

ABSTRACT

Title of Dissertation: MOST VALUABLE PERPETRATOR: EXPLORING THE IMPACT OF RACE, LEAGUE, AND MARKET VALUE ON CONSEQUENCES FOR ATHLETES PERPETRATING GENDER-BASED VIOLENCE

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This dissertation examines gender-based violence in sport through a sociological lens, integrating theories of hegemonic masculinity, racial capitalism, and institutional power to explore how race, organizational policies, and market value impact the consequences received by athletes committing gender-based violence. Using a three-paper model, this dissertation analyzes (1) racial disparities in consequences administered to athletes for committing gender-based violence, (2) the differential administration of consequences across sporting organizations and the role of organizational policies in shaping consequences, and (3) how an athlete's market value impacts the likelihood of experiencing a consequence. The findings highlight the racialized nature of consequences in sports, demonstrating that there is a higher percentage of Black athletes that experience a consequence for committing gender-based violence as compared to their white counterparts. The MLB, MNBA, and NFL all administer consequences differently and have changed the ways they administer consequences after a personal conduct policy is instituted. Additionally, this dissertation introduces the Market Value Index, a novel framework quantifying the market value of athletes, estimating their financial worth. Considering the market value of NFL players revealed that as an athlete's market value increases, the probability of facing

consequences decreases. These findings underscore the systemic inequalities embedded in sports institutions, where financial and racial considerations intersect to determine consequences. By situating these patterns within broader abolitionist and sociological frameworks, this dissertation argues for structural changes that move beyond carceral solutions, advocating for institutional accountability mechanisms that prioritize survivor-centered approaches to justice.

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DEDICATION

To my mother,

Thank you for the sacrifices you made for me, the opportunities you gifted me, and the confidence you instilled in me. Thank you for encouraging me to be curious and to think for myself. I would not be here without your support. I am a strong woman because I was raised by one.

To my nieces,

Thank you for driving me to continue this work. Your grit, strong will, and desire for fairness pushes me to make the world more equitable for everyone, including both of you.

To those I lost along the way,

You were all part of my journey in one way or another and losing you all throughout this process led to some of the hardest times of my life, but I felt and continue to feel your presence guiding me to continue this hard work. Especially *Ryan* - you were like a big brother to me growing up. Summers spent with you and your sister are what created the pull to one day end up at Maryland and knowing you were working around the corner most of my time here gave me peace - I am glad you have now found peace of your own.

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Granddaddy - Thank you for raising me to be a stubborn leader, to have an unmatched work ethic, and to remember that no job is too good for me - even if the job is picking up rocks or cleaning the fence line. Throughout this journey, you have been one of my most steadfast supporters and best travel companion, cementing yourself as a conference favorite to many. Our many road trips with my country playlist are some of my favorite memories.

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INTRODUCTION

I scrolled to the end of an article and saw, ‘the woman is recovering at a hospital.’ [Brock] Turner, a freshman, was a three-time All-American high school swimmer and state record-holder in two freestyle events . . . I saw hospital run seamlessly into record-holder. The final line: If convicted Turner, who raced in the London 2012 U.S. Olympic trials, could face up to 10 years in prison. If my name came out, what would they even say? Chanel, who works a nine-to-five entry-level job, has never been to London. This had never occurred to me as something to worry about. [A comment on the article] said Turner was an excellent student and an excellent athlete. It’s very tragic and he’s a wonderful, wonderful . . . I stopped reading.

- Miller, Chanel. *Know My Name* (p. 36). Penguin Publishing Group. Kindle Edition.

As I was attempting to formulate a dissertation question in the summer of 2023, I read a lot of books, research articles, anything I could get my hands on, trying to figure out what exactly I wanted to study regarding gender-based violence in sport. I didn’t quite know how I wanted to approach the topic, so I was reading anything and everything related, waiting for a question to stick out to me. Eventually, I made my way to Chanel Miller’s memoir, *Know My Name*. Chanel Miller is the woman that was raped by Brock Turner in 2015. One of the most tragic and graphic rape cases I have ever read, and most people do not even know her name, but instead they know the name of the man who was accused of raping her.¹² The quote above

¹ While some might say few know her name because her identity was not public knowledge until she published her memoir in 2019, others might point out that it is not uncommon.

² Another example of this is how few know the name Rachael Denhollander even though she is a highly visible and outspoken victim of Larry Nassar. Her name was frequently referenced during the entirety of the Larry Nassar case. She has since written a book, *What is a girl worth?* (2022), describing her experiences.

stopped me in my tracks. This shows the dichotomy that is created in the media and in sport more broadly - valuing an athlete's athletic prowess while diminishing the damage they create off the field (Miller 2019). When the news covered the Brock Turner case, much of the coverage centered Turner, his accomplishments as a swimmer, the potential damage to his career, and not the rape he was accused of; his accolades centered and the rape an afterthought (Molinet 2015; Philips 2015). With his athletic prowess in the center, I began to think about how this impacts the way he is written about in the news but might also shape the consequences³ he receives for allegedly committing such violence. This led me to my overarching research question: what impacts which athletes receive a consequence for committing gender-based violence?⁴

My research aims to bridge together three topics: 1) The complication of examining gender-based violence and sport through a racial lens, 2) the ways in which sport organizations address the issue of gender-based violence, and 3) the role an athlete's market value plays in contributing to the consequences they receive when allegedly perpetrating gender-based violence. Guided by this thinking as well as theoretical orientations of abolition, race, power, status, and scholarly work on sports, I conduct market value analysis where I explore the athlete's value in relation to the consequences they face. I interrogate how different sporting organizations administer consequences for gender-based violence differently than others. Additionally, I explore how the athlete's race impacts the consequences they receive.

³ In this dissertation, I use the word consequence to refer to actions administered to athletes after being accused of gender-based violence. Consequences can come from the criminal legal system, the sporting organization, or both. I do not use accountability because, as informed by abolitionist theory, I do not believe that the structures in place allow for true accountability and transformative change for those accused of gender-based violence, rather actions that come after being accused are mere consequences.

⁴ See glossary for a list of terms that are used throughout this dissertation.

Data

The data used as the basis for the analysis of this dissertation is the Gender-Based Violence in Sport Database. This database is a unique, first of its kind dataset that catalogs instances of gender-based violence in sport. Data collection for this database began in 2021, but it was formally launched in 2023. The database consists of over 400 instances of gender-based violence. These cases stem from incidents at the hands of athlete, coaches, trainers, and commentators that work in any of the major sporting organizations globally, including the National Football League (NFL), Men’s National Basketball Association (MNBA), Major League Baseball (MLB), USA Gymnastics, Association of Tennis Professionals (ATP), amongst others.⁵

For a case to be entered into the database, the incident must be covered in a national or local news source. This stipulation is because most news sources do not report on a case until an arrest has been made or an investigation has been launched, either by the organization or the police. When the database team discovers an eligible case to add—meaning the case has been covered in national or local news media and the person accused is an athlete, trainer, coach, commentator — they research important information regarding the case (date, criminal charges, organization response, details of the case, etc.) and about the athlete who is accused of committing the gender-based violence (race, age, relationship to victim, etc.). After a case is

⁵ While most colloquially known as the “NBA” or National Basketball Association, many WNBA fans, reporters, and journalists have transitioned to using the term “MNBA” or Men’s National Basketball Association to challenge the idea of the men’s basketball league as the default (Hundley 2004). Because of this, I will refer to the NBA as the MNBA in this dissertation.

entered into the database, the team monitors the updates from the case at least every six months, in order to keep the database as current as possible.

The database is a free and publicly available. If you were to visit the database at <https://smithandhattery.com/gbv/>, the home page is populated with avatars that loosely resemble each athlete. Under the avatars are the names of the athlete accused of gender-based violence. Each avatar corresponds with one person accused to gender-based violence. The database is organized in alphabetical order by first name of the sportsperson accused of gender-based violence. If you click on an athlete's name, you can review the case (or cases if there are more than one) connected to the athlete.

The database includes a search bar where you can search by a sportsperson's name. You can also apply filters to the database to filter by sport, occupation, and level of play (professional or collegiate). People can submit cases they notice are missing by clicking the "Recommend a Case" button at the bottom of the database page. Additionally, you can "Offer a Revision or Correction" or "Request the Full Database" by clicking the respective buttons at the bottom of the page. There are also buttons to offer resources to victims included on the database page, including the Domestic Violence Hotline and the National Sexual Assault Hotline.

The following information is included for each case included in the database: year of the incident, date of assault, sport organization (e.g. NFL, NCAA), team the accused is/was associated with, their status at time of incident (actively employed or retired), victim-offender relationship, number of victims, type of violence (e.g. sexual violence, intimate partner violence, child abuse), summary of the incident, organizational response, charges filed, summary of charges, date charges filed, date of court's decision or outcome, case outcome, and sources. Cases must be published in a national or local news source before they can enter the database.

This is because newspapers normally conduct their own investigation or publish after investigations have begun by sporting organizations and/or police.

Example Case: John Doe

In order to demonstrate the process of how a case is added to the database, I have created a vignette example: John Doe. John Doe is a professional athlete. Some people have made posts on social media accusing Doe of sexual assault. This story is picked up by a newspaper, called the National News Times, that publishes an investigative piece on the accusation. At this point, research would be done on Doe by the database team, cataloging his race, gender, relationship to the victim, date of the alleged assault, a brief description of the assault, any legal or organizational action against him, date of such actions, and he would be entered into the database. Doe would then be uploaded to the database website.

About six months later, the database team is conducting its bi-yearly update of cases. In their research, they learn that since the first report, Doe has been released from his team because of the alleged assault and signed to another team a month later. Doe was charged with sexual assault and is awaiting trial. This information is updated in the database.

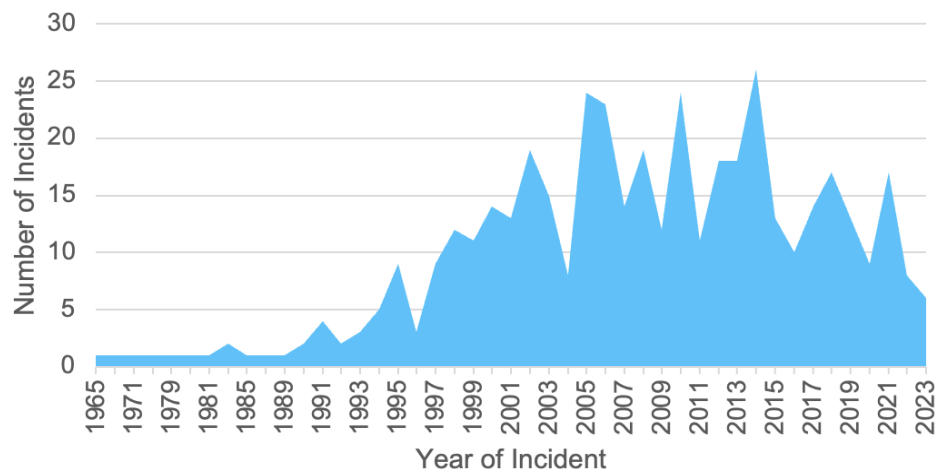
In the next biannual update of the database, the database team discovers that the charges were dropped against Doe and the case was settled outside of court for undisclosed terms. This again is updated in the database.

Database Overview

The database is composed of incidents spanning from 1965 to 2023. The year with the most incidents is 2015. As shown in Figure 1, there is a significant decrease in cases in 1996 and 2004. Additionally, we see a decrease in 2020. This decrease in 2020 is interesting because literature demonstrates that incidents of gender-based violence increased during the COVID-19

pandemic; however, the trends in the data likely support Acosta's (2020) work where they point out that a decrease in reports does not necessarily correlate with a decrease in violence (Mineo 2022). The database's numbers complicate this and demonstrate that trends of gender-based violence for the pandemic might not translate to cases of gender-based violence in *SportsWorld*.

Figure 1: Distribution of Incidents Across Years



As previously stated, the database covers accusations across all sporting organizations. As seen in Chart 2: Incidents in Database (n=439) by league, there are over 400 cases (n=439) documented in the database. Most cases originate from sports persons associated with the NFL, representing 40% of cases. About 90% percent of cases stem from accusations against sportspersons working in professional athletics, while 10% come from accusations against sportspersons working in the NCAA. Additionally, 19% of those accused are considered serial offenders, meaning they have committed multiple instances of gender-based violence.

Chart 2: Incidents in Database (N=439) by League

League	Incidents
MLB	10.9%
MNBA	16.4%
NFL	40.3%
NHL	1.8%
NCAA	10.7%
Other	19.9%

Market Value Index

This database makes a major contribution to the literature in conceptualizing and operationalizing athletic market value. Building on prior research (Wallace, 1988; Andrews & Silk, 2012; Kiss, 2020), the Market Value Index (MVI) provides a comprehensive measure of an athlete's value within a team and sporting organization as well as within society. For this study, this index consists of seven key variables: Fantasy Top 10, Fantasy Top 50, Draft Round, Championship Wins, All-Star Appearances, Additional Awards, and Salary Cap Percentage. Scores range from 0 to 10, with higher values indicating greater market value. The Market Value Index aims to quantify an athlete's potential impact and is useful particularly in assessing how financial standing may influence disciplinary outcomes.

Each variable reflects a distinct aspect of market value. Fantasy rankings capture player performance at the time of a gender-based violence accusation, with Top 10 and Top 50 placements adding to the index. Draft position contributes points based on expected career

potential, while championship wins, and All-Star appearances reflect prestige and visibility. Additional awards, such as Most Valuable Player or Defensive Player of the Year, further enhance market value. Salary cap percentage serves as a financial indicator, with higher-paid athletes receiving greater scores. This structure allows for a nuanced understanding of how athlete value may shape institutional responses to misconduct.

Dissertation Overview

This three-paper model dissertation explores gender-based violence in sport, drawing on the concepts of hegemonic masculinity (Connell & Messerschmidt 2005) and racial capitalism (Robinson 1983; Rhoden 2006) to analyze how race, market value, and organizational policies shape the consequences for athletes perpetrating gender-based violence. Gender-based violence in sport is a critical issue that reflects broader social structures of power, inequality, and institutional complicity. Sport is a site where race, gender, and capitalism intersect, shaping both opportunities and vulnerabilities (Edwards 1969; Rhoden 2006; Smith 2014; Collins 2019; Smith & Hattery 2019; Foltz 2020; Kiss et al 2024; Mirance et al 2024). Sport is a space dominated by men, where masculinity is rewarded, and femininity is rejected (Hattery & Smith 2019). Within the highly masculinized world of sport, athletes are often shielded from consequences for gender-based violence, particularly when they hold economic value for their teams (Hattery & Smith 2019; Sailofsky 2023). Using three key studies—on race and sport (Paper 1), organizational responses to gender-based violence (Paper 2), and the role of market value in determining consequences (Paper 3)—this dissertation situates gender-based violence within broader sociological frameworks of power, gender, race, and capitalism.

Sport as an Institution

Sport is a powerful social institution that both reflects and reproduces existing power structures (Bourdieu 1984; Rhoden 2006; Smith 2014; Hattery & Smith 2019). While some frame sport as a meritocratic space devoid of politics and power relations, scholars argue that sport is embedded in systems of patriarchy (Messner 1992), white supremacy (Carrington 2010), and capitalism (Rhoden 2006; Andrews & Silk 2012). Within this framework, hegemonic masculinity (Connell & Messerschmidt 2005) dominates, positioning women in subordinate roles while reinforcing the notion that men's aggression, dominance, and control are natural and acceptable within sport (Messner & Sabo 1994). Women in sport are often relegated to roles that serve men—cheerleaders, reporters, trainers—where their labor is either sexualized or positioned as caregiving (Birrell & Cole 1994; Theberge 1997; Hattery & Smith 2019). Those who challenge these roles often face harassment or exclusion (Bryan et al. 2021; Hattery, 2022).

The racialized nature of sport further complicates this dynamic. Black men are disproportionately socialized into hypermasculine and physically demanding sports, such as football and basketball, reinforcing the historical association of Black men with physical labor and violence (Rhoden 2006; Carrington 2010). Additionally, using Rhoden's (2006) racialized analysis of sport theorizing the plantation metaphor, we can see that the division of labor within sport's organizations often mirror that of the chattel slave plantation with white men, or owners, controlling Black athletes, or enslaved persons providing labor. Paper one of this dissertation explores how race shapes the consequences athletes face when accused of gender-based violence. White athletes, such as Brock Turner and Ben Roethlisberger, have historically received lenient punishments, while Black athletes face harsher penalties, often without criminal convictions (Foltz n.d.). This racial disparity aligns with broader findings on the criminalization

of Black men (Alexander 2010; Steffensmeier et al. 2017; Hattery & Smith 2021) and the persistence of the “myth of the Black rapist” (Davis 1983), which has historically been used to justify racialized violence and control.

Gender-Based Violence in Sport

Gender-based violence in sport is not simply a series of isolated incidents but a structural problem needing sociologically informed analysis to create solutions (Brownmiller 1975; MacKinnon 1989). As Hattery (2022) argues, gender-based violence is a tool used to enforce gender hierarchies and sustain masculine dominance. Within sport, men athletes are often shielded from accountability, as their performance on the field is prioritized over their behavior off it (Sailofsky 2023; Mirance et.al. 2024; Kiss et. al. 2024; Foltz n.d.). Paper two of this dissertation examines how sporting organizations handle gender-based violence allegations, revealing that leagues implement policies that are largely symbolic rather than substantive. While the NFL, MNBA, and MLB have adopted personal conduct policies addressing domestic violence, Hattery et al. (2023) found that even when leagues have policies in place, as is the case with the MLB, the MNBA, and the NFL, they are rarely applied. Pilon (2017) reported that since the implementation of the NFL’s 2014 personal conduct policy, only two out of eighteen cases resulted in the league’s mandated six-game suspension. Additionally, these policies often allow teams to use discretion in reducing suspensions, reinforcing the idea that punishment is negotiable.

While exploring personal conduct policies is important, it is also important to consider how these policies at times fail to protect victims and survivors and instead protect the people perpetrating the violence. The concept of institutional betrayal (Smith & Freyd 2014; Bedera 2021) is useful in understanding how sports organizations protect those perpetrating gender-

based violence rather than victims. Institutional betrayal occurs when organizations that claim to provide protection instead reinforce harm—such as when leagues minimize gender-based violence allegations to maintain their financial and cultural capital. This mirrors broader failures of institutions like universities and the military, where sexual violence is often ignored or covered up to protect institutional reputations (Spaaij et al., 2015; Martin, 2016; Hattery & Smith 2019). While institutional betrayal is a term used in the discipline of psychology, its framing allows for the understanding that institutions often center the protection of those accused of committing gender-based violence, further betraying the victim.

While institutional policies such as Title IX in college athletics and league personal conduct codes in professional sports aim to address gender-based violence, they often fail due to systemic institutional betrayal (Bedera 2021). Rather than dismantling the conditions that foster violence, institutions use these policies as public relations strategies designed to protect the league rather than survivors. Calls for alternative responses, such as abolitionist approaches, where consequences to gender-based violence are more victim-centered, have gained traction in the field (Abdul Rahim 2022; Goodmark 2023). Rather than relying on the criminal legal system—which disproportionately punishes those who are accused of perpetrating gender-based violence that are Black, while excusing those who are accused and are white (Alexander 2010; Steffensmeier et al. 2017)—scholars advocate for community-based accountability measures that center survivors' needs. This dissertation is thus situated in this discussion within the broader abolitionist framework (Davis 2003; Richie 2012; Goodmark 2018; 2023; Kaba 2021), arguing that sporting organizations must build internal accountability structures rather than deferring to carceral solutions where again the planation metaphor applies.

Market Value and Consequences in Sports

Economic interests play a significant role in determining whether athletes face consequences for gender-based violence. Paper three explores this dynamic, finding that as an athlete's market value increases, the probability of receiving legal or organizational consequences decreases. This aligns with prior research on how elite status provides athletes with protections from institutional punishment (Sailofsky 2021; Sailofsky & Shor 2022; Sailofsky 2023; Foltz n.d.). The Athletic Industrial Complex (Smith 2014), or the commodification of athletes under neoliberal capitalism, further illuminate these dynamics. Paper three highlights how sports leagues prioritize financial gain, shielding high-value players from repercussions. For instance, despite facing over 25 sexual assault allegations, Deshaun Watson was awarded a \$230 million contract, which at the time was the largest monetary contract in NFL history, and continues to play in the NFL (Barshop 2022). This aligns with findings from Sailofsky (2023), who argues that the "win-at-all-costs" mentality in professional sports allows teams to protect star players to maintain profitability.

Conclusion

A sociological approach to gender-based violence in sport reveals the complex intersection of race, gender, and capitalism in shaping who is held accountable for their actions. As demonstrated in paper one, race significantly impacts how consequences are distributed, with Black athletes facing harsher punishments than their white counterparts. Paper two highlights how the different sports leagues administer consequences differently. Finally, paper three underscores how an athlete's market value determines whether they face repercussions, demonstrating how financial interests can reign supreme.

