partisan approach toward solutions and not politically driven.

Areas of support from our team will include:

A player and/or representative will work with you for all talking points & messaging (you will never have to be the policy expert, just the convener). You will also get regular updates and shared communications.

LEAGUE WIDE SUPPORT

To counter the vast amount of press attention being referred to as the "national anthem protests" versus the large amount of grass roots work that many players around the league have invested their time and resources, we would like to request a league wide initiative that

would include a month dedicated to a campaign initiative and related events. Similarly to what the league already implements for breast cancer awareness, honoring military, etc, we would like November to serve as a month of Unity for individual teams to engage and impact the community in their market.

As you stated, each team/market has their own specific issues currently affecting economic and community growth due to mass incarceration, police-related incidents, lack of educational opportunities for poverty-stricken neighborhoods, etc. Through a concerted effort with team and player support with an emphasis on PR, grass roots organizations who are doing the real work could benefit in a big way to improve our communities.

TIMELINE FOR EXECUTION

- **Week of August 21st** – Conference Call with Players Coalition Leaders with all Owners/Coaches/GMs who have expressed interest. Agenda to follow with more detailed information regarding involvement
- **Week of August 25-Sept 5** – Participation in Listen & Learn Tour
- **September 1-2** – Optional Participation in Philadelphia ([Malcolm Jenkins](#) hosted event, meetings and filming session for PSAs)
- **Week of September 4** – Commitment from Owners/Coaches/GMs. Participation in Development of Announcement/PR Exclusive
- **September 9** – Announcement of Owners/Players Support going into Opening Day
- **Week of September 10** – Additional Conference Call with Fall Timeline

Addendum

CRIMINAL JUSTICE REFORM BACKGROUND

The national leaders in criminal justice reform have identified the following areas in which we are placing our focused efforts because they are the key issues crippling our communities. The upside is that there are legislative efforts currently in development or up for a vote in which our participation and support will lead to a positive outcome towards reform. One of the biggest messages we heard in our meetings in Capitol Hill and on the State/local level is that there is bipartisan support for reform, but in order for change to happen, the legislative efforts need to be made a priority. By joining our efforts, we can make a significant impact.

Police Accountability and Transparency

Since 2016, police have shot over 300 men and women in this country. Some of the names and stories are familiar—Jordan Edwards, Trayvon Martin, Alton Sterling, but hundreds of others are not. Unarmed black people are five times as likely to be shot and killed as unarmed white people. Over the last several years, grassroots activists have pushed for change in the face of considerable push-back from police unions and other law enforcement. We need advocates to push for reform on the national level and locally, where groups are demanding oversight boards and better training, and are begging prosecutors to hold law enforcement accountable.

Bail Reform

Across the country, local jails are packed with people who have not been convicted of any crime but can't afford bail. People are often forced to plead guilty just to end a case rather than sit in jail for months on end awaiting trial. Poor people and communities of color are

especially harmed by cash bail policies. Research is clear that people are more likely to commit a crime upon release if they are held in jail for periods beyond a couple of days. Bail disrupts employment and families in communities that are already struggling.

In New York, for example, Kalief Browder, then a 16 year-old child, was arrested on suspicion that he stole a backpack. Since he could not afford the \$3,000 bail, Browder was held in solitary confinement at Rikers for three years without trial. Less than a year after his release, the trauma from his imprisonment contributed to his suicide.

The bail reform movement is advocating for eliminating cash bail and only holding people who pose a clear risk to the community. Advocacy is needed at the national, state, and local level to put pressure on legislators and prosecutors. One incredibly important step for achieving bail reform is to make the need for reform increasingly salient. Recently, both Common and Jay Z have lent their expertise and platform to the issue.

Criminalizing Poverty

People are arrested and incarcerated in this country because of their poverty. Local governments enact and enforce laws that punish people for sleeping on the street or in public parks, even when they have nowhere else to go. People living in struggling communities also receive fines and fees for small traffic violations, open container laws, or jaywalking. When they can't afford to pay the fines, they are later arrested for failure to pay. They inevitably cannot make bail and then sit in a jail functioning as a debtor's prison.

There are serious reform efforts at the local level to encourage local governments and law enforcement to stop wasting resources jailing poor people and instead invest in long-term solutions to address poverty. These issues arise in almost every American city, from New York to San Diego to Houston.

Drug Crimes

There is a nationwide understanding that the drug war of the last three decades has failed to reduce drug use while providing no clear benefit to communities. It has disproportionately affected people of color and the poor. Polling shows that Americans across the ideological spectrum realize we can't arrest our way out of a drug epidemic and we should instead address drug issues from a public health perspective. Despite this enormous change in public opinion, law enforcement continues to arrest for drug crimes and prosecutors insist on overly harsh sentences. The opiate epidemic has led to new harmful policies based on fear rather than science, and prosecutors across the country are charging homicide in drug overdose scenarios. Drug addicts and low level drug dealers are facing murder for an addict's overdose leading to death.

