

Tampering has become NFL's dirty secret

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Roger Goodell has punished plenty of rule-breaking players during his nearly three years as NFL commissioner. The same can't be said of his stance toward franchises that break the league's tampering laws. Illegal contact between teams and representatives for pending free agents remained rampant prior to the start of this year's signing period. Such tampering with players still under contract makes it difficult for clubs to re-sign their own talent. It also puts those few teams that actually follow NFL guidelines at a distinct disadvantage.

I heard of multiple contract agreements in place days before any negotiations were allowed to begin. But don't just take my word for it. On condition of anonymity, NFL executives from three different clubs told FOXSports.com the same thing. "All of this stuff goes on constantly," one of them said. "Rules are bent. Some are blatant about it. There's some man-to-man talk [between teams and agents]. You get a jump on the contract structure way in advance so you can find out whether the price is acceptable to you. If not, you move onto another player." Goodell himself knows there's a problem. That's why NFL owners are expected to vote upon a tampering proposal at this week's league meeting in Fort Lauderdale. The amendment would create a five- to seven-day window before the start of free agency for teams to speak with players from other clubs. While no physical exams could be given or contract agreements reached, at least franchises would know the financial parameters being discussed. If the asking price is too high, disinterested suitors can move onto another free agent. Teams also would theoretically have a greater chance of re-signing their own

players by getting a better read on their market value. "In some ways, the measure is designed to try and level the playing field between the teams that tamper and the teams that don't," a team executive said. But unless the provision carries a stiff penalty for teams that tamper outside the window — which is inevitable in such a competitive league — the new policy will be the equivalent of placing a band-aid on a gaping wound. Right now, there is no real fear of being caught. The only tampering penalty levied during Goodell's reign came in 2007 for an in-season violation (San Francisco had illegal contact with agent Drew Rosenhaus regarding Chicago linebacker Lance Briggs). The 49ers were stripped of a fifth-round draft choice and forced to swap third-round picks with the Bears. That wasn't nearly enough to temper tampering. In April, *The Tennessean* reported that the Titans asked the NFL to investigate the Washington Redskins for allegedly tampering with star defensive tackle Albert Haynesworth. The Redskins reached agreement with Haynesworth's agent on a seven-year, \$100 million contract just six hours after the free-agent signing period had begun. The Titans, though, didn't file a formal tampering claim and nobody is holding their breath awaiting punishment against the Redskins or any other teams that swiftly finalized free-agent signings. "It's impossible to have all that in place so quickly," a team executive said of free-agent contract structures. "You have teams trying to do the right thing and deals are being done

THE TAMPERING ISSUE

The following is the text of the report from the NFL's competition committee to team owners at the league's March meeting in Dana Point, Calif. The measure will be discussed at this week's league meeting in Fort Lauderdale:

"The Competition Committee again explored the possibility of creating a 'moratorium' or 'dead period' prior to the beginning of free agency, similar to other professional leagues. During this period, potentially 5-7 days, teams would be able to contact the certified agents of prospective unrestricted free agents and enter into contract negotiations with them.

A contract, however, could not be executed with a new club, or submitted to the League office, until the first day of the new League Year. During the moratorium, a prospective unrestricted free agent could not visit a club (other than his current club) at its permanent facility or any other location, and no