LITERATURE REVIEW

In exploring gender-based violence in sport, many structures, institutions, and sociological theories converge to understand the nexus of the problem. Sociology of sport literature forms the foundation of the discussion. Literature on sport as a racialized (Edwards 1969; Rhoden 2006; Smith 2014) and gendered space (Acker 1990; Claringbould & Knoppers 2012), gender-based violence (Koss & Oros 1982; Jewkes 2002; Martin 2005; Sweet 2020; Hattery 2022), hegemonic masculinity (Connell & Messerschmidt 2005), and intersectionality (Combahee River Collective 1977; Crenshaw 1991; Collins 2019) intersect to reveal the conditions that promote and allow gender-based violence in sport to thrive. This literature review gives a brief overview of the aforementioned literature to provide a scan of the field in which this research is situated.⁶

Sport as a Racialized Space

One of the most foundational pieces of sociology of sport literature is Edwards' (1969) *The Revolt of the Black Athlete*. In this piece, Edwards provides a comprehensive overview of the history of the Black athlete in the United States and the intersection with athlete activism and reveals power relations that are often hidden to both the athlete and sports fan. Edwards notes that “the same humiliations and degradations that plague the athletic careers of Black amateurs also haunt Black professionals” because “all professional athletes – Black and white – are officially and formally classified as property,” (Edwards 2017: 25).⁷ This awareness motivates

⁶ This literature review draws from my comprehensive exam paper titled, “The SportsWorld’s Unsportsmanlike Conduct: Examining Gender Based Violence through an Intersectional Lens.”

⁷ After debates surrounding capitalization rules, media sources took stances surrounding their stance on the rules. Based on the Stylebook adopted by the Associated Press, I choose to capitalize “Black” in the context of race and culture but refrain from capitalizing white (Bauder 2020).

the activism or “revolt” of the Black athlete as they become more aware of their “responsibilities in an increasingly more desperate, violent, and unstable America,” (Edwards 2017: 6; Foltz n.d.a).

In *Forty Million Dollar Slaves*, Rhoden (2006) builds on Edwards’ analysis and prompts the reader to consider how racialized capitalism is deeply entrenched within sport. Rhoden achieves this through conceptualization of the “plantation metaphor” or the idea that the professional sports arena is metaphorical to the plantation that once enslaved Black people. The power dynamics of professional sports – and some would argue all levels of sport—mirror the power dynamics on the nineteenth century chattel slave plantation in the United States (Rhoden 2006; Smith 2014). On the chattel slave plantation, white slave owners possessed all the power over enslaved Black persons. Within sporting organizations, white owners possess the power over athletes, most of whom are Black. Though not precise, this metaphor reveals both a class and racialized analysis of sport, wherein white men maintain the majority of the power and Black laborers lack the ability to rise into positions of power (Rhoden 2006; Hindman & Paulsen 2022). This is of critical importance as race and class are deeply intertwined in the United States. While some athletes occupy the upper class in the United States, Rhoden (2006) reveals how athletes (regardless of race) are forced to remain in the underclass in sport, rarely (some would say never) earning enough to advance within the organization to the position of owner (Foltz n.d.a).

Smith’s (2014) work in *Race, Sport, and the American Dream*, builds on Edwards and Rhoden’s work to conceptualize the *SportsWorld* and the Athletic Industrial Complex. Smith (2014) defines the *SportsWorld* as all institutions, infrastructures, and personnel (athletes, trainers, coaches, fans, commentators, etc.) working and existing within sport. This

conceptualization of the *SportsWorld* allows scholars to understand that sport is not merely a passive site where sports occur, but rather a powerful institution where systems are active. Smith furthers the conceptualization of the *SportsWorld* with the Athletic Industrial Complex. The Athletic Industrial Complex explores a subset of the *SportsWorld* and explains the commodification and alienation of the athlete. The Athletic Industrial Complex is “important to understanding the role that money and power plays” in the athletic arena as “it is the driving force behind virtually every decision that is made,” (2014: 184). While Smith’s understanding of the Athletic Industrial Complex is most purely applied to the intercollegiate athlete, I argue this conceptualization also maps onto professional athletics as the decisions made are “driven by money in the front offices and separated from the athletes themselves,” (Smith 2014; Foltz 2020; Foltz n.d.a).

Many sociology of sports scholars have employed Critical Race Theory in their study of sport, even if they do not explicitly state they are doing so. I utilize three of the major tenets of critical race theory in this dissertation: 1) race as normal in society, 2) race as socially constructed, and 3) interest convergence. In the first tenet Critical Race Theorists are not arguing that racism *should* be normal in society but instead it is “the usual way society does business” and the “common, everyday experience of most people of color in this country,” (Delgado & Stefancic 2017: 8). The ordinariness of racism makes it difficult to address because it is often not acknowledged and assumes a certain permanence in society (Bell 1992). The second tenet is the idea that race is socially constructed and is the “product of social thought and relations,” (Bell 1980; Delgado & Stefancic 2017: 9). As a result of this, stereotypes and racialization of different races shift overtime (Delgado & Stefancic 2017: 10; Foltz n.d.a.). The last key tenet of critical race theory is the idea of interest convergence. Popularized by Bell (1980), interest convergence

is the idea that “the interest of [Black people] in achieving racial equality will be accommodated only when it converges with the interests of whites,” (Bell 1980: 523). Essentially, the “majority group tolerates advances for racial justice only when it suits its interest to do so,” (Delgado & Stefancic 2017: 8). While these tenets have been used in sport sociology, the one that is most notable for my study is interest convergence. Rhoden, specifically, relies on the idea of interest convergence in outlining the history of desegregation of sports. Sports were not desegregated because white sport “owners” were altruistic and saw Black athletes as equals. Instead, they noted Black sports leagues were performing well and they saw Black athletes as financial opportunities. For a more recent example, the first Black NFL team president ever in its history, Jason Wright, president of the Washington Commanders, was only *just* hired in August 2020 (Keim 2020). Wright’s hiring can be understood through interest convergence – the first Black man hired by a notoriously racist NFL organization who were undergoing a name change (due to their name being racist) after a summer filled with protests because of police murders of Black people, including George Floyd and Breonna Taylor (Foltz n.d.a).

Rhoden’s concept of the plantation metaphor could also be extended to Ray’s (2019) “A Theory of Racialized Organizations,” which foundationalizes racialized organizational theory. Ray aims to bridge the gap between organizational theory and race theory to understand that organizations actively create and maintain racial hierarchies (Ray 2019). According to Ray, racism is built into the organization to “enhance or diminish the agency of racial groups,” legitimize “unequal distribution of resources,” use whiteness “as a credential,” and decouple formal rules from organizational practice in a racialized manner (2019: 27). Essentially, Ray is challenging the idea that organizations are passive sites that hierarchies form in and instead describing the process by which organizations become active agents in creating and reinforcing

racial hierarchies. Sport as a structure and sport organizations as an entity have always been a place where white ideologies are reinforced and seen as supreme (Rhoden 2006; Kusz 2007; Foltz 2020). White men occupy almost all the powerful administrative and “ownership” positions (Reid & McManus 2017; Foltz n.d.a.). The foundational pieces of sociology of sport literature focus primarily on the power relations, exploitations, and occupational segregation impacted largely by race (Rhoden 2006; Smith 2014; Hindman & Paulsen 2022)—though other work has explored how sport is not just a racialized space but also a gendered space (Smith 1979; Connell 1987; West & Zimmerman 1987; Acker 1990).

Sport as a Gendered Space

Smith (1979) argues that organizational sociology is “grounded in the working worlds and relations of men, whose experience and interests arise in the course of and in relation to participation in the ruling apparatus of this society,” (Smith 1979: 148; Acker 1990: 141). Building on Smith’s conceptualization of organizational sociology, Acker (1990) popularizes gendered organizational theory. Acker theorizes that an organization is gendered because all parts of the organization are “patterned through and in terms of a distinction between male and female, masculine and feminine” (1990: 146). The organization is not interpreted as being gendered to those within it, but instead sees it as gender neutral. This perception of neutrality allows the power dynamic created by the hierarchy to remain untouched (Connell 1987; West & Zimmerman 1987; Acker 1990). Acker explains establishing a gendered organization occurs through five different processes: 1) the division of labor within the organization, 2) creation of symbols that reinforce those division, 3) the micro interactions between individuals navigating the organization, 4) interactions then reinforces individual presentation of gender, within the

workplace, and 5) finally, gender becomes fundamental in creating and conceptualizing social structures (Acker 1990: 152, Foltz n.d.a.).

Scholars have utilized Acker's gendered organization theory to understand how the *SportsWorld* itself is a gendered organization. For example, Claringbould and Knoppers (2012) analyzed the organizational culture of sport and how that culture may be contributing to the lack of women in leadership positions in sports organizations. Through interviews with people in sport leadership and sport journalists, Claringbould and Knoppers found that through the normalization of the lack of women in organizational leadership of sporting organizations and the lack of women in sports journalism reporting sports, there were serious barriers to entry for women entering the *SportsWorld* (Foltz n.d.a.).

Similar to Claringbould and Knoppers, Collins and Bilge (2016) explore the specific expectations for women in sports in their gender presentation and write specifically about the controlling images experienced by women in the WNBA. Collins notes that "the treatment of women athletes who appear to violate norms of femininity offers a window into the broader issue of how elite athletes deal with hegemonic masculinity and femininity in professional sports," (Collins 1991; Collins & Bilge 2016: 16). At the WNBA's inception," the league's overwhelmingly Black female players were encouraged to model traditional femininity to counter accusations of lesbianism," (Collins & Bilge 2016: 16). While these expectations for players have relaxed internally, the external society continues to police the gender and sexual expression of the players of the WNBA. Because sport does not belong to women, even the spaces that are delineated for women in sport are policed (Theberge 1997; Krane 2001; Collins & Bilge 2016). Thus, understanding that sport is a gendered organization is tantamount to understanding how gender-based violence manifests itself in sport.

Particularly important to understanding sport as a gendered space is the theory of hegemonic masculinity—a masculinity that aims to create power structures between men and women, as well as men against other men, while pitting femininity against masculinity (Connell 1987; Connell 1995; Connell & Messerschmidt 2005; Messerschmidt 2012). While early writings in sociology of sport focused on racial inequality, Sabo & Runfola's (1980) book *Jock* introduced a “profeminist analysis of sport” that attempted to address the lack of literature on gender and sport through critical analysis of masculinity. This work was later extended by Sabo (1986) in the notable essay, “Pigskin, Patriarchy, and Pain,” where Sabo argues that football builds a patriarchal order based on one's ability to endure pain (Foltz n.d.a).

Masculinity scholarship continued to grow, in and outside the sports literature. Connell (1987) conceptualized the theory of hegemonic masculinity, which is as much about ideas that reinforce masculinity like self-reliance, aggressiveness, sexual prowess, emotional restrictiveness, physical competence, as it is about rejection of femininity (Smith et al 2007; Gage 2008; Logan 2010; Messerschmidt 2012).

Pascoe (2007) demonstrates that hegemonic masculinity is upheld through gender policing. Their ethnography followed boys in high school to understand the ways in which this policing occurs. Pascoe notes many different sites for this policing, but they specifically note the role normatively masculine spaces - like a weightlifting class - play in this socialization, again highlighting the importance of sport to masculinity scholarship. Messner (2002) specifically describes men as the center of sport and describes sport as a “site of [patriarchal] domination and privilege” (xviii; English 2017). Bryson extended this idea in their understanding of the connection between sport and the “masculine hegemony” as Bryson called it since the term hegemonic masculinity was being coined by Connell at the same time. Bryson's argument was

built on the premise that sport fosters masculine hegemony based on two fundamental dimensions: first sport “links maleness with highly valued and visible skills and second it links maleness with the positively sanctioned use of aggression/force/violence,” (Bryson 1987: 350).

As important as this work was and continues to be, it is not without critique. Smith (2008) notes Messerschmidt and Connell’s inability to consider the “[racialized] structural factors” that impact the definition of masculinity. Black men experience racialized expectations for how they are supposed to perform their masculinity. For example, Smith “points to how ‘marginalized groups form their own definitions of masculinity,’ but still experience underlying pressures and influence from dominant white discourses,” (Smith 2008: 161; Foltz 2020: 19). Smith notes an example for this in comparing the classed nature of the normative (white) definition of masculinity. A major tenant to white masculinity is being the breadwinner of the familial unit. Because of increased discrimination in the work force as well as exposure to disproportionate rates of incarceration, this tenant of masculinity is complicated for Black men (Smith 2008; Foltz n.d.a.). Also, Majors and Bilson (1992) conceptualize the “cool pose” or a way that Black men perform masculinity in ways differently than their white counterparts. The cool pose is “a ritualized form of masculinity that entails behaviors, scripts, physical posturing, impression management, and carefully crafted performances that deliver a simple, critical message: pride, strength, and control,” (Majors & Bilson 1992; Hattery & Smith 2019: 117). While Smith is pushing Messerschmidt and Connell to consider race, Smith is also encouraging them to be intersectional in their conceptualization and understanding of hegemonic masculinity.

Intersectional theories of masculinity are necessary when studying sport because they attend to intersections of masculinity and other environmental and structural factors related to the perpetration of gender-based violence. Carrington (1998) urged that sports be studied through a

lens of Black masculinity. Prior to this time, Carrington saw a gap in masculinity studies within sport and instead saw sport studies as reinforcing the white identity as the default. Carrington points to the work of Messner (1992) as being the exception to this whitewashing of sport sociology. Messner (1992) argues that “it is overly simplistic to view sport as a patriarchal institution that reinforces men’s domination and power over women,” (Messner 1992; Carrington 1998: 278). Instead, Messner advocates that the “rise of sport as a social institution in the late nineteenth and early twentieth centuries had at least as much to do with men’s class and racial relationships with other men as it did with men’s relations within women,” (Messner 1992: 17; Carrington 1998: 278). Wealthy white men have been privileged in sport and men of other classes or races are constantly policed according to rules and expectations set forth by these men. While at the time of Messner and Carrington’s writings, intersectionality scholarship under its formal name was just taking off, it’s clear they were advocating for intersectional approaches to sociology of sport (Foltz n.d.a).⁸

Gender-Based Violence

Before diving into the research exploring gender-based violence in sport, it is important to understand the broad strokes of the literature on gender-based violence. Gender-based violence is the overarching umbrella term that encompasses both intimate partner violence and sexual assault, as well as other forms of violence that, as Hattery argues, are used as a deliberate strategy for maintaining gender inequality (2022: 2). Gender-based violence reaches further than physical and sexual violence and encompasses mental abuse, emotional abuse, and other forms

⁸ While Michael Kimmel is often regarded as an important contributing author in masculinity scholarship, I purposefully do not include Kimmel in this review given Kimmel has allegations that reflect that Kimmel has perpetrated such violence.

of intimidation that aim to reinforce women's subordinate position in a patriarchal society (Hattery 2022). Gender-based violence is also an updated term for "violence against women" in order to open "space for thinking about the connections between violence against women with violence against gay, lesbian, queer and transgender people, sexual assaults of boys and men, as well as gender-based bullying in schools," (Meyer 2012; Messner 2015: 61). There are debates over whether the updated term is a step in the right direction or if goes too far in decentering women from the discussion of gender-based violence (Messner 2015).

Intimate partner violence is a broad term "used to describe a variety of behaviors including physical, emotional, psychological, financial, and sexual abuse" that occur when someone is or was previously in a romantic partnership (Hattery & Smith 2019; Hattery 2022: 6, Foltz n.d.a). Jewkes finds that two factors are necessary for intimate partner violence: "the unequal position of women in a particular relationship and/or society and the normative use of violence in conflict" (Jewkes 2002: 1426). Sexual violence "refers to rape and sexual assault, but also sexual harassment and street harassment" (Hattery 2022: 6). Sexual violence is a tool to maintain the gendered order of a patriarchal society, a gendered order that is particularly present in sport. These examples of violence often overlap with each other. For example, sexual violence can take place within intimate partner violence. The term I use most in this dissertation is gender-based violence because it is an umbrella term that encompasses the other types of gendered violence, including intimate partner violence and sexual violence.

As scholars (Brownmiller 1975; MacKinnon 1989; Dworkin 1987; hooks 2004; Hattery 2022) have noted, gender-based violence are acts that are intentional and are tools to ensure gender segregation and reinforcing gender inequality. Sexual violence and intimate partner violence are "acts of violence that are rooted in heteropatriarchy and gendered power relations,"

according to feminists (Koss & Oros 1982; Martin 2005; Fuchs Epstein 2007; Kolb 2014; Sweet 2020; Hattery 2022: 8). Jewkes (2002) states that “intimate partner violence is a product of its social context,” therefore connecting the violence that is occurring in the home to the violence that is occurring in gendered social institutions (Jewkes 2002: 1423). In other words, the micro experience of the home is linked to the macro structures of society (Sweet 2020; Hattery 2022). Sweet (2019) demonstrates this linkage specifically in their paper on the sociology of gaslighting – which Sweet defines as “a set of attempts to create a ‘surreal’ (Ferraro 2006) social environment by making the other in an intimate relationship seem or feel ‘crazy’”- demonstrating how power relations created by institutions seep into individual relationships (Sweet 2019: 852). Some scholars would extend this to saying that family and intimate relationships are gendered organizations themselves, where the very organization relies on the subjugation of women for their existence (Collins 1991; Acker 1992; Yancy Martin 2004; Fuchs Epstein 2007).

Hattery (2022) also notes that while feminism seems to be the “ideal lens for examining gender-based violence (Sweet 2020; DeCoaster & Heimer 2021), white feminists and feminisms have sometimes ignored and neglected the reality that gender-based violence is not *just about gender*, it is also [about being] intersectional,” (Combahee River Collective 1977; Davis 1983, Crenshaw et al 1995; Potter 2006; hooks 2014; Roberts 2020; Monterrosa 2021; Hattery 2022). Therefore, while feminist scholarship is important in framing gender-based violence, it often falls short in understanding how sexism interconnects with racism. Specifically, it fails to understand the misogynoir—which is the specific racialized and gendered oppression experienced by Black women (Bailey 2018)—that is experienced by Black women. This argument is not a new one. Davis popularized it in 1983 and others, like Collins (1991) have

since built on the idea to conceptualize the term intersectionality. However, while it is not new, Hattery's argument demonstrates that not only does gendered analysis of gender-based violence often overlook race, but it can also fail to center the voices of Black women (Foltz n.d.a). By approaching with a more intersectional approach, Black feminists, and other scholars are attempting to engage with race more purposefully and meaningfully, as this is a weakness of the literature up to this point.

Intersectionality is a theoretical framework that aims to analyze how identities are intertwined to understand the experience of oppression. Most famously associated with Crenshaw, the concept of intersectionality looks at the ways in which different identities affect one's everyday experience (Crenshaw 1991). While Crenshaw is typically the scholar that is credited with intersectionality, the ideas behind and framework of intersectionality was being used far before 1991. For example, coming from the Black feminist tradition, the Combahee River Collective (1977) was foundational in operationalizing intersectionality by creating a movement that spoke out against the "intertwined malignancies of capitalism - racism, sexism, and poverty" that Black women experience as some of the most marginalized in society (Combahee River Collective 1977; Taylor 2020).

Crenshaw built on their work in her definition of intersectionality (Crenshaw 1991). One's identities are layered in a way that cannot be separated. Bowleg writes specifically of her experience as a Black lesbian woman, noting the importance of not thinking of her identities as additive (Black+lesbian+woman), but rather as one specific identity of being a Black lesbian woman. These identities cannot be separated but instead build on one another to create a specific experience (Bowleg 2008: 312). Collins (2019) notes the importance power plays in the framework of intersectionality, calling for a "robust analysis of power" and sees analyzing the

“workings of domination and oppression” as key to understanding intersectionality (Collins 2019: 288-289). This analysis of power is required to accomplish a major goal of intersectionality: to “bring about [social] change,” and is also crucial in understanding how sport is not just racialized or gendered but rather is an institution that is impacted by both white supremacy and the patriarchy simultaneously (Collins 2019: 289; Foltz n.d.a.).

Gender-Based Violence and Sport

In *Sex, Violence, & Power in Sports*, Messner and Sabo (1994) conceptualizing the intersection of gender-based violence, sexual violence, and athletics, noting that there is “nothing inherent in sports [that] makes athletes especially likely to rape women ... [rather] it is the way sports are organized to influence developing masculine identities and male peer groups that leads many male athletes to rape” (Messner & Sabo 1994: 34). Most recently, Hattery and Smith (2019) describe the *SportsWorld* as a quasi-total institution where its fraternal order, internal systems for “justice,” and culture of hypermasculinity make it a breeding ground for gender-based violence. This demonstrates how understanding gender-based violence in the *SportsWorld* is similar to how gender-based violence is operating within the military and other hypermasculine arenas (Hattery & Smith 2019). Women are oftentimes only seen in places in the *SportsWorld* where they are positioned as sex objects (i.e., cheerleaders, groupies) but also sources of restoring power to men. This makes it easier for players to “reduce women exclusively to their function as sexual beings,” (Hattery & Smith 2019: 113-114).

