

# DISPOSABLE MEN

The National Football League has settled with its former players on their lawsuits over the long-range effect of concussions. But this could very well be just the beginning

WORDS: MARK KRAM JNR MAIN PHOTO: GARY BOGDON

**W**es Hopkins seems to think it happened in his second year in the National Football League (NFL). But it could have been later. At only 51, his memory is no longer what it once was. In the 20 years that have elapsed since the fierce free safety hung up his cleats, his 10-year All-Pro career with the Philadelphia Eagles has become a blur. In any case, he remembers the Eagles were playing the Chicago Bears, it was a second down play, and he undressed running back Walter Payton with a bone-crunching tackle. When the play ended, it was hard to know who had gotten the worst of it: Payton or Hopkins himself. Hopkins told me when we chatted earlier this year: 'Next thing I knew, I was standing on the sidelines.'

But he did not know how he got there.

He turned to a team-mate and asked, 'What happened?'

The team-mate looked at him closely and replied, 'Wes, we stopped them.'

Hopkins remembers he looked at the film of the game the following day. 'What happened was I had no memory whatsoever of third down,' says Hopkins, who is unemployed and lives in Alabama with his mother. 'I had hit Payton so hard on second down that I guess you could say I was knocked out on my feet.'

But Hopkins is only one former NFL player who has suffered some degree of brain damage during his career. In fact, an astonishing 4 500 players filed a class action lawsuit claiming the league did not adequately apprise them of 'the pathological and debilitating effects of mild traumatic brain injuries (MTBI) caused by ...

concussive and sub-concussive' blows to the head. Players who signed on to the action said they experienced a wide range of 'neurological problems', including, but not limited to, depression, anxiety disorders, memory loss, severe headaches, and dementia. Autopsies of former players who have committed suicide, such as Dave Duerson, Ray Easterling, Junior Seau, and Andre Waters, revealed the presence of chronic traumatic encephalopathy (CTE), a brain abnormality linked to emotional instability, erratic behaviour and impulse control. Evidence of CTE was also discovered in the autopsied brains of John Grimsley, John Mackey, Tom McHale, Justin Strzelczyk and Mike Webster, each of whom showed symptoms of psychological impairment and died prematurely. Hopkins told me, 'What I hope comes out of the lawsuit is that the league acknowledges how dangerous the game is and that they could have taken better care of us.'

Although evidence against the NFL on both counts appeared compelling, the league manoeuvred a settlement in August with the plaintiffs that has closed the issue even before it had a chance to come before a jury. The NFL has agreed to pay the ex-players \$765-million, plus legal fees. Given that the NFL brings in revenues of \$10-billion annually, it is a relatively swindling amount, especially in that it is intended to cover such a large pool of beneficiaries. By way of an explanation as to why the plaintiffs did not hold out for a better deal, their attorney observed that it provided immediate relief to former players who were in desperate need of medical assistance. However, he explained that

the payouts are not expected to occur for 180 days – which is to say, until the judge signs off on it – and that only half of the \$765-million is scheduled to be dispersed in the first three years. The remaining half will be apportioned over 17 years. By the way, the deal does not cover currently active players and whatever neurological problems they may one day face.

So was it a victory for the NFL? In the short term, yes – and not just because they escaped billions in liability. By striking this agreement, the NFL has spared itself a public trial, the spectre of which invoked terror in its image-conscious commissioner, Roger Goodell. Had the case proceeded, the NFL would have had to have submitted to discovery by opposing counsel. Did the NFL have knowledge it withheld from the players that concussions could leave them mentally impaired? And if they *did* know, did they take the necessary precautions to protect the players? Such questions would have been addressed under oath had there been a trial. Instead, the NFL has averted what appeared certain to be a public relations train wreck. For now. ►

*Retired NFL player Kevin Turner, who has been diagnosed with ALS, is helped to a drink by his daughter at his home*



**B**y virtue of policy and rule changes, the NFL likes to think (and would like you to think) pro football can be transformed into a safer sport. But it cannot. Inherently, it is a violent game played by big, strong men at an accelerated rate of speed. Even if the NFL legislated the ‘culture of the big hit’ out of the game – hits that were once culled from the weekly footage compiled by NFL Films and packaged in promotional videos such as *Big Blocks* and *King-Sized Hits* – it cannot eradicate the subconcussive blows that still occur on each play. Think of the brain as an egg encased in an interior and outer shell, which is to say the skull and the helmet. Regardless of the layers of protective covering, the brain is essentially scrambled inside the skull with each blow to the head. Offensive and defensive linemen are especially susceptible to brain trauma, because their heads are involved in the scrum that occurs on each play.

Big pressure has been placed on the NFL with each new revelation of the toll football has taken on its former players. In addition to the suicides and other premature deaths that have occurred, each of which have placed the league under closer scrutiny by the media, the quality of life of more than a few players has diminished. Hopkins has found himself in a shadow world in which he has ringing in the ears, headaches and short-term memory loss. By his own count, he was ‘knocked cold’ on the field four times. But he added, ‘That does not count the number of times I was hit and saw stars.’ According to Hopkins, ‘[Trainers] would crack open ammonia capsules under your nose to wake you up, so you could get back into the game as soon as possible.’ Hopkins knew better than to show his coaches he was ‘soft’. A ‘soft’ player is a replaceable player. Said former 11-year pro Brian Baldinger, who remembers being hit so hard he played with double vision: ‘Players have a fear of losing their jobs, so they try to hide it if they have a concussion.’ Baldinger has experienced no apparent neurological problems and has become a successful football analyst.