Reform efforts are concentrated at the state and local level advocating for decriminalization of many drug crimes, deprioritizing the enforcement of existing low level drug laws, increasing treatment availability, and backing off of fear based rather than science based charging policies. Advocacy is needed at the national, state, and local level.

Treating Kids Like Kids

Each day, around 10,000 children are held in adult jails and prisons. Policies that allow children to be charged as adults ignore scientific research about brain development and impulse control. Research also shows that young people can be rehabilitated and become productive members of the community. Adult jails and prisons do not offer necessary

programs to help a child mature out of crime. In fact, children are often traumatized in adult jail, setting them up for overwhelming challenges upon release.

Advocates in several states are pushing for legislation to prevent prosecutors from unilaterally charging kids as adults without judicial oversight or defense representation (“direct file”). And grassroots activists, public defenders, and juvenile experts are pressuring elected officials to simply stop charging kids as adults so that they can stay in juvenile programming, where they belong. Help is needed in all cities to pressure elected officials and help push potential legislation over the edge.

Excessive Sentences Mandatory Minimums

Mandatory minimums – required sentences attached to certain crimes– have led to the explosion of our prison population. Requirements of egregiously long sentences for certain crimes, including for first time convictions, harms communities and ignores individual circumstances that would allow for rehabilitation.

Advocacy is needed to push legislation across the country to reform mandatory minimums. The harsh federal drug sentences are well-documented, but similar mandatory minimum laws exist through the country. In Baltimore, council members are currently considering stiff mandatory minimum penalties for gun possession. Prosecutors have extraordinary power. Advocates can encourage prosecutors to refrain from charging people with an offense that has a mandatory minimum and instead elect to file a lesser offense with a shorter sentencing range. They can also encourage powerful prosecutors to support the end to harsh mandatory minimum legislation.

Juvenile Life Without Parole

The United States is the only nation that sentences children to life without parole without any possibility of release. Despite the fact that children’s brains are not fully developed – particularly the part regulating decision making and judgement – thousands of children have been sentenced to death behind bars. They cannot buy alcohol or vote, but they can spend a lifetime in an 8 by 10 cell.

Recently, the Supreme Court has recognized that most if not all children can be rehabilitated, pointing to evidence that crime rates plummet as children enter their thirties. It has concluded that Juvenile Life Without Parole should be extremely limited. In response, many states, including Texas and Colorado, have abolished JLWOP at least prospectively, acknowledging that children deserve second chances. Legislation has also come close to succeeding but failed in other places – most recently, in Louisiana. Strong advocates are needed to push these bills over the line.

Advocates are also needed to convince prosecutors to stop seeking JLWOP and give kids a second chance. Michigan, Louisiana, and Pennsylvania all have extraordinary numbers of people facing life without parole for crimes they committed as a kid. Prosecutors should be encouraged to do the right thing and give these individuals, many of whom have already served upwards of thirty years, a second chance at life.

Clean Slate Legislation and Advocacy

A conviction or arrest of any kind can be one of the greatest barriers to a formerly incarcerated person's effective reentry into society. An employer runs a background check, finds he has a marijuana or a robbery charge, and won't hire him. These leads to unemployment and often, to more crime.

Legislation is pending in Pennsylvania to automate what is generally an extremely difficult expungement process, making it easy for people with older, minor offenses to get their records sealed. Records will automatically be sealed within two months of a person's eligibility. Athletes and others can support this legislation by writing op-eds, speaking to legislators privately or in hearings, or even tweeting about it and attending town halls. In other jurisdictions, athletes can encourage their community to demand similar litigation.

NFL Responds to Players' Letter Asking Roger Goodell to Support Activism Efforts

ROB GOLDBERG

SEPTEMBER 21, 2017

NFL commissioner **Roger Goodell** and the rest of the league plan to continue working with players on their social activism efforts.

Josina Anderson of ESPN provided the NFL's response to the letter from four players regarding racial equality and criminal justice reform:

The response does not address the call for November to be a month of Unity, detailed in the players' letter, via **Charles Robinson** of Yahoo Sports.

Torrey Smith and Malcolm Jenkins of the Philadelphia Eagles, Seattle Seahawks star Michael Bennett and the recently retired Anquan Boldin created the memo, which was sent to Goodell and executive vice president Troy Vincent.

The message detailed steps taken by players to improve criminal justice reform beyond kneeling during the national anthem. It noted more than 40 players have gotten involved by participating in initiatives such as visiting Capitol Hill and meeting with legislators at the national, state and local level.

The call to action was for league-wide support of these efforts and the creation of a month of awareness in November, similar to Breast Cancer Awareness month.

Although the response noted Goodell's visit to see Jenkins in Philadelphia and that he was "grateful" for the work being done, there was no specific message of support given to the players.