When describing intimate partner violence more broadly, Jewkes notes “women are also defined as appropriate vehicles for reconfirmation of male power. Violence against women is a demonstration of male power juxtaposed against the lesser power of women,” (Jewkes 2002: 1426-1427). Women are not welcome in sport and the ones who are - cheerleaders, trainers,

reporters, etc. - find themselves put in the position to either be sexualized or to be a caretaker for men, and therefore, reinforce men's power while subordinating their own. When women's bodies are seen as too powerful (i.e., Caster Semenya), they are seen as "sporting space invaders" and attempts are made to push women back into the box deemed acceptable or else they are pushed out of sport altogether (Brown 2015). The *SportsWorld* therefore is an environment and space belonging to men. It's a place where "women's total function is to serve men's needs, and when women refuse, they are consequences to be paid, including rape and assault," (Hattery & Smith 2019: 114; Foltz n.d.a.).

In the journal *Gender & Society*, Hattery (2022) analyzes the memoir of Katie Hnida, the first woman to play in a Division I college football game in 2003, as a starting point in describing sexual violence and its intersection with sport. Hnida was often the target of verbal abuse, sexual harassment, sexual abuse, and was raped by a teammate. Hattery notes that "Hnida's case illustrates the power of sexual violence as a tool for resisting women's attempts to integrate the hypermasculine, gender segregated world of college football," (2022: 21). Hattery continues to note that Hnida's experience is not necessarily unique to women attempting to play men's sports, instead it runs parallel and connects with the common experiences for any woman in the field of sport in general (Hattery 2022). Sport represents a specific landscape that is built upon sexism and hegemonic masculinity, making violence against women and those deviating from traditional forms of masculinity commonplace.

There has been empirical work exploring the connection between gender-based violence and sport. Morris (2014) demonstrates the importance of considering intersectionality in studying gender-based violence in sport. Using statistics from the Bureau of Justice annual crime report

and a USA Today NFL arrest database,⁹ Morris “revealed that although NFL arrest rates for intimate partner violence were lower than the average for men of the same age group, 55 percent of the arrests of NFL players were for intimate partner violence and an additional 38 percent of arrests were for sexual violence,” (Morris 2014; Hattery & Smith 2019: 122). That means that gender-based violence is the cause of 93 percent of the arrests of NFL players. However, after comparing to non-athlete men of similar income levels, “it appears NFL players are being arrested at twice the rate of men in their same age and social class for intimate partner violence,” (Morris 2014; Hattery & Smith 2019: 122). While this study reveals important implications for class and gender-based violence, it could more meaningfully interrogate the role race plays in these arrests, as the NFL is comprised of nearly 70% Black athletes (Lapchick 2016).

Sailofsky (2021) explores how violence perpetrated by athletes affects career outcomes. They found that NFL or MNBA players being accused of or arrested for violence against women, has little if any effect on their career and instead “evaluations of their talent and productivity as athletes and employees,” is most important (Sailofsky 2021: 145). Furthermore, Sailofsky and Shor (2022) examine how being arrested for acts of violence against women affects the career of MNBA players. They found that there were *only minor differences* in career outcomes and longevity between players arrested and those that were not (Sailofsky & Shor 2022; Foltz n.d.a.). Kiss (2024) and colleagues explore how different leagues are administering consequences for gender-based violence and Mirance and colleagues (2024) call for more abolitionist approaches when attempting to address gender-based violence in sport.

⁹ This database is different from the Gender-Based Violence in Sport Database because it documents all arrests of NFL players, not just those relating to gender-based violence. It also only focuses on the arrests of NFL players, while the Gender-Based Violence in Sport Database covers numerous sports leagues.

While looking at studies of gender-based violence in sport, difference approaches emerge. The study of intimate partner violence within the sociology of sport began more theoretically, supported by qualitative research (Messner 1992; Messner & Sabo 1994; Carrington 1998). Recently, literature in sociology of sport and intimate partner violence seems to be more dominated by quantitative or larger scale studies (Sailofsky 2021; Sailofsky & Shor 2022; Kiss et al 2024). This dissertation builds on the studies that come before it to explore novel approaches to studying/theorizing gender-based violence in sport. In Paper 1, I explore how the race of the athlete perpetrating gender-based violence impacts the consequences they receive. In Paper 2, I consider how different sporting organizations administer consequences differently to athletes within their organization who commit this violence. Finally, in Paper 3, I make a major contribution to the literature in conceptualizing Market Value Index, where I quantify the market value of an athlete. Using the Market Value Index, I interrogate how the market value of an athlete perpetrating gender-based violence impacts the consequences they receive.

PAPER 1

The Home Team Advantage: Racialized Consequences for Athletes Perpetrating Gender-Based Violence

INTRODUCTION

Among one of the most well-known accusations of athletes perpetrating sexual violence is the case of the Stanford swimmer, Brock Turner. In January 2015, Brock Turner allegedly perpetrated a brutal rape of an unconscious woman. When Turner was arrested and the news covered the case, much of the coverage centered Turner, his accomplishments as a swimmer, the potential damage to his career, and not the rape he was accused of; his accolades centered and the rape an afterthought (Molinet 2015; Philips 2015). He was convicted of three felony charges and was sentenced to less than six months in jail. When the news broke of his sentencing, many (Homes 2016; Koren 2016; Young 2016) pointed out the role that white privilege played in his sentencing. Turner was in college when he perpetrated this violence, however, similar things occur when white professional athletes commit gender-based violence. For example, Ben Roethlisberger, a white quarterback for the Pittsburgh Steelers, was accused of sexual assault twice, once in 2008 (accused by a hotel employee) and once in 2010 (accused by an acquaintance). He received minimal consequences for his actions - none from the criminal legal system and only a six-game suspension (which was reduced to four games) after the 2010 allegations emerged (Jacobs 2022; Vigdor 2022). In 2010, the same year Ben Roethlisberger received minimal punishments after the second allegation against him came to light, Kevin Alexander, a Black linebacker for the Denver Broncos, was dropped from the team after allegations of domestic violence were raised against him by his girlfriend (Associated Press 2010). These examples, particularly the public analysis of Turner's sentencing, exposed the

question of the role that the race of the athlete perpetrating gender-based violence plays in impacting the consequences they face for such violence.

THEORETICAL FRAMEWORK

Gender-Based Violence

Gender-based violence is the overarching umbrella term that encompasses both intimate partner violence and sexual assault, as well as other forms of violence that, as Hattery (2022) argues, are used as a deliberate strategy for maintaining gender inequality.¹⁰ Acts of gender-based violence are intentional and are tools to ensure a gender hierarchy and reinforce gender inequality (Brownmiller 1975; Dworkin 1987; MacKinnon 1989; hooks 2004; Hattery 2022). Gender-based violence is also one of the most pressing public health issues with “25 and 35% of women in the United States and globally experience gender-based violence, including sexual and intimate partner violence, stalking, and sex trafficking,” (Hattery 2019; Hattery 2022: 5). About one in three men and over 50 percent of women experience sexual violence (Smith et al 2017; Leemis et al 2022). One in four women experience physically abusive domestic violence and one in ten men experience domestic violence (Smith et al 2017; Leemis et al 2022).

According to feminist scholars, sexual violence and intimate partner violence are “acts of violence that are rooted in heteropatriarchy and gendered power relations,” (Koss & Oros 1982; Martin 2005; Fuchs Epstein 2007; Kolb 2014; Sweet 2020; Hattery 2022: 8). Gender-based

¹⁰ Intimate partner violence is a broad term “used to describe a variety of behaviors including physical, emotional, psychological, financial, and sexual abuse,” (Hattery & Smith 2020; Hattery 2022: 6). Jewkes finds that two factors are necessary for intimate partner violence: “the unequal position of women in a particular relationship and/or society and the normative use of violence in conflict,” (Jewkes 2002: 1426). Sexual violence “refers to rape and sexual assault, but also sexual harassment and street harassment” (Hattery 2022: 6). Sexual violence is a tool to maintain the gendered order of a patriarchal society, a gendered order that is particularly present in sport.

violence, and sexual violence specifically, are about power at its core (hooks 2000; Herman 1992; MacKinnon 1989; Swarkin 1987; Foucault 1976; Brownmiller 1975). This conceptualization connects the violence that is occurring in domestic spaces to the violence that is occurring in gendered social institutions, which is supported by Jewkes' (2022) work. Jewkes states that "intimate partner violence is a product of its social context," (Jewkes 2002: 1423). In other words, the micro experience is linked to the macro structures (Sweet 2019; Sweet 2020; Hattery 2022). Structural factors, therefore, infiltrate individual interactions. For example, the athlete is socialized in a deeply patriarchal space in sports, where they are taught that men are superior, and women are inferior. Those patriarchal values carry into the individual - and oftentimes intimate - relationships in which the athlete is involved, allowing structures and institutions to make their way into individual, or micro, relationships.

Sport and Gender-Based Violence

Understanding gender-based violence, intimate partner violence, and sexual violence, are all important in understanding the gendered power relations of sport. Not only is the *SportsWorld* a site for sexual violence (i.e., Larry Nassar), its members also often turn a blind eye to those perpetrating of intimate partner violence (i.e., Urban Meyer). The *SportsWorld* is defined by Smith (2014) as all institutions, infrastructures, and personnel connecting to the sport. This, along with the subordinated position women are placed in sport (Birrell & Cole 1994; Theberge 1997), creates the material conditions for athletics to be a welcome site for gender-based violence. Hattery and Smith (2019) further this in saying that the *SportsWorld* is a quasi-total institution where its fraternal order, internal systems for "justice," and culture of hypermasculinity make it a breeding ground for gender-based violence. This demonstrates how understanding gender-based violence in the SportsWorld in many ways mirrors how gender-

based violence operates within the military and other hypermasculine arenas (Morris 1996; Kearn 2013; Hattery & Smith 2019). *SportsWorld* is also a site for “privilege and oppression—based on power—that provides access to privilege for its members, particularly those who attain a high level of success,” (Hattery 2010: 112). As Hattery (2010) notes, the privilege in *SportsWorld* is manifested in tolerance or even amnesty for violence against women.

Women are oftentimes only seen in places in the *SportsWorld* where they are positioned as sex objects (i.e., cheerleaders, groupies) but also sources of restoring power to men (Birrell & Cole 1994). This makes it easier for players to “reduce women exclusively to their function as sexual beings,” (Hattery & Smith 2019: 113-114). When describing intimate partner violence more broadly, Jewkes notes “women are also defined as appropriate vehicles for reconfirmation of male power. Violence against women is a demonstration of male power juxtaposed against the lesser power of women,” (Jewkes 2002: 1426-1427). Women are not welcome in sport and the ones who are - cheerleaders, trainers, reporters, etc. - find themselves put in the position to either be sexualized or to be a caretaker for men, and therefore, reinforce men's power while subordinating their own. The *SportsWorld* therefore is an environment and space belonging to men.

According to Hattery and Smith, the *SportsWorld* is a place where “women’s total function is to serve men’s needs, and when women refuse, they are consequences to be paid, including rape and assault,” (Hattery & Smith 2019: 114). When spaces are created for women in sports, they are often done secondary to men’s sports and are often labelled in ways that demonstrate they are added on. For example, the men’s professional basketball league is referred to as the “National Basketball Association” or the “NBA,” while the women’s professional basketball league is referred to as the “Women’s National Basketball Association” or the

“WNBA.” This demonstrates the men’s league is the default and the women’s league are the additional league (Messner 1992; Bonvillain 2000; Messner 2002; Cooky & Messner 2018). In light of the explosion of women’s sports during 2024 (Cobb 2024; Smith 2024; Togethxr 2024), I would further this in saying even the sporting spaces that are *for women* are policed by men in ways to remind women they are guests in the *SportsWorld* (Messner 1988; Lemoncelli 2024; Nassir & Peterson 2024). For example, many women athletes, like Caitlin Clarke, Paige Bueckers, and Angel Reese, have had to navigate stalkers and have discussed the racist and sexist harassment they experience online (Henderson 2024; Young 2024; Sullivan 2025).

However, while athletes (both men and women) are sometimes the victims of gender-based violence, athletes sometimes perpetrate this violence as well. Smith describes the relationship between men athletes and women as one that has always been “tumultuous,” (Smith 2014: 127). Using statistics from the Bureau of Justice annual crime report and a USA Today NFL arrest database, Morris (2014) “revealed that although NFL arrest rates for intimate partner violence were lower than the average for men of the same age group, 55 percent of the arrests of NFL players were for intimate partner violence and an additional 38 percent of arrests were for sexual violence,” (Hattery & Smith 2019: 122). That means that gender-based violence is the cause of 93 percent of the arrests of NFL players. While 93 percent of arrests are for violence against women, when looking at the larger population of men (i.e., non-athletes) in the same age group, the NFL players have a lower-than-average arrest rate than their male non athlete counterparts. However, when compared to non-athlete men of similar income levels, “it appears NFL players are being arrested at twice the rate of men in their same age and social class for intimate partner violence,” (Morris 2014; Hattery & Smith 2019: 122). There are many reasons that could be contributing to this: 1) the hypervisibility or selective media focus of professional

athletes and 2) the link between the racial makeup of the NFL (70% Black players) and the disproportionate policing of Black men by the criminal legal system (Messner 1995; Collins 2004; Alexander 2010; Carrington 2010; Lapchick 2016; Hattery & Smith 2021) as well as their socialization into a hypermasculine sport (Shakib, Veliz, Dunbar, & Sabo 2011).

Intersectional theories of masculinity are particularly important when studying sport because they attend to intersections of masculinity and other environmental and structural factors related to the perpetration of gender-based violence. Carrington (1998) urged that sports be studied through a lens of Black masculinity because Black men are disproportionately socialized into certain sports. Black men are socialized into sports that are considered hypermasculine as well as considered lower class or require less money to play, like football and basketball. White men, on the other hand, are funneled into sports that require more economic status to succeed in, like tennis. Messner's work (1992) supports Carrington's argument in arguing that "it is overly simplistic to view sport as a patriarchal institution that reinforces men's domination and power over women," (Messner 1992; Carrington 1998: 278). Instead, Messner advocates that the "rise of sport as a social institution in the late nineteenth and early twentieth centuries had at least as much to do with men's class and racial relationships with other men as it did with men's relations with women," (Messner 1992: 17; Carrington 1998: 278). Wealthy white men have been privileged in sport and men of other classes or races are constantly policed according to rules and expectations set forth by these men.

In their book, *Sex, Violence, and Power in Sports*, Messner and Sabo (1994) note that there is "nothing inherent in sports [that] makes athletes especially likely to rape women ... [rather] it is the way sports are organized to influence developing masculine identities and male peer groups that leads many male athletes to rape," (Messner & Sabo 1994: 34). While the media

often covers the domestic and intimate partner violence performed at the hands of athletes, it is important to note that “professional athletes ‘are not more violent than non-athletes. This is the ‘myth of the violent athlete,’” or the idea that men athletes are committing violence at higher rates than their nonathlete counterparts (Benedict 1997: 25; Ladika 2017: 367). However, while athletes are not committing violence at rates higher than non-athletes, there is still a specific culture that is created that is protecting athletes that do commit this violence. When understanding who has power in the *SportsWorld* (i.e., men), we can also then see who doesn't have power (i.e., women). This is important because when men are using their power to abuse women, and other men choose to turn a blind eye, a particular culture is created – one that prioritizes the idea that “boys will be boys,” while silencing women (hooks 2004).

Hattery and Smith (2019) note that the most hypermasculine sports (i.e., football and basketball) are the ones with the highest rates of gender-based violence. However, we cannot simply rely on masculinity scholarship to explore the issue of gender-based violence in sport, because, as Smith argued, this literature is often dominated by conceptualizations of white masculinity (Majors & Bilson 1992; Carrington 2010; Smith 2014). Exploring Black masculinity as it relates to sport and gender-based violence is not to perpetuate the myth of the Black rapist¹¹ (Davis 1983), but rather to meaningfully understand how masculinity intersects with race in the specific context of sport. Essentially, sport is a deeply racialized space.

¹¹ The “Myth of the Black rapist” refers to the pervasive stereotype that Black men are hypersexual, violent, and are a particular threat to the purity of white women (Davis 1983). This myth was created during the reconstruction era and has been weaponized to enact violence against Black men and justify white supremacy (Wells 1900; Collins 2004).

Sport as a deeply racialized space

Ray (2022) notes that while race is biologically insignificant, it has been created to be socially significant through political and social construction. Systemic racism refers to the pervasiveness of race within structures, policies, and practices that create and perpetuate racial inequalities within society (Ray 2022). Sport represents an exemplar structure to examine when exploring systemic racism. In *Forty Million Dollar Slaves*, Rhoden (2006) prompts the reader to consider how racialized capitalism is deeply entrenched within sport. In this book, Rhoden conceptualizes the “plantation metaphor” or the idea that the professional sports arena is metaphorical to the plantation that once enslaved Black people. The power dynamics of professional sports, though not exact, are still remarkably similar to those found on the plantation in the 1800s (Rhoden 2006). For example, in 2014, the racial composition of NFL players is 66 percent Black, 30 percent white, and four percent other races, while the owners of teams are 97 percent white and three percent Black and/or other races (Chalabi 2014). These numbers hold basically true today and they mirror the power structures present on the plantation - white enslavers with Black enslaved persons.

In *Race, Sport, and the American Dream*, Smith (2014) conceptualizes the athletic industrial complex. Smith argues that the Athletic Industrial Complex, a subset of the *SportsWorld* that focuses on the commodification of the athlete, further alienates the athlete and is “important to understanding the role that money and power plays” in the athletic arena as “it is the driving force behind virtually every decision that is made,” (2014: 184; Foltz 2020). It is important therefore to understand how in athletics, the decisions made are “driven by money in the front offices and separated from the athletes themselves,” (Smith 2014; Foltz 2020). Sport is an organization that is deeply hierarchical, and decisions will always be made to protect the

white owners at the top, to protect their financial standing. Because of this, executives will protect their star players against allegations of sexual assault because it is financially beneficial (Kiss et al 2023).

Systemic racism is also important when exploring the criminal legal system. Studies show that Black men are hyper criminalized by the criminal legal system (Alexander 2010; Hattery & Smith 2021). For example, Steffensmeier (2017) and colleagues explored the intersectionality of race, gender, and sentencing using Pennsylvania sentencing data. They found that young Black men and Hispanic men overall receive the harshest sentences. Roberts (1997) and Davis (2003) also found that racial stereotypes about Black men lead to harsher punishments in sexual violence cases particularly. Bridges and Steen (1998) further this in noting that Black defendants are more likely to receive longer sentences, especially when the victim is white. Exploring the connection between systemic racism and the criminal legal system is important because one of the major sources of consequences for athletes who commit gender-based violence is the criminal legal system. There have been a few studies that explore the connection between race, sport, gender-based violence, and consequences (Hattery et al 2023; Kiss et al 2024; Mirance et al 2024). Most recently, Hattery and colleagues (2023) note that while individual instances of Black men accused of perpetrating gender-based violence were more numerous in their analysis of the Gender-Based Violence in Sport Database, white men are responsible for more than two times the number of victims than Black men. This suggests that white men recidivate or commit violence against more than one victim before they receive a consequence.

Contribution to Literature

Prior research on sexual assault or other forms of gender-based violence in sport has primarily focused on gauging how susceptible athletes are to committing this violence (Messner & Sabo 1994; Smith 2014; Parent 2022). As noted above, research has documented that various structures of race, gender, and class impact the outcome when an athlete is accused of gender-based violence. In addition to their individual characteristics, the sport they play and their overall prestige or market value (Foltz n.d.b; Foltz n.d.c.) all play a role in their treatment by the criminal legal system and the media. Sailofsky's (2022) research has well-documented that an athlete's reputation and likelihood of continuing to play is not negatively impacted by an accusation, charge, or conviction of an incident of gender-based violence (Kiss et al. 2023). Hattery (2010) noted that when athletes that have "'value' to the team are caught, they are treated with less severity than are other men in similar circumstances," (Hattery 2010: 111).

Building on a framing similar to that proposed by Sailofsky, I aim to fill the gap to understand the consequences (or lack thereof) that follow an athlete when allegedly committing gender-based violence. However, instead of exploring career outcomes as Sailofsky (2021) did, I explore whether persons in the *SportsWorld* experience consequences and how race impacts the dispersal of those consequences. I aim to fill a gap in the literature that connects the work on gender-based violence in sport as well as the criminal legal system by examining how the racialized power structure of sport and the legal system map onto the consequence structure in *SportsWorld*. Are Black athletes more likely to experience consequences in the criminal legal system or instead experience consequences from their league or teams? How does this compare to their white counterparts? Based in the framework provided by those theorizing the intersection

of race and sport, I explore how race impacts whether an athlete in the *SportsWorld* experiences a consequence for cases of gender-based violence.

