

Roger Goodell  
Commissioner  
National Football League  
345 Park Avenue  
New York, NY 10154

June 18, 2018

Dear Mr. Goodell:

The undersigned organizations, each of which is devoted to protecting the full civil and human rights of all Americans, write to strongly object to the National Football League's coercive new rule requiring players to stand during the national anthem.<sup>1</sup> This policy represses peaceful, non-disruptive protest of police violence against unarmed African Americans and other people of color. It is disappointing that a league built on grit and competition lacks the constitution to stomach a call for basic equality and fairness.

Kneeling during the anthem seeks to raise awareness of police brutality and violence routinely perpetrated upon unarmed and nonviolent people of color. Even though people of color are only around 37% of the population, they are about 63% of unarmed people killed by the police.<sup>2</sup> Police are twice as likely to kill unarmed African Americans as white people.<sup>3</sup> African Americans experience physical force or its threat during police encounters up to three times as often as whites; Hispanics up to twice as often.<sup>4</sup> Over and over again, our racially-biased criminal justice system causes families of color to mourn loved ones killed and maimed by excessive force. Afterward, this same system routinely fails to hold unreasonably violent officers accountable.

The NFL in particular should be better attuned to the ongoing struggle for racial justice. Yet, its own franchise suffers from significant racial disparities. 70% of NFL players are black, yet 75% of head coaches and 100% of team CEOs and Presidents are white men.<sup>5</sup> No team has a majority owner who is African American or Hispanic.<sup>6</sup> Racially-biased police violence can also threaten players' safety;<sup>7</sup> the recent decision to mandate the silence of players wishing to demonstrate for

---

<sup>1</sup> See, e.g., Kevin Breuninger, *NFL bans on-field kneeling during national anthem*, CNBC (May 23, 2018), <https://www.cnn.com/2018/05/23/nfl-bans-on-field-kneeling-during-the-national-anthem.html>.

<sup>2</sup> See German Lopez, *Police shootings and brutality in the US: 9 things you should know*, Vox (May 6, 2017), <https://www.vox.com/cards/police-brutality-shootings-us/us-police-racism>; Jon Swaine et al, *Black Americans killed by police twice as likely to be unarmed as white people*, The Guardian (June 1, 2015), <https://www.theguardian.com/us-news/2015/jun/01/black-americans-killed-by-police-analysis>.

<sup>3</sup> *Id.*

<sup>4</sup> The Sentencing Project, *Black Lives Matter: Eliminating Racial Inequity in the Criminal Justice System*, 11 (2015), <http://sentencingproject.org/wp-content/uploads/2015/11/Black-Lives-Matter.pdf>.

<sup>5</sup> The Institute for Diversity and Ethics in Sport, *The 2017 Racial and Gender Report Card: National Football League* (Oct. 18, 2017), <http://nebula.wsimg.com/1a7f83c14af6a516176740244d8afc46?AccessKeyId=DAC3A56D8FB782449D2A&disposition=0&alloworigin=1>.

<sup>6</sup> *Id.*

<sup>7</sup> See, e.g., Phil McCausland, *NFL's Michael Bennett Says Police Threatened to 'Blow My Head Off'*, NBC News (Sept. 6, 2017), <https://www.nbcnews.com/news/us-news/nfl-s-michael-bennett-says-police-threatened-blow-my-f-n799276>; *Video shows Georgia police slamming ex-NFL player to the ground*, CBS News (April 27, 2018), <https://www.cbsnews.com/news/desmond-marrow-video-henry-county-georgia-police-today-2018-04-27/>.

civil rights is even more appalling against the backdrop of the glaring racial disparities in the NFL.

President Trump, responding to the NFL's new rule, said to those who take a knee, "[Y]ou shouldn't be playing, you shouldn't be there, maybe you shouldn't be in the country."<sup>8</sup> This race-baiting attempt to alienate people of color is repugnant to America's core values. Athletes who choose to kneel during the national anthem to peacefully protest police violence embody the best patriotic ideals of our nation. Protesters striving to create a more inclusive democracy define the history of this country; there is no better way to honor our national symbols than to fight for equal justice for all.

Compelling players to stand for the national anthem erodes the values that the flag represents and tells the world that the NFL does not care about racial justice. We urge you to reconsider your position.

Thank you,

Kristen Clarke  
President & Executive Director  
Lawyers' Committee for Civil Rights  
Under Law

Judith Browne Dianis  
Executive Director  
Advancement Project

Anthony Romero  
Executive Director  
American Civil Liberties Union

Dr. James J. Zogby  
President  
Arab American Institute

DeRay McKesson  
Activist  
Campaign Zero

Vincent Warren  
Executive Director  
Center for Constitutional Rights

Rashad Robinson  
Executive Director  
Color of Change

Rev. Lennox Yearwood Jr.  
President and CEO  
Hip Hop Caucus

Angela T. Rye, Esq.  
Principal and CEO  
IMPACT Strategies

Farhana Y. Khera  
President & Executive Director  
Muslim Advocates

Derrick Johnson  
President and CEO  
NAACP

Rev. Al Sharpton  
President & Founder  
National Action Network

---

<sup>8</sup> Domenico Montanaro, *Trump Praises NFL Decision, Questions If Protesting Players Should Be In The Country*, NPR (May 24, 2018), <https://www.npr.org/2018/05/24/613976960/trump-praises-nfl-decision-questions-if-protesting-players-should-be-in-the-coun>.

Heather C. McGhee  
President  
Demos

Hill Harper  
National Ambassador  
Lawyers' Committee for Civil Rights  
Under Law

Vanita Gupta  
President and CEO  
The Leadership Conference on Civil  
and Human Rights

Thomas A. Saenz  
President and General Counsel  
Mexican American Legal Defense  
and Education Fund

Monifa Bandele  
Vice President and Chief Partnership  
& Equity Officer  
MomsRising

Anna Galland  
Executive Director  
MoveOn Civic Action

Sherrilyn Ifill  
President and Director-Counsel  
NAACP Legal Defense and Educational Fund

Dr. Barbara Williams-Skinner  
Co-Convener  
National African American Clergy Network

Caroline Fredrickson  
President  
American Constitution Society  
for Law and Policy

Michael Waldman  
President  
Brennan Center for Justice  
at NYU School of Law

Melanie L. Campbell  
President & CEO  
National Coalition on Black  
Civic Participation

Janice L. Mathis  
Executive Director  
National Council of Negro Women, Inc.

Marielena Hincapié  
Executive Director  
National Immigration Law Center

Debra L. Ness  
President  
National Partnership for Women & Families

Fatima Goss Graves  
President and CEO  
National Women's Law Center

Lakshmi Sridaran  
Director of National Policy and Advocacy  
South Asian Americans Leading Together