Question: Knowing what he knows now, would Hopkins have still chosen to play football?

He laughed.

‘Yeah,’ he said. ‘But I probably would have played it differently.’

How?

‘I would have been less aggressive on the field,’ he said. ‘I would have taken fewer chances with my body.’



*Chicago Bears' Jim McMahon in pain after a sack during their game against Cincinnati Bengals, August 1986*

Seth Joyner shuddered at the perils embraced by him and his peers. A former All-Pro linebacker with the Eagles and Arizona Cardinals, Joyner has experienced short-term memory loss and an inability to concentrate for any extended period. ‘Heck,’ he said, ‘I am only 48, not at the age yet of some of the others who have problems.’ Joyner cited the once-swaggering Chicago Bears and Eagles quarterback Jim McMahon, whose brain function at 53 has declined to the point where he can no longer drive a car by himself for fear of losing his way home. McMahon also has excruciating headaches that bring him to his knees in agony. But in even worse shape is former fullback Kevin Turner, who at 43 is waging a battle with amyotrophic lateral sclerosis (ALS) and has announced he will leave his brain to the Center for the Study of Traumatic Encephalopathy at the Boston University School of Medicine to explore if there is any link between ALS and CTE. Joyner does not know how many concussions he had as a player, but said ‘the number has to be mind-boggling’.

‘We used to just call it “getting your bell rung,”’ said Joyner, who coaches youth football in Arizona. ‘Some of them were mild. But there were other occasions when I can remember sitting at home with a massive headache. But you let it go because you had trainers who came up to you and said, “Coach is counting on you. Take an aspirin and get back out there.” When you are bred to be a warrior, you act like a warrior and you go out there, not knowing the adverse effect it was going ►

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### **'When you are bred to be a warrior, you act like a warrior and you go out there, not knowing the adverse effect it was going to have on you' – Seth Joyner**

*Linebacker Seth Joyner and tight end James Jenkins tangle up during a 1995 game in Tempe, Arizona*



to have. And you did it because there was always someone in line to take your job. That was always a very real threat.'

That is not to say that Joyner, Hopkins and the others did not know the inherent dangers of the game. They did. Joyner said: 'Every player had a sense that head injuries could affect their long-term health.' But what disturbs Joyner is that for years the NFL insisted that they did not; that coaches overlooked symptoms of concussion in order to keep a player on the field. Consequently, Joyner said the league did not protect the very athletes who enabled it to become such an incredibly lucrative industry. The players became disposable men, useful only as long as their bodies held up. While the NFL has adopted a stronger concussion policy, which includes subjecting players to a battery of tests before clearing them to play, the league has also considered expanding its regular season schedule from 17 to 18 games and playing some games on Thursdays. Baldinger said the NFL is sending a 'mixed message' when it comes to player safety.

'On one hand, they do not want to turn down the money they would bring in with the extra game,' said Baldinger. 'But on the other hand, you have to wonder how sincere they are about player safety. If they are, they would never play a game on Thursday, except [the traditional games] on Thanksgiving. There is no way teams should be playing two games in four days in December. There is just not enough time to recuperate.'

Contrary to the cold assertion by former star Deion Sanders that 'half the players [who joined in the lawsuit] are just trying to make money off the deal', the players I spoke to who joined the lawsuit did so because of fear of the shape they will be in during their advancing years. But one fine former player who did not was Ron Jaworski, the ex-quarterback who has become a well-regarded football analyst. Although 'Jaws' estimated he had suffered 32 concussions during his 16-year career – yes, you read that correctly – the attorneys for the plaintiffs were unable to

recruit him to join the lawsuit. Jaworski said: 'I just think it was my choice to play and I still feel that way.' That is not to say Jaworski is not cognizant of the perils of playing. Occasionally, he will ask his wife: 'How am I acting? Am I the same? Do I seem irritable?' Jaworski said: 'Look at Jim McMahon. He has struggled with dementia and memory loss. And there are 100 other stories out there.

'So am I concerned? Absolutely, I am concerned.'

**V**arying reactions greeted the news of the settlement. Mary Ann Easterling, the widow of the late Ray Easterling, said it is 'everything I wanted'. McMahon said he is happy players who are less well off financially than him would get some assistance. One of them is Turner, who had not expected to see a resolution in the case for five years. So he is pleased. But Eleanor Perfetto, the widow of the late Ralph Wenzel, wondered if the dollar amount would be big enough. Former Giants linebacker Aaron Curry added on Twitter: 'Settlement on #concussions is not going to make up for early death, forgetting kids' names and the rest of the stuff that comes w/brain damage.' Oakland Raiders punter Chris Kluwe called it 'a start'.

That is precisely what Lisa McHale had hoped for. Although some commentators have been critical of the former players, saying they 'knew what they were getting into when they decided to play football', Lisa would like to introduce them to her late husband, Tom, an offensive lineman who played nine years in the NFL, lapsed into depression and became hooked on OxyContin. Tom died of an accidental overdose at age 45. When an autopsy revealed that Tom had been afflicted with CTE due to head trauma, Lisa said he would have blamed himself less and had a better perspective if he had known that. So while she is 'gratified to see some good come out of the suffering her husband endured', she tempered her enthusiasm with caution when it comes to calculating 'the damage that has been done'. Mrs McHale said: 'I think we have only seen the tip of the iceberg.' ■

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