DATA AND METHODS

This study draws from the Gender-Based Violence in Sports database. The Gender-Based Violence in Sport database is housed at the University of Delaware's Center for the Study and Prevention of Gender-Based Violence.¹² The database compiles publicly available sources including news accounts, media sources, and court records covering all forms of gender-based violence (sexual violence, domestic violence, stalking, etc.) perpetrated by a collegiate or professional sports athlete, coach, or staff member. It includes both men and women, in heterosexual and queer relationships, and the earliest case took place in 1965. Currently, the database has over 430 cases of gender-based violence, though it is continuously being updated as cases emerge or are identified by researchers. The database is primarily focused on people in the *SportsWorld* in the United States, however there are some entries in the database from sports organizations in other countries.¹³ Cases of gender-based violence that involve actors in the *SportsWorld* are cataloged in this database as they come into public view through local or national news media. While some cases originate on social media platforms (like X or Instagram), they must be published by a news source in order to be entered into the database to ensure a level of legitimacy to the claims.

¹² The database can be found at <https://smithandhattery.com/gender-based-violence>. On that page, there is an option to request the full database. After requesting the database, the database is emailed to the requester either as a csv or excel file. This database is built off publicly available sources and as a result permissions are not required.

¹³ In the database, there are 15 instances where the sportsperson played on a team outside the United States.

The database includes over 430 instances of accusations of gender-based violence perpetrated by people in the *SportsWorld*. Each case cataloged includes the name, race, ethnicity, and gender of the those accused of perpetrating gender-based violence, date of the event, the sport they play or coach, the organization they play or work for, the type of violence, the accused's relationship to the victim, the number of victims, the organizational response (if there was one), whether they were charged or convicted, whether there was a civil case brought against them, and if they continued to play or coach after the case was reported and investigated.¹⁴

Excluded Cases

Although the database includes 430 instances of gender-based violence perpetrated by people in the *SportsWorld*, this paper analyzes a sub-sample of 251 instances. First, I chose to include only active athletes in this study because I was interested in how organizations and teams divvied out consequences to athletes that were currently playing for teams. As a result, athletes that were retired (n=72) when they perpetuated this violence were excluded. Additionally, coaches, trainers, doctors, and sports commentators, which I classify as staff, were excluded (n=21) because they represent a substantively different type of occupation status. The staff is put at a subordinate position in the organization - important, but easily replaceable. Coaches are not included because they are put in a leadership or administrative role within the organization, holding much more power than the athlete, and therefore creating a different power dynamic than that of athletes themselves.

¹⁴ If a sportsperson commits multiple instances of gender-based violence, they are treated as separate entries if information can be found for each individual instance (multiple individual cases against Ben Roethlisberger). However, if cases are brought public together or are part of the same lawsuit (i.e., the case against DeShaun Watson), they are treated as a single entry.

Second, this paper focuses on examining professional athletes. Title IX is a federal law enacted in 1972 that prohibits sex-based discrimination in any educational program or activity receiving federal funding in the United States. It also is a major governing legislation that determines how colleges handle allegations of sexual assault. Because of this, Title IX complicates proceedings at the university level. It is possible for consequences and decisions to not become public knowledge so it may never be revealed if an athlete receives a consequence at the university level. As a result, National Collegiate Athletics Association (NCAA) athletes (n=45) who are in the database were excluded.

Third, while women athletes commit gender-based violence in sport, I will exclusively explore men's sports in this dissertation.¹⁵ This is due to the small sample size of women athletes in the database who have committed gender-based violence (less than 10 cases); however, exploring and comparing the treatment of men versus women athletes who commit gender-based violence would be an interesting topic to explore in my future work.

Finally, this paper only includes analysis of players whose race is Black or white. It is important to note that athletes that identified with other races (Latinx/é, Asian, etc.) were excluded from the analysis due to a small sample size (n=38).

Dependent Variables

Legal Consequences: Consequences administered by the criminal legal system. These include jail or prison time, diversion programs, court fines, or probation. If the charges were

¹⁵ In this study, I focus on men and justify why I do not include the small sample of women in my study. However, I also want to acknowledge the presence of trans and non-binary athletes in sport. However, while they are represented in sport, none have been added to the Gender-Based Violence in Sport database, which is why they are not discussed in the sampling.

dropped or an athlete was found not guilty, that would not be constituted as a legal consequence. Civil legal consequences are not captured in this paper because of the entire dataset with over 400 cases, only about 30 were handled in the civil legal system. Additionally, criminal legal consequences are the focus to understand how the racist history of the criminal industrial complex maps onto consequences for gender-based violence in the *SportsWorld*.

Non-Legal Consequences: Organizational consequences experienced by the athletes administered by their specific sporting organization (ex: league, team, etc.). These include fines, suspensions, and being released from the team.

Both Legal and Non-Legal Consequences: In these cases, athletes received a consequence from both the criminal legal system and the sport organization or league. For example, an athlete could be fined by the league (non-legal consequence) and receive probation (legal consequence).

No consequence: Athletes did not receive a consequence from the criminal legal system nor their sporting organization.

For more on consequences see Table 1 for additional detail. Table 1 provides a list of the type of consequences, the definition, and related examples.

Table 1: Definitions of Consequences		
Type of Consequence	Definition	Example
Legal Consequence	Athlete received consequence from the criminal legal system	jail or prison time, diversion programs, court fines, or probation
Non-Legal (Organizational) Consequence	Athlete received consequence from the sporting organization	fines, suspensions, being released from the team, other (investigation launched, removed, removed from website, etc.)

Both Legal and Non-Legal Consequence	Athlete received a consequence from both the criminal legal system and the sport organization or league	finned by the league (non-legal consequence) and receive probation (legal consequence)
No Consequence	Athlete did not receive a consequence from the criminal legal system	

Independent Variable

The independent variable used in this paper examines the race of the athlete accused (i.e. Black or white). The race variable was built by first looking if the athlete classified their own race anywhere publicly. If not, the athlete was coded in accordance with the concept of street race (López et al 2017), or how they would be perceived if they were walking down the street. There is a small number of athletes (n=38) in the database who not white or Black. To not conflate false equivalencies between races and because of small statistical power for these cases, only white and Black athletes were included in my sample for this study.

Analytic Techniques and Research Questions

Analytic Techniques: Using SPSS statistical software, I analyzed descriptive statistics, frequencies, bivariate analysis, and Pearson's Chi Square to complete the data analysis. The following results are based on 251 instances of gender-based violence perpetrated by athletes who were actively playing (not retired) when the violence occurred.

Research Questions: The overarching research question in this paper is “how does the race of an athlete impact the legal and non-legal consequences administered after committing gender-based violence?” Within this overarching question, I explore two specific research questions:

- I. What is the most common type of consequence experienced by athletes committing gender-based violence?
- II. Are there racialized consequences for athletes committing gender-based violence?

For research question I, I hypothesize that legal consequences will be the most common type of consequence experienced by athletes. I predict this because there could be adverse monetary consequences for non-legal consequences, and as Smith (2014) describes, money is at the basis for many decisions made by the sporting organizations.

For research question II, I hypothesize that a higher percentage of Black athletes will experience criminal legal consequences than that of white athletes, due to the disproportionate policing of Black men exposed to the intersection of systemic racism and the criminal legal system (Alexander 2010; Hattery & Smith 2021). A higher percentage of Black athletes will also experience nonlegal consequences than that of white athletes. Therefore, there will be racialized consequences for athletes committing gender-based violence.

RESULTS

Descriptives Findings: Table 2 provides some descriptive statistics of the sample. There are four noteworthy results in Table 2. First, 83% of the sample of accused athletes is Black whereas only 17% is white. Second, nearly three fourths of the victim/survivors had familial relationships to the athlete accused of perpetrating the violence. Third, intimate partner violence was the most common type of violence that occurred in the sample. Finally, of the athletes accused of committing gender-based violence in the sample, 60% of them were NFL players.

Table 2: Descriptive Statistics

Race of Player in Sample

Percent

Black	83%
White	17%
Victim/Offender Relationship	
Non-Familial Victim (Stranger, Acquaintance, etc.)	28%
Familial Victim (Girlfriend, Wife, Child's Mother, etc.)	72%
Types of Violence Committed	
Intimate Partner Violence	58%
Sexual Assault	13%
Assault	26%
Other	4%
Leagues	
MLB	8%
NBA	20%
NFL	59%
NHL	2%
Other	12%
N = 251	

Research Question I: What is the most common type of consequence experienced by athletes committing gender-based violence?

In Table 3, regardless of race, a larger percentage of accused athletes in the sample who committed gender-based violence experienced a legal consequence (75%) than a non-legal consequence (42%). However, over 35 percent of athletes experienced both a legal and nonlegal consequence. Referring to Table 1, a legal and nonlegal consequence could include: receive probation (legal consequence) and fined by the league (non-legal consequence). This finding supports the hypothesis that legal consequences are more common than nonlegal consequences.

Table 3: Common Consequences for Gender-Based Violence in Sport

Non-Legal Consequences	Frequencies	Percent
Yes, received non legal consequence	135	46.2%
No, did not receive non legal consequence	116	53.8%
Legal Consequences		
Yes, received legal consequence	189	75.3%
No, did not receive non legal consequence	62	24.7%
Both Actions Received		
Received both legal and nonlegal consequence	89	35.5%
Received one or no consequence	162	64.5%
N=251		

Research Question II: Are there racialized consequences for athletes committing gender-based violence?

Multiple crosstabulations were utilized when examining whether athletes experienced racialized consequences after perpetuating gender-based violence. When examining the crosstabulation for presence of a non-legal consequence by the race of the athlete (see Table 4), a larger percentage of accused Black athletes experienced a non-legal consequence than that of accused white athletes, however, this relationship is not statistically significant (Chi-Square=1.338; $p=.247$). Because this relationship is not statistically significant, there is not enough evidence to confidently conclude that the observed relationship did not occur by chance and is statistically meaningful. Of Black athletes accused of committing gender-based violence, nearly 48 percent experienced a nonlegal consequence, compared to only 38 percent of accused white athletes. This relationship supports my hypothesis that a larger percentage of Black athletes accused of committing gender-based violence will experience a non-legal consequence than that of accused white athletes, though is not statistically significant.

Table 4: Non-Legal Consequences by Race of Athlete Committing Gender-Based Violence

Non-Legal Consequences	Black	White
Yes, received non legal consequence	47.8%	38.1%
No, did not receive non legal consequence	52.2%	61.9%
	100%	100%
Pearson's Chi Square	1.338	
	N=251	

*** p<0.001; ** p<0.01; *p<0.05

When examining a crosstabulation between the presence of a legal consequence by the race of an athlete (see Table 5), a larger percentage of accused Black athletes experienced a legal consequence than that of white athletes and this relationship is statistically significant (Chi-Square=8.939; p=.003). Of the white athletes accused of perpetrating gender-based violence, 57 percent faced legal consequences which compares to nearly 79 percent of accused Black athletes that experienced a legal consequence. Therefore, there is over a 20 percent differential between the legal consequences experienced by white and Black players accused of committing gender-based violence. This relationship supports my hypothesis that a larger percentage of Black athletes that allegedly commit gender-based violence will experience a legal consequence than that of white athletes.

Table 5: Legal Consequences by Race of Athlete of Athlete Committing Gender-Based Violence

Legal Consequences	Black	White
Yes, received legal consequence	78.9%	57.1%

No, did not receive legal consequence	21.1%	42.9%
	100%	100%
Pearson's Chi Square	8.939**	
	N=251	

*** p<0.001; ** p<0.01; *p<0.05

The crosstabulation between race of the accused athlete and experiencing both a legal and nonlegal consequence (see Table 6), a larger percentage of Black athletes experienced a non-legal consequence than that of white athletes and this relationship is statistically significant (Chi-Square=5.936; p=.015). Of the white athletes accused of perpetrating gender-based violence, 19 percent faced both legal and nonlegal consequences and of the Black athletes accused of perpetrating gender-based violence, nearly 39 percent experienced both a legal and non-legal consequence. This shows that almost 40 percent of Black athletes experienced a consequence from both the legal and nonlegal system while white athletes experience this at nearly half the rate, (19 percent). This also supports my hypothesis that a higher percentage of Black athletes accused of perpetrating gender-based violence will experience both a legal and nonlegal consequence than that of white athletes.

Table 6: Both Legal and Non-Legal Consequences by Race of Athlete of Athlete Committing Gender-Based Violence

Both Actions Received	Black	White
Received both legal and nonlegal consequences	38.8%	19.0%

Received one or no consequences	61.2%	81.0%
	100%	100%
Pearson's Chi Square	5.936**	
	N=251	

*** p<0.001; ** p<0.01; *p<0.05

Table 7 explores the connection between race of athletes accused of committing gender-based violence and those that receive no consequence for perpetrating such violence. White athletes experience no consequence at nearly double the percentage points than that of Black athletes and this relationship is statistically significant (Chi-Square=4.091; p=.043). Of the white athletes that accused of perpetrating gender-based violence, nearly 24 percent experienced no consequence from the legal or nonlegal system. This compares to only 12 percent of Black athletes who are accused of perpetrating this violence.

Table 7: No Consequences by Race of Athlete Committing Gender-Based Violence		
Both Actions Received	Black	White
Received no consequences	12.0%	23.8%
Received one or more consequences	88.0%	76.2%
	100%	100%
Pearson's Chi Square	4.091*	
	N=251	

*** p<0.001; ** p<0.01; *p<0.05

DISCUSSION AND CONCLUSION

Interestingly, the majority of the consequences given to athletes who are accused of perpetrating gender-based violence are administered by the criminal legal system. About 47 percent of athletes experienced a consequence from the organization while over 75 percent of athletes experienced a consequence from the criminal legal system. About 36 percent of cases received consequences from both the criminal legal system *and* the sporting organization.

However, what is interesting about these numbers is that in over 50 percent of the instances where an athlete commits gender-based violence, the sporting organizations are taking no action against athletes.

While this is interesting in and of itself, these relationships become increasingly important when exploring the role race plays in consequence administration. While data showed that Black athletes were 10 percentage points more likely to receive a consequence from their sporting organization than their white colleagues (48 percent compared to 38 percent), this relationship is not statistically significant. However, when the same crosstabulation was run to explore the relationship between the race of an athlete and consequences issued by the criminal legal system, the data showed that there was over a 20 percent differential between criminal legal consequences issued to Black athletes (79 percent) and white athletes (57 percent). This relationship was statistically significant (Chi-Square=8.939; $p=.003$). These findings support literature that explores gender-based violence, policing, and race (Roberts 1997; Bridges & Steen 1998; Davis 2003).

It appears systemic racism extends in the analysis that explores the racialized differences in athletes that experienced both a criminal legal consequence and a non-legal or organizational consequence (Alexander 2010; Hattery & Smith 2021). The percentage of Black athletes that experience both a legal and nonlegal consequence is nearly 40 percent whereas the percentage for white athletes is half that rate at less than 20 percent. This statistically significant relationship demonstrates a double policing of Black athletes at double the percentage of that of white athletes. Another statistically significant relationship is found when exploring the relationship between race and the athletes that received no consequences for perpetrating gender-based violence. Of the Black athletes that perpetrated gender-based violence, only 12 percent went on

without a consequence of any kind, however, nearly a fourth of white athletes committing this violence experienced no consequences for perpetrating this violence.

These bivariate analyses support the idea that the consequences, or lack thereof, experienced by athletes perpetrating gender-based violence is following similar trends of that of private citizens. Black men are experiencing harsher penalties for allegedly committing such violence than that of their white counterparts. This likely connects back to the systemic racism built into the criminal legal system. Equally as important, white athletes are not experiencing consequences at rates higher than their Black counterparts, which supports the findings of Hattery (2023) and colleagues.

These findings illustrate that whether someone perpetrating gender-based violence is an athlete, or not, they are likely going to experience a racialized consequence when exposed to the criminal legal system. These findings also show that there is the potential for such policing to be occurring at the nonlegal or organization level as well. However, organizations are not instituting consequences at high rates, meaning most consequences for this violence are coming from the racist criminal legal system.

PAPER 2

The Full Court Press?: Gender-Based Violence, Personal Conduct Policies, and Consequence Differences by Sporting Organizations

INTRODUCTION

On August 28, 2014, footage of Ray Rice engaged in a brutal assault on his fiancée surfaced. A media firestorm broke out and pressure mounted for the National Football League (NFL) to address the incidents of gender-based violence that was occurring at the hands of its players. Months later, Commissioner Roger Goodell expanded the personal conduct policy that was established in 2007 to include domestic violence specifically (Augelli & Kuennen 2018). This made the NFL the first professional sports league to create such a policy that addressed gender-based violence specifically. The MLB and the MNBA followed suit in 2015 and 2017 respectively (Augelli & Kuennen 2018).

Gender-based violence has been an issue in professional sports leagues for decades prior to the Ray Rice incident, but until a public relations nightmare struck, leagues delayed institutionalizing a policy for administering consequences for gender-based violence. When the leagues did create or amend a personal conduct policy specific to gender-based violence, they did so at different times and with varying approaches. Because of this, it is important to explore how the different professional sports leagues might be handling gender-based violence differently and whether their policy created any changes in how they were administering consequences.

THEORETICAL FRAMEWORK

Oppressive Systems in Sport

While there are popular discourses that suggest that sport is a space that is ruled by meritocracy and devoid of politics, others who study sport realize that it is a deeply political

space, rich with power relations.¹⁶ Edwards, one of the most famous sport sociologists says that sport is a powerful institution that holds a mirror to society (Pohl & Natividad 2024). Because of this, it can be understood that sport is an institution that is shaped and impacted by oppressive systems, like white supremacy and patriarchy. Smith (2014) defines the *SportsWorld* as all institutions, infrastructures, and personnel working within sport, as well as fans (Smith 2014), to encapsulate all the systems that make up sports. Sport is not just a field or court filled with players but instead is a place where oppressive systems compete and reign supreme.

White supremacy thrives in the sporting arena. The racialized nature of sport is also apparent. In *Forty Million Dollar Slaves*, Rhoden (2006) introduces the plantation metaphor, or the idea that the professional sports arena is metaphorical to the plantation that once enslaved Black people. The power dynamics of professional sports are still remarkably similar to those found on the plantation in the 1800s (Rhoden 2006). For example, in 2014, the racial composition of NFL players is 66 percent Black, 30 percent white, and four percent other races, while the owners of teams are 97 percent white and three percent Black and/or other races (Chalabi 2014). These numbers hold basically true today and they mirror the power structures present on the plantation - white bosses with Black labor.

Central to this paper is also understanding the role that the patriarchy holds within sport. Hegemonic masculinity dominates the sporting arena, which therefore causes women to be relegated to “second-class citizen” status, often positioned as caretakers or sexualized objects for male consumption. As Hattery and Smith (2019) argue, the *SportsWorld* is ultimately a male-dominated environment where “women’s total function is to serve men’s needs, and when

¹⁶ Aspects of this Theoretical Framework section is similar to that in Paper 1. This is because I need to outline important foundational terms and literature in each paper as they operate as stand-alone papers.

women refuse, there are consequences to be paid, including rape and assault” (Hattery & Smith, 2019: 114). While there has been an uptick in women in sport (Cobb 2024; Smith 2024; Togethxr 2024), particularly after the transformative year for women sports in 2024, the presence of women in roles in professional men’s sports are improving but still not equal to men.

Turning to data, the NFL received a “B” grade on the most recent TIDES Racial and Gender Report Card in 2023 (Lapchick 2016; Gough 2024). The MLB received a “C” grade and the MNBA received a “B+” in their TIDES report card for gendered hiring practices. For a brief understanding of what this grade can look like in the hiring practices for a league, the NFL’s “B” grade resulted from the following personnel distributions: an increase in hiring women in the NFL league offices (42.5% women), team vice presidents (28.3% women), and professional staff (36.3% women), there has been a decrease in hiring women in team senior administration (27.5%) and the percentage of women owners maintained the same (21.9%). The MLB and the MNBA had similar hiring practices as well. What is important is that in no hiring sector were women equally represented to men.

Gender-Based Violence and Sport

Gender-based violence represents a profound societal issue rooted in systemic power imbalances and inequalities between genders. As scholars (Brownmiller 1975; MacKinnon 1989; Dworkin 1987; hooks 2004; Hattery 2022) have noted, acts of gender-based violence are intentional tools employed to enforce and maintain gender hierarchies, reinforcing structural inequality. This violence takes various forms—including sexual violence, intimate partner violence, stalking, and sex trafficking—and is a pressing global public health crisis (Center for Disease Control 2022). Estimates suggest that 25–35% of women in the United States and globally experience gender-based violence in their lifetimes (Smith et al 2017; Hattery 2019;

Hattery 2022). Similarly, one in three men and over half of women experience sexual violence, while one in four women and one in ten men endure physically abusive domestic violence (Smith et al 2017; Leemis et al 2022).

Feminist scholarship conceptualizes gender-based violence as violence deeply embedded in heteropatriarchy and gendered power dynamics (Kolb 2014; Sweet 2020; Hattery 2022). At its core, sexual violence and intimate partner violence are expressions of power (Brownmiller 1975; Foucault 1976; MacKinnon 1989; Herman 1992; hooks 2000). This lens bridges the micro-level experiences of gender-based violence—such as violence in domestic settings—with broader macro-level structures, illustrating how societal institutions perpetuate gender-based oppression as well as socializes society into a gendered order (Jewkes 2002). For instance, hypermasculine environments, like sports, serve as arenas where patriarchal values are deeply ingrained, allowing structural inequalities to infiltrate individual interactions.

As mentioned above, sport is a place where women are seen as guests and not central actors. Hattery (2010) notes that the privilege in *SportsWorld* is manifested in tolerance or even amnesty for violence against women. By examining the intersection of gender-based violence with the racialized and patriarchal dynamics of sport, this framework aims to elucidate how structural inequalities manifest in both the perpetuation of and consequences (or lack thereof) for gender-based violence in this unique context. The context of gender-based violence in sport is both a gendered and racialized space. Women and the jobs that are dedicated for women in sports (i.e., cheerleaders, trainers, reporters, etc.) are stratified into “second class citizens” status within the *SportsWorld*, oftentimes being placed in a position to take care of men or be sexual objects of men’s digestion (Hindman & Paulsen 2022). There is also a gender wage gap experienced by women in the *SportsWorld*. For example, the average WNBA salary is \$150,000

per season while the average WNBA salary is \$10 million per season (Armato 2024).

Additionally, women who do infiltrate this space are constantly reminded that they are not welcome by harassment and stalking, as experienced by Caitlin Clarke, Paige Bueckers, Angel Reese (Henderson 2024; Young 2024; Sullivan 2025). The *SportsWorld* therefore is an environment and space belonging to men. According to Hattery & Smith, the *SportsWorld* is a place where “women’s total function is to serve men’s needs, and when women refuse, they are consequences to be paid, including rape and assault,” (Hattery & Smith 2019: 114).

Hattery and Smith (2019) also note that the *SportsWorld* is a quasi-total institution where its fraternal order, internal systems for “justice,” and culture of hypermasculinity make it a breeding ground for gender-based violence. This demonstrates how understanding gender-based violence in the sports world in many ways mirrors how gender-based violence operates within the military and other hypermasculine arenas (Morris 1996; Kearl 2013; Hattery & Smith 2019). There is “nothing inherent in sports [that] makes athletes especially likely to rape women ... [rather] it is the way sports are organized to influence developing masculine identities and male peer groups that leads many male athletes to rape,” (Messner & Sabo 1994: 34). This is the ‘myth of the violent athlete,’” or the idea that men athletes are committing violence at higher rates than their nonathlete counterparts (Benedict 1997: 25; Ladika 2017: 367).

This myth of the violent athlete overcomplicates the intersection of many different institutions and structures at play in sport. However, this also creates an interesting opportunity for research: sporting organizations have the opportunity to issue consequences for gender-based violence, attempting to deter athletes from this violence by creating an environment that does not tolerate gender-based violence, but fails to do so. Men in sports often use their power to dominate and silence women, while male peers and institutions turn a blind eye, reinforcing a

culture of impunity under the guise of “boys will be boys” (hooks 2004; Cooky & Messner 2018). What is key in this is understanding that if women are not equally represented in hiring practices in these sports and therefore not equally making decisions and shaping culture in the league offices, those accused of perpetrating gender-based violence within these spaces will continue to go without consequences.

Current Policies

While the culture within sport has largely been to ignore instances of gender-based violence, there have been attempts in recent years by sporting organizations to address gender-based violence in sport. This paper will explore how three sports leagues are handling gender-based violence perpetrated by athletes in their respective leagues. The “Big Three” Professional leagues in the United States are the MNBA, NFL, and MLB.¹⁷ The “Big Three” professional leagues covered in this paper all have their own individual approaches to addressing domestic violence and sexual assault.¹⁸

The NFL instituted its first policy in 2014 after Ray Rice’s notable incident. This policy requires a six-game suspension for first-time incidents of domestic abuse; however, the league reserves the right to adjust the sanction as they see fit (Augelli & Kuennen 2018; Tuiskula 2022). It is important to note that this policy does not require rehabilitation or counseling of any sort.

¹⁷ While most colloquially known as the “NBA” or National Basketball Association, many WNBA fans, reporters, and journalists have transitioned to using the term “MNBA” or Men’s National Basketball Association to challenge the idea of the men’s basketball league as the default (Hundley 2004). Because of this, I will refer to the NBA as the MNBA in this paper.

¹⁸ While not explored in this paper due to small sample sizes, the NHL is part of the “Big Four” prominent professional leagues operating in the United States. The NHL does not have a domestic violence policy. The commissioner, Gary Bettman, has “indicated that he ‘is not sure there is any need for any code of conduct for our players ... who overwhelmingly conduct themselves magnificently off the ice,” (Augelli & Kuennen 2018: 63; Tuiskula 2022).

The MNBA adopted its domestic violence policy in 2017. Prior to this policy in 2017, there was a Personal Conduct Policy enacted in 1999 that required any player convicted of a violent felony to receive a minimum ten game suspension. The new 2017 policy specifically prohibits acts that constitute domestic violence, sexual assault, and child abuse. The commissioner will determine punishments on a case-by-case basis (Augelli & Kuennen 2018; Tuiskula 2022). This policy includes required counseling, a panel of independent experts for investigation, and a hotline for families (Moskovitz 2017). The MNBA also created a Policy Committee that is responsible for creating treatment and accountability plans. This committee, comprised of two representatives from the MNBA, two representatives from the Men's National Basketball Players Association, and three independent experts on gender-based violence, acts separate from the Commissioner and their decisions are not appealable (Augelli & Kuennen 2018; NBA Collective Bargaining Agreement 2023).

The MLB instituted a "Joint Domestic Violence, Sexual Assault and Child Abuse Policy" in 2015. This policy created a Joint Policy Board where three domestic violence experts, two members of the Players' Association, and two members from the Commissioner's Office would create a treatment plan for accused players. The Commissioner's office has the final say on disciplinary measures for players. The Commissioner can place a player on immediate administrative leave for up to seven days and then place the player on unpaid leave if the player is found to have violated the domestic violence policy. There is no required minimum or maximum penalty in the policy (Augelli & Kuennen 2018).

While these policies appear to be a step in the right direction, scholars (Hattery et al. 2023) suggest that they are largely ineffective as they exist now. Hattery (2023) and colleagues argue that while the policies are in place, they are rarely used. This is supported by Pilon's

(2017) research where they note that since the implementation of the personal conduct policy in 2014, only two of the 18 cases where a player faced domestic violence allegations led to the six-game suspension. Luther and Davidson (2020) even explore how the lack of consequences administered to athletes committing gender-based violence can impact the fan experience, making women fans specifically uneasy about their support of leagues that do not support them back. Hattery and colleagues recommended a change in policy structure where accusations of gender-based violence would go to an independent review office instead of to league officials themselves, where leeway is often exercised (Hattery et al. 2023).

Contributions to Literature

Dixon (2018) as well as Crum and colleagues (2023) consider how the NCAA handles accusations of gender-based violence against collegiate athletes but does not extend this work to professional athletics. Sailofsky (2023) investigated how sports executives respond to gender-based violence, framing it as a form of white-collar crime. This perspective underscores how teams prioritize financial interests over holding players accountable for misconduct. Sailofsky argues that the “win-at-all-costs, profit-extracting relationship that exists between management and athletic labor in professional sports results in uneven player decision-making. This means that leagues put profit over harm reduction, epitomizing the relations of production under capitalism and capitalist sport” (Sailofsky, 2023: 283). Kiss and colleagues (2023) explore gender-based violence across all sports leagues included in the Gender-Based Violence in Sport Database; however, they are analyzing the differences between league treatment of anyone employed by the league, such as, athlete, coach, or trainer. They found that the MLB was the most likely to administer consequences to sportspersons for committing gender-based violence and the MNBA was the least likely to administer consequences.

Building on this previous literature, I aim to understand how athletes experience consequences from gender-based violence within their sporting organization, - the MLB, the MNBA, or the NFL. I explore the overarching research question of: “how does the sporting organization of an athlete impact the legal and non-legal consequences administered after committing gender-based violence? Using bivariate analysis of the Gender-Based Violence in Sport Database, I find that the MLB was the most likely to issue organizational consequences while the MNBA was the least likely to administer organizational consequences. I also found that in all three sports leagues, there was a higher percentage of cases that received organizational consequences after league personal conduct policies were adopted than prior to the adoption of the policy.

DATA AND METHODS

This study draws from the Gender-Based Violence in Sports database. The Gender-Based Violence in Sport database is housed at the University of Delaware’s Center for the Study and Prevention of Gender-Based Violence.¹⁹ The database includes over 400 instances of gender-based violence allegedly perpetrated by people in the *SportsWorld*. The database compiled publicly available sources²⁰ included news accounts, media sources, and court records covering all forms of gender-based violence (sexual violence, domestic violence, stalking, etc.) that was

¹⁹ The Gender-Based Violence in Sport Database is housed at the University of Delaware’s Center for the Study & Prevention of Gender-Based Violence. The database can be found at <https://smithandhattery.com/gender-based-violence/>. On that page, there is an option to request the full database. After requesting the database, the database is emailed to the requester either as a csv or excel file. This database is built off publicly available sources and as a result permissions are not required.

²⁰ While some cases originate on social media platforms (like X or Instagram), they must be published by a news source to be entered into the database to ensure a level of legitimacy to the claims.

perpetrated by a collegiate or professional sports athlete, coach, or staff member. It includes both men and women, in hetero and queer interactions or relationships, and the earliest case took place in 1965. Currently, the database has over 430 cases of gender-based violence, though it is continuously being updated as cases emerge or are found by researchers. The database is primarily focused on people in the *SportsWorld* in the United States, however there are some entries in the database from sports organizations in other countries.²¹ Each case cataloged includes the name, race, ethnicity, and gender of the accused, date of the incident, the sport they play or coach, the organization they play or work for, the type of violence, the accused's relationship to the victim, the number of victims, the organizational response (if there was one), whether they were charged or convicted, whether there was a civil case brought against them, and if they continued to play or coach after the case was reported and investigated.²²

Excluded Cases

Although the database includes over 400 instances of gender-based violence perpetrated by people in the *SportsWorld*, and growing, this paper includes a sampling of only 237 instances. First, to understand how organizations and teams divvied out consequences to athletes that were currently playing for teams, only active professional athletes are included in this paper. As a result, athletes that were retired (n=72) when they perpetuated this violence were excluded. Additionally, coaches, trainers, doctors, and sports commentators were excluded (n=21) because they represent a substantively different type of occupation status. For example, coaches (n=23)

²¹ In the database, there are 15 instances where the sportsperson played on a team outside the United States.

²² If a sportsperson commits multiple instances of gender-based violence, they are treated as separate entries if information can be found for each individual instance (multiple individual cases against Ben Roethlisberger). However, if cases are brought public together or are part of the same lawsuit (i.e., the case against DeShaun Watson), they are treated as a single entry.

are not included because they are put in a leadership or administrative role within the organization, holding much more power than the athlete, and therefore creating a different power dynamic than that of athletes themselves. Trainers, doctors, and sports commentators (n=11) are also not included due to their small sample size.

Second, this paper focuses on examining professional athletes. Title IX is a federal law enacted in 1972 that prohibits sex-based discrimination in any educational program or activity receiving federal funding in the United States. It also is a major governing legislation that determines how colleges handle allegations of sexual assault. Because of this, Title IX complicates proceedings at the university level. It is possible for consequences and decisions to not become public knowledge so it may never be revealed if an athlete receives a consequence at the university level. As a result, National Collegiate Athletics Association (NCAA) athletes (n=45) who are in the database were excluded.

Third, while women athletes commit gender-based violence in sport, this paper exclusively explores athletes in men's sports.²³ This is largely due to the small sample size (n=8) of women athletes in the database that have committed gender-based violence.

Finally, as previously mentioned, this paper only analyzes instances of gender-based violence perpetrated by athletes in the MLB, MNBA, and NFL. The NHL is not included in this paper because the sample size of active athletes playing at the time they perpetuate gender-based violence was small (n=5).

²³ In this study, I focus on men and justify why I do not include the small sample of women in my study. However, I also want to acknowledge the presence of trans and non-binary athletes in sport. However, while they are represented in sport, none have been added to the Gender-Based Violence in Sport database, which is why they are not discussed in the sampling.

Additionally, one case of gender-based violence was not included in this paper, as they died by murder-suicide in the act of perpetrating gender-based violence. Because this paper measures legal and nonlegal consequences and the death occurred at the time of perpetuating gender-based violence, this incident was not included in the sample. In sum, this paper is based on a total of 237 instances of gender-based violence that were perpetrated by athletes that were actively playing (not retired) when the violence occurred

Dependent Variables

Table 8 reports the three dependent variables examined in this paper: legal consequences, non-legal consequences, and whether or not a player continued to play in the league after being accused, arrested, or convicted of gender-based violence.

Table 8: Definitions of Legal Consequence, Non-Legal Consequence, and Continuing to Play		
Type of Consequence	Definition	Example
Legal Consequence	Athlete received consequence from the criminal legal system	jail or prison time, diversion programs, court fines, or probation
Non-Legal (Organizational) Consequence	Athlete received consequence from the sporting organization	fines, suspensions, being released from the team, other (investigation launched, removed, removed from website, etc.)
Continuing to Play	Athlete continued to play in their respective sporting organization after being accused of gender-based violence	Athlete is released from a team after accusation, but is signed by another team

Non-Legal Consequences: Non-Legal consequences are organizational consequences experienced by the athletes administered by their specific sporting organization (ex: league, team, etc.). These include fines, suspensions, and being released from the team. When examining the specific non-legal consequences, each incidence of gender-based violence was coded into

one of four categories: (1) no team or organizational action against a player, representing a lack of consequences from the sporting organization, (2) the athlete accused was released from a team, (3) the athlete accused was suspended by a team, and (4) the athlete received another type of consequence such as a fine, being removed from the organization website, or had an investigation launched against them.

Continued to Play: The final dependent variable examines if after a player is accused of committing gender-based violence, a player either remained in the league and continued to play the respective sport or they failed to join another team and never played the sport professionally again. This variable was coded as a dichotomous variable: 0 “no” and 1 “yes”.

Independent Variable

The main independent variable examined in this paper is the sports league. This variable focused on the “Big Three” professional sports leagues in the United States - the MLB (n=43), MNBA (n=51), and NFL (n=144). The NHL is not included in this paper because the sample size of active athletes playing at the time of reports of their alleged perpetration of gender-based violence was small (n=5).²⁴

Control Variables

Additionally, I controlled for the year the personal conduct policy was instituted in each league. Each league included in this paper has adopted a personal conduct policy regarding domestic violence and sexual violence. This variable measures the time before the policy was

²⁴ It is important to note that just because the number of instances of gender-based violence is small in the Database, does not mean that gender-based violence is not occurring in the NHL. Rather, there are factors like the NFL being less popular in American media and most players being foreign born that could complicate both the coverage and reporting of gender-based violence at the hands of NHL athletes.

instituted and then after the policy was instituted, allowing comparison between administration of consequences across the two time periods. Comparing before and after the policy was instituted allows an understanding of if the policy may have created differential treatment of gender-based violence before and after its administration.

Analytic Techniques and Research Questions

Analytic Techniques: SPSS statistical software was utilized to complete the data analysis. Descriptive statistics, frequencies, bivariate analysis, and consideration of Pearson's Chi Square were completed when examining the relationship between the professional sport league, organizational consequence, and personal conduct policies.

Research Questions: The overarching research question in this paper is "how does the sporting organization of an athlete impact non-legal consequences administered after committing gender-based violence as well as their ability to continue to play after being accused of such violence?" More specifically, the following two research questions are examined:

- I. Are there differences in the ways each sporting organizations administers the consequences for gender-based violence?
- II. Do the different policies instituted by each organization impact the way the sporting organizations handle instances of athletes perpetrating gender-based violence?

For research question I, it is expected that the NFL and the NBA will administer the highest percentage of consequences because both their respective policies have a required minimum consequence for accusations of committing such violence. The MLB will therefore sanction the least consequences because their policy does not require a consequence to be administered.

For research question II, it is expected that after a personal conduct policy is established, leagues will increase the number of consequences administered from before a policy was established because they have set guidelines to follow when assessing accusations of gender-based violence. There will be a higher percentage of consequences administered after the policy was instituted than before.

RESULTS

Descriptive Findings: In Table 9, we see that the athletes accused of committing acts of gender-based violence in this sample were nearly 82 percent Black, seven percent white, and 11 percent another race.²⁵ Nearly three-fourths (73.5%) of victims had a familial relationship with the those they accuse of gender-based violence (i.e., girlfriend, wife, child's mother, etc.), while a quarter (26.5%) of the victims were non-familial (i.e., strangers, acquaintances). The majority (62.2%) of the violence in this sample was intimate partner violence or domestic violence. Assault (24.4%), sexual assault (11.3%), and other types of violence (2.1%) were represented in the sample.²⁶ Of the athletes in the sample, about 61 percent play in the NFL, 21 percent play in the NBA, and 18 percent play in the MLB.

²⁵ Due to small sample size, there was a racial category created entitled "Other" (n=38), that includes all athletes that are not racialized as white or Black.

²⁶ Violence classified as other includes burglary, intimidation, and/or sexual harassment.

Table 9: Descriptive Frequencies of Sample

Race of Player in Sample	Percent
Black	81.9%
White	7.1%
Other	10.9%
Victim/Offender Relationship	
Non-Familial Victim (Stranger, Acquaintance, etc.)	26.5%
Familial Victim (Girlfriend, Wife, Child's Mother, etc.)	73.5%
Types of Violence Committed	
Intimate Partner Violence or Domestic Violence	62.2%
Sexual Assault	11.3%
Assault	24.4%
Other	2.1%
Leagues	
MLB	18.1%
NBA	21.4%
NFL	60.5%
Non-Legal Consequence	
No Non-Legal Consequence	51.1%
Non-Legal Consequence	48.9%
Legal Consequence	
No Legal Consequence	22.8%
Legal Consequence	77.2%
Type of Non-Legal Consequence	
No Action Taken	50.2%
Released from team	19.8%
Suspended from team	24.9%
Other	5.1%
Continued to Play	
Did not continue to play	11.4%
Continued to play	88.6%

Research Question I: How do different sporting organizations administer the consequences differently for gender-based violence?

To begin the exploration of the possible differences in the ways sporting leagues issue consequences for gender-based violence, a bivariate analysis was run to assess which leagues are issuing consequences and which are not. Overall, Table 10 shows that the MLB issues the highest percentage of consequences while the MNBA issues the smallest percentage. This relationship is statistically significant (Chi-Square=11.535; $p=.003$). Of the instances of gender-based violence at the accused hand of an MLB player, the league issued consequences in 63 percent of the cases. Of the instances of gender-based violence at the accused hand of a NFL player, the league issued consequences in 52 percent of the cases. Finally, of the instances of gender-based violence at the accused hand of a MNBA player, the league issued consequences in less than 30 percent of the cases. This challenges the hypothesis because it was predicted that the MLB, the team without a minimum punishment, would administer the least number of consequences when in reality, it administered the highest percentage of consequences.

Table 10: Non-Legal Consequences by Sport League				
Both Actions Received	MLB	MNBA	NFL	Total
Yes, received non legal consequence	62.8%	29.4%	51.7%	48.9%
No, did not receive non legal consequence	37.2%	70.6%	48.3%	51.1%
	100%	100%	100%	100%
Pearson's Chi Square				11.535**
				N=237

*** $p<0.001$; ** $p<0.01$; * $p<0.05$

Table 11 illustrates the different types of nonlegal consequences leagues issue to athletes accused of perpetrating gender-based violence. Overall, regardless of sporting organization, half of accused athletes did not experience any nonlegal consequences for perpetrating gender-based

violence. However, one-quarter (25%) of athletes were suspended from their team and approximately 20 percent of athletes were released from their current team. The remaining five percent of athletes experienced a different type of consequence, like paying a fine, having an investigation launched against them, or being removed from the team website

Table 11: Type of Non-Legal Consequences by Sport League

Both Actions Received	MLB	MNBA	NFL	Total
Released from team	14.0%	13.7%	23.8%	19.8%
Suspended from team activities	44.2%	11.8%	23.8%	24.9%
Other	4.7%	5.9%	4.9%	5.1%
No non-legal consequence	37.2%	68.6%	47.6%	50.2%
	100%	100%	100%	100%
Pearson's Chi Square				18.046**
	N=43	N=51	N=143	N=237

*** p<0.001; ** p<0.01; *p<0.05

When examining the types of consequences issued to athletes by sporting organizations a statistically significant (Chi-Square=18.046; p=.006) relationship was found. For example, the MNBA (69%) had the highest percentage of athletes receiving no organizational consequence of all leagues while the MLB (37%) reported the lowest percentage of all leagues. The NFL (24%) has the largest percentage of athletes to be released from a team, while the MLB (44%) has the largest percentage of players who experienced a suspension.

Of the NFL players who were accused of committing this violence, almost half (48%) experienced no organizational consequence, nearly one-fourth (24%) were released from their team, nearly one fourth (25%) were suspended from their team, and nearly 5 percent experienced a different type of consequence. Among MNBA players who were accused of committing this violence, nearly 69 percent experienced no organization consequence, 14 percent were released

from their team, 12 percent were suspended from their team, and nearly 6 percent experienced a different type of consequence. Of the MLB players who were accused of committing this violence, about 37 percent experienced no organization consequence, 14 percent were released from their team, 44 percent were suspended from their team, and nearly 5 percent experienced a different type of consequence.

It is not surprising that leagues choose to issue no consequences at high percentages, because as Smith (2014) notes, money is at the cornerstone of all decisions being made. A suspended player is one that cannot make the team money. One finding that was particularly interesting is that nearly 45 percent of MLB players committing this violence experienced a suspension. It is unclear exactly why this might be happening; however, it could be because a suspension is one of the smallest consequences administered. It can create the illusion that a league is handling gender-based violence without making meaningful change.

Table 4 displays the relationship between the different types of consequences and the league but does not take into account if these players continued to play in their respective league after being accused of committing gender-based violence and satisfying the requirements of their consequence. Table 4, therefore, explores the relationship between sporting organizations and players returning to the league after allegedly committing gender-based violence. Findings revealed that the NFL has the highest percentage of athletes that get suspended or released from a team and never play in the league again and the MNBA and MLB have similar rates to each other of this happening though their percentages are almost half that of the NFL. However, this relationship is not statistically significant ($\text{Chi-Square}=3.901$; $p=.142$). Because this relationship is not statistically significant, there is not enough evidence to confidently conclude that the observed relationship did not occur by chance and is statistically meaningful. The lack of

statistical significance is likely due to the small sample sizes of athletes that do not continue to play after their perpetration of gender-based violence. Of the players in the NFL accused of perpetrating gender-based violence, 85 percent continue to play. Of MLB players and MNBA player accused of perpetrating this violence, 93 percent and 94 percent continue to play respectively. Overwhelmingly, players continued to play despite accusations of perpetrating gender-based violence. Interestingly, while the MLB had the lowest percentage of athletes go without a consequence (see Table 11), they have one of the highest percentages (93%) of athletes returning to the league afterwards. This challenges my hypothesis and demonstrates that while the MLB has the most lenient policy in terms of mandatory consequences, the league administers the highest percentage of consequences compared to other leagues. At the same time, they also have the second highest percentage of player's return to the league to play.

Table 12: Continued to Play After Gender-Based Violence Incident by Sport League

Status of Career	MLB	MNBA	NFL	Total
Yes, continued to play	93.0%	94.1%	85.3%	88.6%
No, did not continue to play	7.0%	5.9%	14.7%	11.4%
	100%	100%	100%	100%
Pearson's Chi Square				3.901
				N=237

*** p<0.001; ** p<0.01; *p<0.05

Research Question II: Policy Implication on Sport League's Consequences for Gender-Based Violence

As noted in the theoretical framework section, all the sport's leagues adopted their own policies regarding consequences for athletes accused of perpetrating gender-based violence. Table 12 explores if the implementation of the league's policies impacted whether a nonlegal consequence was administered.

The NFL instituted their gender-based violence policy in 2014. Table 12 demonstrates there is a difference between the administration of nonlegal consequences after the adoption of the domestic violence and sexual assault policy, increasing its administration of consequences by 40 percentage points. This relationship is statistically significant (Chi-Square=16.732; $p<.001$). Prior to 2014, of the athletes in the NFL accused of committing gender-based violence, slightly more than half (57.8%) did not experience a nonlegal consequence while 42 percent did experience a nonlegal consequence. Since the adoption of the policy in 2014, of the athletes accused of committing gender-based violence, about 18 percent did not experience a consequence while over 82 percent did experience a consequence. There is a 40 percent increase in those who did experience a nonlegal consequence after policies were implemented.

Table 12: Pre/Post Personal Conduct Policy by Non-Legal Consequence						
Before and After Policy Introduction	MLB		MNBA		NFL	
Year Policy Adopted	2015		2017		2014	
	<i>Pre-Policy</i>	<i>Post-Policy</i>	<i>Pre-Policy</i>	<i>Post-Policy</i>	<i>Pre-Policy</i>	<i>Post-Policy</i>
Yes, received non legal consequence	42.9%	81.1%	26.1%	40.0%	42.2%	82.4%
No, did not receive non legal consequence	57.1%	18.2%	73.9%	60.0%	57.8%	17.6%
	100%	100%	100%	100%	100%	100%
Pearson's Chi Square	6.981**		2.498		16.732***	
	N=43		N=51		N=143	

*** $p<0.001$; ** $p<0.01$; * $p<0.05$

The MNBA instituted their gender-based violence policy in 2017. Table 12 illustrates there is a difference between the administration of nonlegal consequences after the adoption of

the domestic violence and sexual assault policy, although this relationship is not statistically significant ($\text{Chi-Square}=2.498$; $p=.114$). Prior to 2017 of the athletes in the MNBA accused of committing gender-based violence, nearly three-fourths (74%) did not experience a nonlegal consequence while 26 percent did experience a nonlegal consequence. Since the adoption of the policy in 2017, of the athletes accused of committing gender-based violence, about 40 percent did not experience a consequence while 60 percent did experience a consequence. However, I do think the lack of statistical significance is due to the small number of cases ($n=5$) in the MNBA since the policy was adopted in 2017.

The MLB instituted their gender-based violence policy in 2015. Table 12 demonstrates there is a difference between the administration of nonlegal consequences after the adoption of the domestic violence and sexual assault policy, increasing its administration of consequences by nearly 40 percentage points. This relationship is statistically significant ($\text{Chi-Square}=6.981$; $p=.008$). Prior to 2015, of the athletes in the MLB accused of committing gender-based violence, over 57 percent did not experience a nonlegal consequence while nearly 43 percent did experience a nonlegal consequence. Since the adoption of the policy in 2015, of the athletes accused of committing gender-based violence, about 18 percent did not experience a consequence while nearly 82 percent did experience a consequence. That is nearly a 40-percentage point decrease in those that did not experience a consequence after the policy was implemented.

All three of the leagues included experienced an increase in consequences administered after the implementation of the personal conduct policy. Therefore, my hypothesis that all leagues would experience an increase in consequences administered after the implementation of a personal conduct policy is supported by these findings.

DISCUSSION AND CONCLUSION

The data shows that there are differences in how leagues administer consequences for gender-based violence to their players. Regardless of the league, of the athletes accused of perpetrating gender-based violence, only half experienced a consequence for gender-based violence and a quarter experienced a suspension, while about 20 percent were released from their current team. Contrary to my hypothesis for research question 1, the MLB had the highest percentage of athletes that experienced a consequence for gender-based violence, followed by the NFL and the MNBA respectively. The MNBA had the highest percentage of athletes that experienced no consequences for allegedly committing gender-based violence and the MLB had the lowest percentage of athletes that went without an organizational consequence. The MLB had the highest percentage of athletes that experienced a suspension at nearly 45 percent of MLB players. However, it could be because a suspension is one of the smallest consequences administered. It can create the illusion that a league is handling gender-based violence without making meaningful change.

While over 60 percent of MLB players accused of committing gender-based violence experienced a consequence, 93 percent of players returned to the league after serving their suspension or other consequence. The MLB is demonstrating they are willing to issue a consequence, but this consequence rarely results in the player being dismissed from the league. This finding is similar to that of Kiss (2023) and colleagues; however, this paper differs in that this sample demonstrated that there was a league that had a higher percentage of players return to play than the MLB. The only league that had a higher percentage of players return to the league after experiencing a consequence was the MNBA, at over 94 percent of players returning to play after fulfilling the requirements of their consequence. The MNBA also had the smallest

percentage of players that were issued a consequence at nearly 69 percent going without a consequence.

Considering the impact of personal conduct policies on the organizational consequences administered to athletes committing gender-based violence also revealed interesting findings. All the leagues experienced an increase in the percentage of consequences issued after the personal conduct policy was instituted, which supports my hypothesis for research question 2. Though, it is important to note that only the results for the MLB and the NFL were statistically significant. The percentage of NFL players that experience a consequence when accused of committing gender-based violence increased by an impressive 40 percentage points. This is important because it is illustrating that establishing a personal conduct policy is changing the ways at which leagues are issuing consequences to players that commit this type of violence. These findings also challenge the ideas put forth by Hattery (2023) and colleagues, though it is important to note that Hattery's study explored all people in the *SportsWorld* and not just athletes. While I do not think this finding is enough to say these policies are completely effective and should be the gold standard for how organizations handle accusations of gender-based violence, I do think it might signal at least a shift in handling of accusations.

While league policies appear to result in an increase in players experiencing consequences, it is still important to note that of the players in this sample, nearly 50 did not experience consequences. This supports findings from Kiss (2023) as well as Sailofsky (2022) demonstrating that gender-based violence had little to no effect on an athlete's career. This paper indicates a need for meaningful change in the ways sports leagues handle gender-based violence. While some leagues are doing better than others, the statistics show that players are still allowed to continue to play past accusations and some are continuing without consequences.

PAPER 3

Most Valuable Perpetrator: Exploring Athletic Market Value of NFL Players and its Impact on Consequence for Gender-Based Violence

INTRODUCTION

Some of the most visible names in the sport have been accused of sexual assault. For example, Ben Roethlisberger, a notable Pittsburgh Steeler, and NFL quarterback from the 2000s, faced two accusations of sexual assault (Broadly Staff 2015). Roethlisberger received no legal or organizational consequences for the first sexual assault allegation and served only a four-game suspension for the second allegation after the victim decided to abandon charges because the media coverage of the trial would be “too intrusive,” (Leahy 2010). Another NFL Quarterback, Deshaun Watson, of the Houston Texans and currently the Cleveland Browns, has faced sexual assault allegations from over 25 women. Watson has faced no criminal charges but has reached confidential civil settlements with over 20 women, however, Watson has faced only minor repercussions from the NFL. Watson continues to play in the league and his current contract is worth \$230 million (Barshop 2022). Jameis Winston, current starting quarterback for the Cleveland Browns, has been accused of sexual assault multiple times, yet Fox Sports selected him as their correspondent for the Superbowl in 2025. These lack of organizational and legal consequences and seemingly little effect on their career hints at what is motivating administration of consequences. This could include: what does the athlete bring to the team? What athlete is generating revenue? What type of athlete is attracting fans? What athlete is exciting to watch? It appears that the leagues are not concerned with holding the players accountable for gender-based violence. However, just as I question why the leagues are not

holding these athletes accountable, it is important to consider how the market value they bring to the team impacts the consequences they receive.

This paper focuses specifically on NFL players accused of committing gender-based violence because they are most numerous in my dataset. Operationalizing market value represents a major contribution to the literature in the realm of gender-based violence in sport. Utilizing logistic regression and data from the Gender-Based Violence in sport database, I explore whether the market value of an NFL player impacts whether the athlete experiences an organizational consequence when committing gender-based violence. The major finding of this paper is that as an athlete's market value increases, the probability they receive consequences for perpetrating gender-based violence decreases.

THEORETICAL FRAMEWORK

Gender-Based Violence

Gender-based violence is a significant public health issue stemming from systemic power imbalances and gender inequalities.²⁷ According to Hattery (2022), gender-based violence serves as a deliberate mechanism to uphold and reinforce gender hierarchies and patriarchy with about 25 to 35 % of women experiencing gender-based violence in their lifetime (Smith et al 2017). This violence manifests in various forms, including sexual violence, intimate partner violence, stalking, sexual harassment, and constitutes a public health crisis (Smith et al 2017).

Feminist scholarship frames gender-based violence as deeply rooted in the heteropatriarchy and gendered power dynamics (Kolb 2014; Sweet 2020; Hattery 2022). Sexual violence and intimate partner violence are understood as expressions of power (Brownmiller

²⁷ Aspects of this Theoretical Framework section is similar to that in Paper 1 and Paper 2. This is because I need to outline important foundational terms and literature in each paper as they operate as stand-alone papers.

1975; MacKinnon 1989; hooks 2000). This perspective connects micro-level experiences of gender-based violence—such as domestic violence—with macro-level societal structures – like the patriarchy – revealing how institutions perpetuate gender-based oppression and socialize individuals into a gendered order (Jewkes 2002). For example, hypermasculine spaces like sports often embody patriarchal values, enabling structural inequalities to shape individual interactions.

Sport as Gendered and Racialized

Sport is a powerful institution that holds a mirror to society (Pohl & Natividad 2024). As such, the *SportsWorld*, defined as all institutions, infrastructures, and personnel working within sport, as well as fans (Smith 2014), represents a powerful institution to uphold societal inequalities and structures. Therefore, the *SportsWorld* is both a gendered and racialized space.

Women—and the roles designated to them in sports, such as cheerleaders, trainers, and reporters—are relegated to “second-class citizen” status, often positioned as caretakers or sexualized objects for male consumption. Women who penetrate these male-dominated spaces, like sports, are frequently reminded of their unwelcome presence (Messner 1988; Lemoncelli 2024; Nassir & Peterson 2024). For example, Angel Reese has discussed the harassment from men she experiences online, (Young 2024). For background, Angel Reese is a WNBA player, who is building a resume that, if continues, could solidify herself as one of the best players in history. Some, myself included, see this harassment she experiences as an attempt to police Reese’s presence in *SportsWorld*, reminding her that the space of sport does not belong to her (Messner 1988; Lemoncelli 2024; Nassir & Peterson 2024). As Hattery and Smith (2019) argue, the *SportsWorld* is ultimately a male-dominated environment where “women’s total function is to serve men’s needs, and when women refuse, there are consequences to be paid, including rape and assault” (Hattery & Smith, 2019: 114).

The racialized nature of sport is also apparent. For example, football and basketball are sports most associated with hypermasculinity due to the aggressive nature of the sports, requirement of physical prowess, as well as reliance on competition, all foundational tenets of hegemonic masculinity (Connell & Messerschmidt 2005, Smith & Hattery 2019). These are also the sports most socialized towards Black men (Rhoden 2006). In *Forty Million Dollar Slaves*, Rhoden (2006) introduces the plantation metaphor, or the idea that the professional sports arena is metaphorical to the plantation that once enslaved Black people. The power dynamics of professional sports, though not exact, are still remarkably similar to those found on the plantation in the 1800s (Rhoden 2006). For example, in 2014, the racial composition of NFL players is 66 percent Black, 30 percent white, and four percent other races, while the owners of teams are 97 percent white and three percent Black and/or other races (Chalabi 2014). These numbers hold basically true today and they mirror the power structures present on the plantation - white bosses with Black labor.

Gender-Based Violence in Sport

The *SportsWorld* operates as a space of “privilege and oppression—based on power—that provides access to privilege for its members, particularly those who attain a high level of success” (Hattery 2010: 112). Hattery (2010) highlights that this privilege often manifests in a tolerance or even amnesty for violence against women. Women are often placed in a subordinated position within sports (Birrell & Cole 1994; Theberge 1997) thereby creating conditions that make athletics a conducive site for gender-based violence to flourish. By analyzing how gender-based violence intersects with the racialized and patriarchal dynamics of sport, this framework exposes how structural inequalities sustain both the prevalence and consequences (or lack thereof) of such violence in this unique context.

Hattery and Smith (2019) note that the *SportsWorld* is a quasi-total institution, characterized by a fraternal order, internal systems of “justice,” and a culture of hypermasculinity that fosters gender-based violence. This dynamic mirrors how gender-based violence operates in other hypermasculine arenas, such as the military and catholic church (Morris 1996; Kearn 2013; Hattery & Smith 2019). Messner and Sabo (1994: 34) assert that there is “nothing inherent in sports [that] makes athletes especially likely to rape women... [rather] it is the way sports are organized to influence developing masculine identities and male peer groups that leads many male athletes to rape.” This highlights the so-called “myth of the violent athlete,” which assumes male athletes commit violence at higher rates than their nonathlete counterparts (Benedict 1997: 25; Ladika 2017: 367).

As Shakib, Veliz, Dunbar, and Sabo (2011) note, “There is no doubt sport holds a highly valued position in American culture ... [where] athletes who excel in sports ... occupy positions of high social standing,” (p. 304). Athlete’s high social standing and visibility translates to journalistic coverage of their actions on the sports field as well as off the field. Of the sports that the media covers, 95 percent of coverage is on men’s sports, most of which focuses on the “Big Three” - football, baseball, and basketball (Iyer 2022). This disproportionate coverage of athletes creates the myth of the violent athlete, which oversimplifies the intersection of various institutions and structures within sports. However, when 95 percent of sports media is covering sports that are dominated by Black men, the myth is then further complicated by the nuance of the myth of the Black rapist (Davis 1983). Both the myth of the Black rapist and the myth of the violent athlete reveal the importance of exploring Black masculinity as it relates to sport and gender-based violence, not to perpetuate either myth, but rather to meaningfully understand how masculinity intersects with race in the specific context of sport.

Because of the racialized nature of sport as well as the racialized history of gender-based violence particularly in the United States, I ground this paper in abolitionist theory as it relates to the criminal legal system. While I explore how consequences are administered differently based on market value here and by race of offender previously (Foltz n.d.a), I do not advocate for the use of the criminal legal system in administering consequences for gender-based violence for athletes perpetrating gender-based violence, as I, along with others (Davis 2003; Richie 2012; Goodmark 2018; Kaba 2021; Goodmark 2023; Davis et al 2023; Mirance et al 2024), realize this merely strengthens and reinforces the racist criminal legal system. This is particularly important as the vast majority of athletes socialized into hypermasculine sports are Black. Rather, I would advocate for the sporting organizations themselves to build accountability structures to adequately prevent and address gender-based violence. This approach only works if the sporting organizations are administering consequences in a non-biased way. Therefore, research, like this paper, becomes critical in order to advance abolitionist theory.

As this paper focuses specifically on the NFL, it is important to note the NFL implemented its first formal policy addressing domestic violence in 2014 following the high-profile Ray Rice incident, in which footage of Rice brutally attacking his fiancée in an elevator was released. This incident put pressure on the NFL to institute a personal conduct policy that directly addressed gender-based violence, sexual assault, and domestic violence. Under this new policy, a first-time offense of domestic violence results in a six-game suspension, though the league retains the discretion to modify the penalty as deemed appropriate (Augelli & Kuennen, 2018; Tuiskula, 2022). Notably, the policy does not mandate any form of rehabilitation or counseling.

Athletic Market Value

In *Race, Sport, and the American Dream*, Smith (2014) conceptualizes the Athletic Industrial Complex. Smith argues that the Athletic Industrial Complex alienates the athlete and is “important to understanding the role that money and power plays” in the athletic arena as “it is the driving force behind virtually every decision that is made,” (Smith 2014: 184; Foltz 2020). The concepts of the Athletic Industrial Complex and the *SportsWorld* are related but distinct from each other. The *SportsWorld* examines the social and cultural structures surrounding sport. A subset of the *SportsWorld*, the Athletic Industrial Complex critiques the way sports are commercialized and institutionalized in ways that reinforce power, profit, and control. The Athletic Industrial Complex helps in the understanding of how in athletics, the decisions made are “driven by money in the front offices and separated from the athletes themselves,” (Smith 2014: 184; Foltz 2020). This separation from the athlete themselves is not to mean that the athlete does not matter at all, but instead points to the idea that athletes matter in terms of their commodification. More simply put, athletes and others in *SportsWorld* are laborers themselves, but they are also commodified (Runstedtler 2023). The athlete matters in terms of how much value they bring to the team to benefit the owner.

Sport is an organization that is deeply hierarchical, and decisions will always be made to protect the white owners at the top, to protect their financial standing, as described in Rhoden’s plantation metaphor. Rhoden’s metaphor contributes to the understanding that executives will protect their star players against allegations of sexual assault because it is financially beneficial (Kiss et al 2024). Hodson and Kaufman’s (1982) resource perspective explores how different structures within the labor markets provide workers with resources and vulnerabilities to value. Relying on Hodson and Kaufman’s (1982) resource perspective, Wallace (1988) explores the

player labor market segmentation within the Men's National Basketball Association (MNBA). Wallace (1988) argues that the player value and earnings are determined by factors that are deeply impacted by structural and social factors. Human capital, performance, merit, and productivity all play into these structural factors and social factors (Takahashi and Horne 2011: 48; Kiss 2020). While this work explores market value in the MNBA, it serves as a blueprint on how to approach operationalizing market value in the NFL.

In exploring athletic market value, Andrews and Silk (2012) describe how neoliberalism shapes the economic value of athletes and highlight that this market value is not just about athletic performance, but also cultural and media appeal. When interviewing NFL and MNBA league executives about how leagues handle accusations of violence against women at the hands of players, Sailofsky (2023) found how important cultural and media appeal really are. Out of 30 interviews, 23 noted “that a player’s talent level and/or productivity as a performer is important to how criminal behaviours are evaluated,” (Sailofsky 2023: 278). One front office employee went so far as to say that when it comes to athlete’s arrests, who the player is matters and “If it's a better player, they probably have more leeway,” (Sailofsky 2023: 278).

Contribution to Literature

Sailofsky and Shor (2022) explore how being arrested for acts of violence against women impacts the careers of MNBA players. Their findings reveal only minor differences in career outcomes and longevity between players arrested for violence against women and those without arrests for violence against women. Similarly, players arrested for nonviolent offenses experienced comparable career outcomes to those arrested for violent offenses, including violence against women (Sailofsky & Shor 2022). In their earlier dissertation, Sailofsky (2021) investigated how violence against women perpetrated by athletes influences career outcomes.

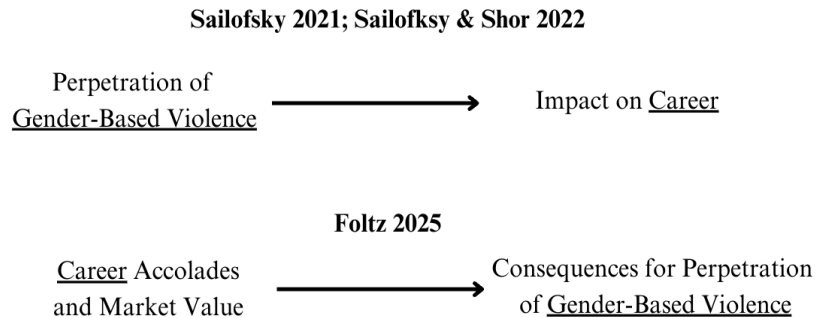
The findings indicate that being accused of or arrested for violence against women has little to no impact on the careers of NFL or MNBA players. Instead, the primary factor influencing their career trajectories is “evaluations of their talent and productivity as athletes and employees” (Sailofsky, 2021: 145).

More recently, Sailofsky (2023) explored how sports executives handle gender-based violence, framing it as a form of white-collar crime. This perspective highlights how teams prioritize profit over issuing meaningful consequences for such offenses. According to Sailofsky, the “win-at-all-costs, profit-extracting relationship that exists between management and athletic labor in professional sports results in uneven player decision-making. This means that leagues put profit over harm-reduction, epitomizing the relations of production under capitalism and capitalist sport” (Sailofsky 2023: 283). This framing underscores that teams prioritize financial gain over addressing or preventing gender-based violence, reflecting a broader profit-driven decision-making process.

While previous research has considered the ways in which accusations of committing gender-based violence may impact an athlete's career, and while this work is important, I take a different approach. As seen in Figure 2, I flip the direction of the relationship and explore how the market value the athlete already has at the time of committing gender-based violence aid or hinder their chances of receiving a consequence for this violence. More succinctly, I explore the research question: *how does the market value of athletes playing in the NFL impact the organizational consequences they receive for perpetrating gender-based violence?* In this paper, I make a major contribution to the literature in operationalizing market value of athletes in a way that allows for the exploration of the relationship between an athlete's market value and the

consequences they receive. Using logistic regression models, I find that as an athlete's market value increases, the probability they receive a consequence decreases.

Figure 2: Framework of the Paper in Comparison to Previous Literature



DATA AND METHODS

Gender-Based Violence in Sport Database

This study analyzes data cataloged in the Gender-Based Violence in Sports database. The Gender-Based Violence in Sport database is housed at the University of Delaware's Center for the Study and Prevention of Gender-Based Violence.²⁸ The database includes over 400 instances of gender-based violence perpetrated by people in the *SportsWorld*. The database compiled publicly available sources included news accounts, media sources, and court records covering all forms of gender-based violence (sexual violence, domestic violence, stalking, etc.) that was perpetrated by a collegiate or professional sports athlete, coach, or staff member. While some

²⁸ The Gender-Based Violence in Sport Database is housed at the University of Delaware's Center for the Study & Prevention of Gender-Based Violence. The database can be found at <https://smithandhattery.com/gender-based-violence/>. On that page, there is an option to request the full database. After requesting the database, the database is emailed to the requester either as a csv or excel file. This database is built off publicly available sources and as a result permissions are not required.

cases originate on social media platforms (like X or Instagram), they must be published by a news source in order to be entered into the database to ensure a level of legitimacy to the claims. The database includes both men and women, in hetero and queer relationships, and the earliest case documented in the database took place in 1965. Currently, the database has over 430 cases of gender-based violence, though it is continuously being updated as cases emerge or are found by researchers. The database is primarily focused on people in the *SportsWorld* in the United States, however there are some entries in the database from sports organizations in other countries.²⁹ Each case cataloged includes the name, race, ethnicity, and gender of the accused, date of the event, the sport and organization that employs them, the type of violence, the accused's relationship to the victim, the number of victims, the organizational consequence (if there was one), whether they were charged or convicted, whether there was a civil case brought against them, and if they continued to work in the sporting organization after the case was reported and investigated.³⁰

Excluded Cases

Although the database includes over 400 instances of gender-based violence perpetrated by people in the *SportsWorld*, this paper includes a sampling of 143 instances of gender-based violence at the hands of NFL players actively playing in the NFL. First, in order to understand how organizations and teams divvied out consequences to athletes that were currently playing for teams, only active professional athletes playing in the NFL are included in this paper. Active

²⁹ In the database, there are 15 instances where the sportsperson played on a team outside the United States.

³⁰ If a sportsperson commits multiple instances of gender-based violence, they are treated as separate entries if information can be found for each individual instance (multiple individual cases against Ben Roethlisberger). However, if cases are brought public together or are part of the same lawsuit (i.e., the case against DeShaun Watson), they are treated as a single entry.

athletes in the MNBA (n=43) and MLB (n=51) were excluded. Athletes that were retired (n=72) when they perpetuated this violence were excluded. Additionally, coaches, trainers, doctors, and sports commentators were excluded (n=21) due to the fact that they represent a substantively different type of occupation status. For example, coaches (n=23) are not included because they are put in a leadership or administrative role within the organization, holding much more power than the athlete, and therefore creating a different power dynamic than that of athletes themselves. Trainers, doctors, and sports commentators (n=11) are also not included due to their small sample size.

Second, this paper focuses on examining professional athletes. Title IX is a federal law enacted in 1972 that prohibits sex-based discrimination in any educational program or activity receiving federal funding in the United States. It also is a major governing legislation that determines how colleges handle allegations of sexual assault. Because of this, Title IX complicates proceedings at the university level. It is possible for consequences and decisions to not become public knowledge so it may never be revealed if an athlete receives a consequence at the university level. As a result, National Collegiate Athletics Association (NCAA) athletes (n=45) who are in the database were excluded.

Third, while women athletes commit gender-based violence in sport, this paper exclusively explores athletes in men's sports.³¹ This is largely due to the small sample size (n=8) of women athletes in the database that have committed gender-based violence.

³¹ In this study, I focus on men and justify why I do not include the small sample of women in my study. However, I also want to acknowledge the presence of trans and non-binary athletes in sport. However, while they are represented in sport, none have been added to the Gender-Based Violence in Sport database, which is why they are not discussed in the sampling.

Finally, as previously mentioned, this paper only analyzes instances of gender-based violence perpetrated by athletes in the NFL. Instances of violence committed by NHL (n=5), the MLB (n=43), and the MNBA (n=51) are not included in this paper because the sample size of active athletes playing at the time they perpetuate gender-based violence were too small.

Additionally, one case of gender-based violence was not included in this paper given that they died by murder-suicide in the act of perpetrating gender-based violence. Because this paper measures nonlegal consequences and the athlete died at the time of perpetuating gender-based violence, this incident was not included in the sample. In sum, this paper is based on a total of 237 instances of gender-based violence that were perpetrated by athletes that were actively playing (not retired) when the violence occurred.

Dependent Variable

The dependent variable is the presence or absence of a non-legal consequence. Non-Legal consequences are organizational consequences experienced by the athletes administered by their specific sporting organization (ex: league, team, etc.), which in this case is the NFL. These include fines, suspensions, and being released from the team. This variable is coded as a binary with “0” meaning they did not receive a non-legal consequence and “1” meaning they did receive a consequence.

Independent Variable: The Market Value Index

Building on literature exploring athletic market value by Wallace (1988), Andrews and Silk (2012), and Kiss (2020), I created the Market Value Index in an attempt for a holistic understanding of the market value of athletes. The independent variable is a market value index. This index is the key contribution to the literature and aims to conceptualize and estimate how much market value athletes hold on individual teams. Table 13 reports the six variables in the

Market Value Index: Fantasy Top 10, Fantasy Top 50, Draft Round, Additional Awards, Winning Championship, All-Star Game Appearance, and Salary Cap Percentage. This index estimates a holistic market value of an athlete. This index consists of a zero to ten scale, with ten meaning the player has high market value whereas zero means the player has little market value.

This market value conceptualization moves beyond how an athlete is valued to a sporting organization. As previously stated, it is an attempt to estimate a holistic value of the athlete. Therefore, this Market Value Index also attempts to encapsulate the status the athlete holds in society – gathering how an athlete has performed on the field in the past as well as consider the awards the athlete may have received.

Table 13: Market Value Index		
Variable	Coded	Potential Value Towards Index
Fantasy Top 10	0= not Top 10 1= Top 10	1
Fantasy Top 50	0= not Top 50 1= Top 50	1
Draft Round	0= undrafted 1= drafted 2nd round or later 2= drafted in the 1st round	2
Winning Championship	0= did not win championship 1= won championship	1
All-Star Roster	0= never made an All-Star Team roster 1= made an All-Star Team roster	1
Additional Awards	0= received no additional awards during career 1= received additional awards during career	1
Salary Cap Percentage	0= salary <1% of salary cap 1= salary is 1-2% of salary cap 2= salary >2% to 5% of salary cap 3= salary >5% of salary cap	3
Market Value Index Score = 10 max		

Fantasy Top 10: This variable is a binary that notes whether a player was in the top ten of their position in the NFL³² at the time they were accused of perpetrating gender-based violence. This cut off was chosen to attempt to capture specific athletes who are elite performers, not just one of the best on their team, but one of the best in the league. While Fantasy measures do not necessarily indicate a guarantee for how a player will perform in the future, fantasy points and rankings are based on the past performance of a player, meaning it makes for an estimate for a player's playing potential (Smola 2024). This variable would add one value point to the market value index if a player was in the Fantasy Top 10.³³

Fantasy Top 50: This variable is a binary that tracks whether a player was in the top fifty of their position in the NFL³⁴ at the time they were accused of perpetrating gender-based violence.³⁵ This particular point was chosen as many fantasy strategist articles note, top 50 players are tantamount to a successful fantasy team (Freedman 2025; Fantasy Pros n.d.). Additionally, statistically, if a player is in the top 50 of their respective position, they are likely the first or second ranked player on their team in that position as well as there are roughly 30

³² For football, the respective positions were quarterback, wide receiver, running back, tight end, kicker, defensive lineman, linebacker, and defensive back.

³³ There are 18 athletes that where a fantasy value could not be assigned to them. All 18 of these players are NFL players and are offensive lineman. Offensive linemen are not assigned fantasy positions, unlike every other position in the NFL (FullTimeFantasy.com n.d.; Sharp Football Staff 2024). These 18 athletes still received a Market Value Index score and just received zero points from both the Top 10 and Top 50 Fantasy variables.

³⁴ For football, the respective positions were quarterback, wide receiver, running back, tight end, kicker, defensive lineman, linebacker, and defensive back. Fantasy ranking for NFL players was calculated based on statistics and rankings found at FFToday.com.

³⁵ Since all fantasy ranking is being collected after the incident (meaning these incidents have already occurred and I am not documenting fantasy ranking in real time where I can more easily account for fluctuation of ranking throughout a season), the ranking assigned was for the ranking assigned as the end of the season, which is representative of a more average ranking for the player, considering their performance for the entire season and not week by week production.

teams in each professional league. This variable adds one value point to the market value index if a player was in the Fantasy Top 50.

Draft round: Based loosely on the trade value chart created by Hall of Fame NFL Coach Jimmy Johnson, this variable awards two points to athletes who were drafted in the first round of their respective professional league's draft for that year, one point to athletes that were drafted in any round, and zero points to athletes that were undrafted but later signed to a team in the league (Puleo 2024). Draft round is important to consider because it can be an indicator of expected potential for athletes entering the league coming out of college or high school. The best players in each league are often drafted in the first round. For example, household names like Adrian Peterson and Ezekiel Elliott, were both first round draft picks. This variable adds two value points to the market value index if a player was drafted in the first round and one value point if a player was drafted but not in the first round.

Winning Championship: This variable is a binary for whether or not the athlete played on a team that won a Superbowl in their career. This variable adds one value point to the market value index if a player won a championship before accusations of committing gender-based violence. This binary variable is included in the index to consider how the Super Bowl Bump, a term that describes how merchandise and playing cards specifically increase in value after a player and team wins a Super Bowl (Peck 2025). While this term applies more specifically to merchandise, considering whether a player has won a Super Bowl or not allows the index to capture any uptick in market value an NFL player may experience after becoming a world champion.

Pro-Bowl Game Roster: Each professional sports league has their own All-Star game where the top players in the league are selected, which the NFL calls the Pro-Bowl. Across

history, the rosters for these games have been created through consideration of the media voting, coach voting, player voting, fan voting, league office voting - each of which to varying degrees depending on the year and league. Appearing on an all-star roster prior to accusations of gender-based violence adds one value point to the market value index score. Considering appearances on a Pro-Bowl roster is important because being on the roster is a signal that a player is one of the best in the league at that position and comes with financial benefits, increases a player's visibility, as well as the potential of increasing their market value (Taylor 2024; Salao 2025).

Additional Awards: This variable is a binary measure of whether or not the athlete received any sort of award throughout their career up until the time of the accusation of gender-based violence. These awards include Rookie of the Year, Defensive Player of the Year, All-Pro, ERA-Leader, and Most Improved Player, amongst others. This variable is included to attempt to encapsulate any market-value increase that is earned from the increased visibility of winning these awards, similar to that of the Superbowl Bump (Peck 2025). This variable adds one value point to the market value index if a player had earned additional awards at some point during his career.

Salary Cap Percentage: Salary cap percentage was calculated by taking the salary of the athlete at the time of the accusation divided by the salary cap set for that year. The NFL salary cap was calculated using statistics from the Pro Football Network. When calculating the salary cap percentage for the NFL, the salary cap for NFL players (N=8) who were accused of committing gender-based violence in 2010 is calculated based on the salary cap in 2009 because there was no salary cap in the NFL in 2010 (Robinson 2023). Additionally, two NFL players were accused of committing violence prior to 1994 when the salary cap was introduced. Eric Bienemy was accused of violence in 1993, so their salary cap percentage was estimated by using

the first salary cap in 1994 since it was so close in time. The other athlete, Jim Brown, was accused of committing this violence in 1965. Because this was nearly 30 years before salary caps were instituted, no salary cap was estimated for him and therefore was assigned “0 percent” so the rest of his market value could be estimated.

If an athlete's salary was made up of less than one percent of the salary cap, they received zero points towards the market value index. If an athlete's salary made up one or two percent of the salary cap, they are coded as a “1” in the variable and received one point towards the market value index. This cut off was determined because 50 percent of the data falls at or under two percent of the salary cap. If an athlete's salary made up was greater than two up to five percent of the salary cap, they are coded as a “2” in the variable and received two points toward the market value index. This boundary was determined because this salary cap percentage was in the top 50th percentile but less than the top 25th percentile. If an athlete's salary made up was greater than five percent of the salary cap, they are coded as a “3” in the variable and received three points toward the market value index because they fall in the top 25 percentile of salary cap percentages.

Control Variables

Year in the league: This variable documents how many seasons the athlete has played in the league at the time they were accused of perpetrating gender-based violence. They only had to begin the season for it to count as a season credited. For example, if an accusation about an athlete came out two games into the season, they would still have that season counted towards their total seasons played, even though it was not completed. Controlling for the year in the league allows exploration into how the amount of time a player has spent in the league may impact the consequences they receive.

Age at Incident: This variable documents the age of the athlete accused at the time they were accused of perpetrating gender-based violence. Controlling for this variable explores how the age of the athlete may impact the consequence they receive. For example, are younger athletes more likely to get stiffer penalties as they have not proven their worth in the league?

Race: This variable accounts for the race of the athlete, specifically noting if the athlete was Black or non-Black. Because there are such a small number of non-Black athletes in the database, this variable had to collapse into the Black and non-Black categories. There is literature (Kiss et al 2024; Foltz n.d.b) that demonstrates that the race of the athlete accused is connected to the consequences they receive, so controlling for race allows for consideration of whether it is the race of the offender that predicts the probability of their consequence or their market value.

Policy: The NFL adopted a personal conduct policy in 2014. This variable measures the time before the policy was instituted and then after the policy was instituted, allowing comparison between administration of consequences across the two time periods. Comparing before and after the policy was instituted allows an understanding of if the policy may have created differential treatment of gender-based violence before and after its administration.

Analytic Techniques and Research Questions

Analytic Technique: SPSS statistical software was utilized to complete the data analysis. Descriptive statistics, frequencies, and logistic regression analysis with consideration for Chi Square were completed when examining the relationship between market value of an athlete and the professional sport league, organizational consequence, and personal conduct policies, race, age of athlete, number of seasons athlete has played in the league.

Research Questions: The overarching research question in this paper is: how does the market value of an athlete impact the non-legal consequences administered after committing

gender-based violence? More specifically, the testable research question is: does an athlete's market value score significantly predict whether they will receive a consequence from the NFL for committing gender-based violence? The hypothesis is as follows:

Null Hypothesis (H0): There is no statistically significant relationship between athletic market value and receiving an organizational consequence for committing gender-based violence.

Alternative Hypothesis (Ha): Athletic market value has a statistically significant negative relationship with the probability of receiving a consequence for committing gender-based violence.

Essentially the relationship that I hypothesize will occur is that as an athlete's market value increases, the lower the probability they will experience a consequence for committing gender-based violence.

RESULTS

As presented in Table 14, the majority (59%) of accused athletes in this sample are ages 25-29 at the time they were accused of committing gender-based violence. Twenty percent of athletes are 24 and younger, 18 percent are 30-34, and three percent are 35 and older. Ninety-five percent of the sample are Black while five percent are non-Black. Seventy-six percent of incidents occurred prior to the NFL adopting their personal conduct policy in 2014. The mean market value of athletes in the NFL is 3.9 and the median value is 3. According to Table 1, about three-quarters of the athletes have a market value of score of five or less. This means the top 25 percent of athletes have a market value of 6 or higher.

Table 14: Descriptive Frequencies of Sample

Age	Percent
24 & Under	20.3%
25-29	58.7%
30-34	18.2%
35 & Older	2.8%
Race	
Black	95.1%
Non-Black	4.9%
NFL Policy	
Incidents Before 2014	76.2%
Incidents During 2014 and After	23.8%
Market Value Index	
0	7.0%
1	13.3%
2	16.1%
3	15.4%
4	11.9%
5	9.1%
6	7.7%
7	8.4%
8	4.9%
9	4.9%
10	1.4%

Research Question: How does the market value of an athlete impact the legal and non-legal consequences administered after committing gender-based violence? This study focuses on binary logistic regression results that aim to understand how the athlete's age and race, number of seasons played, presence of personal conduct policies, and market value of an athlete impacts whether they are given a consequence when accused of perpetrating gender-based violence. Age (Model 1), seasons played (Model 2), and race (Model 3) are all negatively

associated with receiving a consequence for committing gender-based violence, though all three of these variables were not statistically significant. The corresponding findings are presented in Table 15. A one season increase in seasons played in the NFL is associated with a 1.6% decrease ($\beta = -.016$) in likelihood of being assigned an organizational consequence. A one-year increase in age is associated with a 2.7% decrease ($\beta = -.027$) in likelihood of receiving an organization consequence. Being Black is associated with an 20.5% decrease ($\beta = -.229$) in likelihood of receiving a consequence for perpetrating gender-based violence.

Table 15: Results for Binary Logistic Regression Predicting Likelihood of Athletes Receiving an Organizational Consequence for Committing Gender-Based Violence												
	Model 1		Model 2		Model 3		Model 4		Model 5		Model 6	
	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR
Year in League	-.016	.984									.169	1.184
Age at incident			-.027	.973							-.066	.936
Race Black					-.229	.795					-.452	.637
Policy After 2014							1.855***	6.391			2.249***	9.474
Market Value Index									-.215**	.807	-.347***	.707
Model Statistics												
Constant	.151		1.810		.288		-.314***		.898**		2.307	
Chi Square	.084		.284		.086		17.933***		10.268**		34.504***	
N	143		143		143		143		143		143	

*** $p < 0.001$; ** $p < 0.01$; * $p < 0.05$

As presented in Model 4, accusations of committing violence after the personal conduct policy went into effect in 2014 makes an athlete 6.4 times ($\beta = 1.855$, $p < 0.001$) more likely to experience a consequence. In Model 5, the market value index is considered. A one unit increase in points on the market value index is associated with an 19.3% decrease ($\beta = -.215$, $p < 0.01$) in likelihood of receiving a consequence for an accusation of committing gender-based violence. This means the lower a player's market value, the more likely they are to receive a consequence for accusations of gender-based violence. When all values are considered at the same time presented in Model 6, age at incident ($\beta = -.066$) and being Black ($\beta = -.452$) are still associated

with a decrease of similar rates in likelihood of receiving a consequence for allegedly committing gender-based violence, though still lack statistical significance. The lack of statistical significance means there is not enough evidence to confidently conclude that the observed relationship did not occur by chance and is statistically meaningful. Essentially, when considering all variables in the model, the presence of the policy and the market value of the athlete are likely to impact whether an athlete experiences a consequence.

After entering all control variables, seasons played ($\beta = 0.169$) are now positively associated with receiving a consequence. A one season increase in seasons played means an athlete is 1.2 times more likely to receive a consequence for accusations of perpetrating gender-based violence though this relationship lacks statistical significance. While it does not have statistical significance, it is important to report because it reveals an important area research to be explored in the future. With all controls in the model, consideration of the personal conduct policy and the market value of the athlete maintain statistical significance and their respective direction of relationship. Committing violence after the personal conduct policy went into effect in 2014 results in an athlete being 9.4 times ($\beta = 1.855$, $p < 0.001$) more likely to experience a consequence for accusations of committing gender-based violence. A one unit increase in points on the market value index is associated with a 29.3% decrease ($\beta = -.347$, $p < 0.001$) in likelihood of receiving a consequence when committing gender-based violence. Therefore, the null hypothesis is rejected at the 99.9% confidence level, which indicates that there is sufficient evidence to suggest that market value has a negative effect on the likelihood an athlete accused of perpetrating gender-based violence experiences a consequence. This means that as an athlete's market value increases, the likelihood that they experience a consequence decreases.

DISCUSSION AND CONCLUSION

Two important findings are demonstrated in Table 15: 1) the way the NFL is administering organizational consequences for athletes committing gender-based violence changed after the institution of the personal conduct policy and 2) the market value of the athlete impacts the likelihood of them experiencing a consequence for accusations of gender-based violence. This reinforces Hodson and Kaufmann (1982)'s work exploring how considering the labor market allows an understanding for how people within those markets are given value. Additionally, building on the approach outlined by Wallace (1988), I operationalize market value of NFL players in a way that will translate to other sporting organizations in a more modern context.

As previously noted, the NFL instituted a personal conduct policy in 2014 (Augelli & Kuennen 2018). Accusations of committing gender-based violence after 2014 made the athlete 9.4 times more likely to experience a consequence. This suggests that having a policy in place establishes guidelines and increases the chances that athletes will receive a consequence for accusations of committing gender-based violence. This demonstrates an important opportunity for organizations to demonstrate they take gender-based violence seriously. Drawing from abolitionist theory, I do not advocate for the use of the criminal legal system in cases of gender-based violence, which is why considering the consequences issued by sporting organizations is paramount. I propose that organizations could be the main sources of consequences for athletes that commit gender-based violence. Organizations can do this by demonstrating they will administer consequences to athletes in their organization, establishing clear expectations for player conduct and behavior.

In creating these expectations, it is also important that their policies and consequences are administered equitably. While these models demonstrated that race lacked statistical significance

in determining its relationship with administering organizational consequences, Foltz (n.d.b.) showed there are racialized differences in which athletes of different races receive consequences as well as the types of consequences they receive. Though, this paper interrogates another important variable to consider when exploring who receives consequences for committing this violence: market value. Table 15 shows that the market value of an athlete is related to the consequences they experience. As the market value of an athlete increases by one point on the market value index, they are 29.3% less likely to experience a consequence. This finding can both supports the previous literature. Sailofsky (2023) notes that committing gender-based violence is white collar crime, one that is more easily overlooked where the teams and organizations center profit in decision making over taking a stand against gender-based violence. By conceptualizing market value, this work supports Sailofsky's work and shows that athletes of a higher market value are less likely to receive a consequence for committing gender-based violence. This finding also supports Smith's concept of the Athletic Industrial Complex, reinforcing that the decisions are "driven by money" and in this case shows that athlete's that bring more money into the hands of the NFL owners are more likely to go without consequences when perpetrating gender-based violence.

This work built on the literature (Hodson & Kaufmann 1982; Wallace 1988; Sailofsky 2023) that came before it to operationalize a first of its kind market value index that fills gaps in literature. The two main findings of this paper layout the idea that while we are starting to see change in that with the establishment of the personal conduct policy, there is a higher probability that athletes experience a consequence. At the same time, money is the reigning king and athletes with a high market value are less likely to experience a consequence, demonstrating that money still motivates decisions.

CONCLUSION

This dissertation has explored the intersection of gender-based violence, race, sporting organization, and market value in sports, revealing the systemic inequalities that shape consequences within athletic institutions. Through the analysis presented in the three papers, this research has demonstrated how race, league-specific policies, and market value contribute to the administration—or lack thereof—of consequences for athletes who commit gender-based violence.

In paper one, I explored how racial disparities shape the distribution of consequences, with the percentage of Black athletes facing consequences at higher rates than their white counterparts. This supports broader sociological discussions on the criminalization of Black men and the leniency afforded to white athletes, reflecting the racialized structures embedded in both sport and society at large. One of the important findings in this discussion is that sporting organizations are administering consequences to athletes accused of gender-based violence differently based on race. While this finding was not statistically significant, it does still make me think critically about who should be administering consequences. When relying on abolitionist theory, most people argue that the consequences for such actions should come from the sporting organization as to not further perpetuate the application of the criminal legal system; however, if the sporting organizations are administering consequences similarly to that of the criminal legal system, then where do we turn? This is not something I have an answer for right now, but instead is something that I will continue to consider throughout my career.

Paper two highlights how different professional sports leagues administer consequences inconsistently, with some leagues administering consequences at higher rates, while others allow athletes to continue their careers with minimal repercussions. The MLB administered the highest

percentage of consequences for allegations of committing gender-based violence and the NFL administered the lowest percentage of consequences. The MNBA had the highest percentage of players continue or return to play after an accusation, followed by the MLB and then the NFL. However, all three of the leagues included in the paper demonstrated an increase in consequences administered after the implementation of the personal conduct policy. The implications of this are that personal conduct policies seem to lead to organizations issuing more consequences than before the policies were established. However, it would be interesting to explore two things specific to the policies: 1) does the presence of a personal conduct policy reduce the racialized difference in consequences administered and 2) do these policies create meaningful change in the organization. The second inquiry is one that I think is particularly important because I question whether the “threat” of a consequence is enough to prevent athletes from committing violence. Rather, I expect that the implementation of personal conduct policies might instead be a visual representation to the public that the league is taking the issue of violence against women and gender-based violence seriously without changing the culture within sports that allows this violence to thrive. Therefore, we need to think critically about ways to change the culture within the sporting organizations in a way that promotes humanization of women and not objectification of women. One way, I argue, that this can be achieved is by meaningful and intentional hiring practices of women in men’s sports specifically. While this might seem simple, the presence of women within these organizations as integral parts to the organization could encourage a reframing of how men athletes view them – not just as objects, but instead valuable assets to the team.

Paper three underscored the centrality of market value in determining whether an athlete faces consequences for accusations of gender-based violence. In this paper, I make a significant

contribution to the literature in operationalizing market value of athletes in a Market Value Index I created. Using the Market Value Index, I find that athletes with higher market value are significantly less likely to experience punitive measures, demonstrating that financial incentives often take precedence. This aligns with the concept of the Athletic Industrial Complex, in which financial interests dictate institutional decision-making. However, the conceptualization of the athlete's market value is not one that I do without hesitation. Rhoden's (2006) plantation metaphor demonstrates how the labor dynamics of the sporting arena mimics that of the chattel slave plantation. This is important to consider because as I am attempting to understand an athlete's "market value," in a way I am demonstrating an extension of this metaphor. The sample of athletes in this paper, are primarily Black men. By attempting to estimate their market value, I acknowledge that I am in ways deepening this metaphor, perhaps further dehumanizing the athletes to a mere value. However, this is commodification of their bodies and talent is something that I am not saying should be done, but rather I am examining the realities of the foundation of the sporting labor divisions.

Also, importantly, market value does not consider race explicitly, however, race is likely built into this index in many ways and is something I plan to expand on in the future. For example, Paper three focuses primarily on the NFL, a league that is majority comprised of Black men. However, there is a deep-rooted racialized history to the positions played in football. Some of the positions that we would expect to have a high market value, like the quarterback, are white. Going forward, I am preparing to explore how this market value intersects with race to understand exactly 1) if there is a racialized trend to market value and 2) what the racialized implication of this relationship is.

Theoretical Implications

By framing these findings within abolitionist perspectives, this dissertation challenges the reliance on carceral feminist approaches to addressing gender-based violence in sport. Paper 1 of this dissertation demonstrated that Black athletes were experiencing consequences at a higher percentage than white athletes. This hints that the consequences administered by the sporting organizations mirror systemic racism. These findings, therefore, also challenge abolitionist approaches to gender-based violence as such approaches call for consequences to be handled by leagues. If leagues are administering consequences unequally (based on race as seen in paper 1 or market value in paper 3), abolitionist approaches will not work. As such, this dissertation calls for leagues to more equitably issue consequences to relieve the reliance on the legal system in handling instances of gender-based violence. Institutional betrayal remains a key concern, as leagues and organizations frequently prioritize brand protection over meaningful accountability. Furthermore, this dissertation reinforces the significance of hegemonic masculinity in sports culture, which normalizes violence and shields athletes accused of gender-based violence from repercussions.

Policy Recommendations and Future Directions

The findings from this research suggest the need for sports organizations to develop more transparent and equitable policies regarding gender-based violence. I caution against making a call for legislative action, when as Davis notes, police and the criminal justice system does not make us safer, even when dealing with domestic violence (Davis 2003; Davis et al 2022). Sweet (2020) would further this in understanding that the institution (such as the criminal justice system) can offer its own “battering” to women, ‘trapping [them] between institutional silencing and intimate subjugation,” (2020: 16). Understanding that professional athletes, in the major

sport leagues, are composed of a majority Black men, the coverage by the media of gender-based violence in sport perpetuates the myth of the Black rapist. This is not to say that athletes who are Black men that allegedly perpetuate gender-based violence should not be held accountable.

Instead, I argue that this research could expose how the system of sport is exploitative and can be an active risk factor in men (specifically Black men that are overrepresented in sports connected to gender-based violence) being exposed to the criminal justice system.

Also, the policies used thus far have been policies that are created by the leagues and the league representatives on how to handle gender-based violence more broadly. As advocated for in by Mirance (2024) and colleagues, policies attempting to address gender-based violence need to have victim-center approaches. For example, what does the victim need to cope with what happened to them? What would they like to see in the consequence for those that they are accusing. This, therefore, allows for a restorative justice approach and aims to bring the victim resources as opposed to merely administering a punitive consequence to the alleged perpetrator.

I caution against policies where there are standardized, non-negotiable policies as research have shown that similar policies (i.e., mandatory minimums) have created more harm than good in the criminal legal system, becoming a manifestation of systemic racism (Siegler 2021; Butcher et al 2022). Rather, I call for leagues to establish independent oversight bodies that can establish consequences without league oversight. I would encourage these oversight boards to also focus less on punitive measures and instead shift towards survivor-center solutions. Additionally, I call for leagues to attempt to address the culture within the leagues that may promote, or at the very least tolerate, this violence. As noted earlier, Jewkes finds two factors necessary for intimate partner violence: “the unequal position of women in a particular relationship and in society and the normative use of violence in conflict,” (Jewkes 2002: 1426).

Right now, women are continuing to increase participation rates in sport, but this trend must continue (Gibson 2020). There must be continued effort to get more girls playing sports. While seemingly unconnected, I argue this is paramount to my next point, there must be new and continued effort to get women in powerful positions in sport - like coaching positions (not just in women's sports but in men's sports as well), athletic directors, team presidents in both women and men's sports alike. As women continue to make their way into sport in positions that are more than caretakers and sex objects, the culture around sports will hopefully change to one that more fully humanizes women (Foltz n.d.a). While sports continue to be sex segregated, the culture of women in power in women's sports still happens at lower rates than that of men being in power in men's sports. The number of women being in administrative and powerful roles in women's sports is important, but as women gain credence in the sex segregated arena, I theorize that more women will also be able to begin working in men's sports. While I push back against the idea that women work in women's sports to "graduate" to men's sports, I also see where 1) women making the move to men's sports is crucial to ever change the culture of how women are viewed within men's sports and 2) the growth of women's sports and women within women's sports will aid in their movement to breaking into men's sports.

According to previous research, participation in sport, specifically basketball and football, is a risk factor that can contribute to violence (Ladika 2017; Hattery & Smith 2019). Some attribute this to the hypermasculinity in sport (Ladika 2017), while others attribute this to the blind eye turned to gender-based violence in the upper level of sports (Hattery & Smith 2019). However, I argue that studying sport and understanding the different mechanisms and structural factors at play in its connections to gender-based violence can flip sport from being a risk factor to violence to a protector *from* violence. As Hamilton (2020) notes, there is a

movement towards “educating boys about true masculinity, violence prevention, and rights of women,” (Hamilton 2020). Continuing to explore gender-based violence in sport will lead to opportunities to develop curriculums that will hopefully change the way boys are taught to understand the value and humanness of girls and women. Smith notes that “if leaders in the *SportsWorld* could be convinced to take violence against women seriously then I speculate that not only would violence against women by athletes decline, but it should become less likely to be emulated by young men who look to these athletes as role models,” (2014: 149). The power of sport as a socializing agent for young boys would be harnessed. If the culture surrounding sport can evolve from one that teaches the subordination of women to one of the equality and empowerment of women, sport can be a powerful mechanism in preventing violence against women, instead of a breeding ground for such violence (Foltz n.d.a).

Future research could consider intersectionality more centrally and consider how the identities of the victim (i.e., their race and gender) might lead to differences in consequences given to those they accuse. For example, if the victim is a Black woman, are organizations less likely to administer consequences to an athlete accused because of misogynoir. Additionally, future research could explore if there are sporting organizations, or organizations more broadly, that have handled instances of gender-based violence well. Once these ideal types have been identified, it would be crucial to explore how they created conditions to reduce gender-based violence and how those practices can be translated to other organizations. Additionally, this research is focused specifically on sporting organizations mainly in the context of the United States. Expanding the focus on organizations to outside the United States could reveal how cultural differences could lead to more beneficial tactics in handling gender-based violence in sport.

Policy After 2015				-1.169	.311		-.748	.473	-1.391	.249
Market Value Index			-.117	.889			-.072	.931	-.186	.830
Model Statistics										
Constant	-2.069	-1.674	-2.307	-1.637		-2.299			-1.987	
Chi Square	8.822*	12.391**	3.395	11.681**		4.110			8.130	
N	43	43	32	43		32			32	

*** p<0.001; ** p<0.01; *p<0.05

Table A5: Logistic Regression Coefficients for NFL Athletes Perpetrating Gender-Based Violence and Likelihood of Nonlegal Consequence

	Model 1		Model 2		Model 3		Model 4		Model 5		Model 6		Model 7		Model 8	
	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR
Year in League	.055	1.056	.053	1.054	.168	1.183			.271	1.312	-.056	.946	.179	1.197		
Age at incident	-.074	.928	-.073	.929	-.048	.953			-.186	.830	.036	1.037	-.054	.948		
Race Black			-.226	.798									1.540	4.665	.501	1.651
Policy After 2015					2.407**	11.097					1.886**	6.593	2.465**	11.758		
Market Value Index					-.350***	.705	-.196**	.822	-.268**	.765			-.364***	.695	-.198**	.821
Model Statistics																
Constant	1.791		1.986		1.264		.763**		4.673		-1.016		-.112		.284	
Chi Square	.477		.560		34.388**		7.568*		11.453**		18.144**		35.713**		7.837*	
N	143		143		133		133		133		143		133		133	

*** p<0.001; ** p<0.01; *p<0.05

Table A6: Logistic Regression Coefficients for NFL Athletes Perpetrating Gender-Based Violence and Likelihood of Legal Consequence

	Model 1Y		Model 2Y		Model 3Y		Model 4Y		Model 5Y		Model 6Y		Model 7		Model 8	
	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR
Year in League	-.731***	.481	-.740**	.477	-.420	.657			-.562*	.570	-.632**	.532	-.418	.658		
Age at incident	.739***	2.094	.754**	2.126	.491	1.634			.667**	1.949	.633**	1.884	.492	1.636		
Race Black			.811	2.250									.275	1.317	.188	1.207
Policy After 2015					-1.516*	.220					-1.164*	.312	-.1518**	.219		

Market Value Index			-.387**	.679	-.405**	.667	-.400**	.670	-.386**	.680	-.404***	.668
Model Statistics												
Constant	-14.258*	-15.381	-6.829		3.626*		-11.240		-11.604*		-7.132	3.440*
Chi Square	14.751*	15.491	32.997*		16.548		26.756*		19.908*		33.038*	16.566*
	**	**	**				**		**		**	**
N	143	143	133		133		133		143		133	133

*** p<0.001; ** p<0.01; *p<0.05

Table A7: Logistic Regression Coefficients for Athletes (in MNBA, NFL, and MLB) Perpetrating Gender-Based Violence and Likelihood of Nonlegal Consequence

	Model 1Y		Model 2Y		Model 3Y		Model 4Y		Model 5Y	
	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR
Year in League	.066	1.068	.052	1.053	.245**	1.278			.271**	1.311
Age at incident	-.122	.885	-.113	.893	-.197*	.821			-.214**	.807
Race Black			-.181	.835					.327	1.386
Market Value Index					-.280***	.756	-.230***	.795	-.291***	.747
Model Statistics										
Constant	-2.871*		2.854*		4.948**		.867**		5.025**	
Chi Square	4.545		4.770		26.588***		16.135***		27.084***	
N	237		237		215		215		215	

*** p<0.001; ** p<0.01; *p<0.05

Table A8: Logistic Regression Coefficients for Athletes (in MNBA, NFL, and MLB) Perpetrating Gender-Based Violence and Likelihood of Nonlegal Consequence

	Model 1Y		Model 2Y		Model 3Y		Model 4Y		Model 5Y	
	Beta	OR	Beta	OR	Beta	OR	Beta	OR	Beta	OR
Year in League	-.157*	.855	-.130	.878	-.223**	.800			-.156	.855
Age at incident	.142	1.153	.124	1.131	.199*	1.220			.155	1.167
Race Black			.314	1.368					.811	2.250
Market Value Index					-.101	.904	-.122	.855	-.128	.879
Model Statistics										
Constant	-1.640		-1.558		-2.336		1.754***		-2.102	
Chi Square	5.066		5.584		11.464**		3.608		14.333**	
N	237		237		215		215		215	

*** p<0.001; ** p<0.01; *p<0.05

GLOSSARY

Athletic Industrial Complex: explains the commodification and alienation of the athlete; subset of the *SportsWorld* and “important to understanding the role that money and power plays” in the athletic arena as “it is the driving force behind virtually every decision that is made,” (Smith 2014: 184).

Consequences: any sanction from the criminal legal system or an athlete’s respective sporting organization that is administered as a result of committing gender-based violence

Gender-Based Violence: overarching umbrella term that encompasses both intimate partner violence and sexual assault, as well as other forms of violence (Hattery 2022); “gender-based violence” is an updated term for “violence against women,” in order to “open space for thinking about the connections between violence against women with violence against gay, lesbian, queer and transgender people, sexual assaults of boys and men, as well as gender-based bullying in schools,” (Meyer 2012, Messner 2015).

Intimate partner violence: broad term “used to describe a variety of behaviors including physical, emotional, psychological, financial, and sexual abuse,” experienced in the context of a romantic partnership, either current or previous (Hattery & Smith 2020; Hattery 2022: 6).

MNBA: most colloquially known as the “NBA” or National Basketball Association, many WNBA fans, reporters, and journalists have transitioned to using the term “MNBA” or Men’s National Basketball Association to challenge the idea of the men’s basketball league as the default (Hundley 2004). Because of this, I will refer to the NBA as the MNBA in this dissertation.

Sexual Violence: “refers to rape and sexual assault, but also sexual harassment and street harassment” (Hattery 2022: 6).

SportsWorld: defined as all institutions, infrastructures, and personnel (athletes, trainers, coaches, fans, commentators, etc.) working and existing within sport (Smith 2014).

Violence against women: any act of gender-based violence that results in physical, sexual, or psychological harm or suffering to women, including threats of such acts (United Nations Declaration on the Elimination of Violence Against Women 1993); scholars have also extended this definition to include institutional and state violence against women (Richie 2012; Goodmark 2018).

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