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in 20 minutes." As the system stands now, teams are encouraged to cheat. For example, let's say Team X has a guard considered a good but not great player. If the guard's agent knows a huge payday awaits elsewhere entering free agency, Team X is likely going to lose that player. But let's say Team X may be willing to spend more than desired to keep that guard if a comparable free-agent replacement can't be found. Unless Team X illegally contacts the agents for other guards, it wouldn't be able to effectively gauge market value until the start of free agency. By then, those guards also might have deals in place. "You may lose your own player and [potential replacements]," a team executive said. "Those things happen every year. It's one thing if you have an agent doing this. But these teams are supposed to be our business partners." The NFL doesn't do its own policing of such maneuverings, instead depending on a "snitch system" to catch cheaters. Obviously, that isn't working. Teams are reluctant to rat on each other for a variety of reasons. Finding hard, physical proof of tampering isn't easy for claimants to come by. Phone records don't necessarily prove anything, plus most agents and teams are smart enough not to leave an incriminating email/text message trail. Squealing also can alienate an agent — sparking a trickle-down effect on that rep's clients — and chill relations between teams. "The league wrestles with the issue of standard of proof and how much evidence is needed," a team executive said. "If you're going to start sanctioning teams, you want to have the comfort of knowing you have a system that is supportable over the long haul." By discussing a negotiating window, the NFL is acknowledging that it has a tampering problem. It would take approval from 24 of the league's 32 teams to pass the measure. "I'm all for the open window," a team executive said. "This whole thing is a black mark on league. [Goodell] has admitted people are doing it. These things are not in our bylaws." Said another executive: "It teams are going to have a lack of respect for contracts, it can break a system." Ergo, the NFL should break the backs of anyone found cheating whether the new tampering rules are adopted or not. Notice how the illegal videotaping of another team's signals hasn't been a problem since the NFL stripped New England of a first-round draft pick and fined both the Patriots (\$250,000) and coach Bill Belichick (\$500,000) after the Spygate scandal? The same would happen if the league put some teeth into its tampering policy. "We can squabble forever about, 'Gosh, can we perfectly prove this tampering case?' or we can find adequate circumstantial evidence and severely punish teams that are doing this," a team executive said. "It would produce a significant chilling effect to all of this."

Cause and Effect

ITEM: The return of outside linebacker Jason Taylor to the Miami Dolphins. The Cause: Taylor wanted to finish his NFL career in the place it started and got his wish last Wednesday in re-signing with Miami. **The Effect:** The Dolphins no longer have to worry about facing Taylor in 2009, having outmaneuvered New England for his services. The Patriots had interest, but Taylor didn't want to spend another season playing away from his family or move them from South Florida. Taylor also convinced skeptical Dolphins' brass about his commitment to the team after skipping offseason workouts last season to participate in *Dancing With the Stars* and other non-football pursuits. Miami was able to get a hometown discount, signing Taylor to a one-year, \$1.5 million contract that includes another \$400,000 in incentives. Taylor is expected to play as a situational pass-rusher coming off the bench, a role that the 34-year-old may be better suited for at this point in his 12-year NFL career. If he can rebound from an injury-plagued 2008 campaign in Washington, Taylor should help Joey Porter (17.5 sacks last season) become even more effective. Taylor's return could mean less snaps for veteran linebacker Charlie Anderson and former Canadian League standout Cameron Wake, who was signed to a four-year, \$5 million contract earlier this offseason. As for New England, Tully Banta-Cain, Shawn Crable and Pierre Woods are the top in-house candidates set to compete for playing time at outside linebacker opposite Adalius Thomas. Like Taylor in Miami, Banta-Cain rejoined New England this offseason after a disappointing two-year stint in San Francisco. Crable, a 2008 third-round pick, missed all of his rookie season with a leg injury. Woods started three games last year in place of Thomas before both landed on injured reserve in December.

The Buzz

- After falling sick prior to a rookie minicamp, Minnesota wide receiver Percy Harvin will make his first appearance this week in the team's offseason workout program. During a Sirius NFL Radio interview with me and Zig Fracassi, Harvin admitted to failing a drug test for marijuana in late February at the NFL Scouting Combine in Indianapolis (a story first reported by FOXSports.com). "It was a mistake and I learned from it," said Harvin, a University of Florida standout who was still selected with the No. 22 overall pick. "I was young and dumb and celebrating after the national championship game." While I'm skeptical of Harvin's claim — it shouldn't take that long for marijuana to clear his system for a Combine drug test if he didn't smoke a Bob Marley-sized amount of pot following Florida's victory on January 8 — the Vikings clearly were willing to gamble on one of the draft's most dynamic offensive

direct contact would be permitted between the player and any employee or representative of a club (other than his current club).

It is the Committee's belief that a moratorium would create a more level playing field, and that teams that are in compliance with the rule for negotiating with free agents will not be at a competitive disadvantage.

The Competition Committee will consult with the Management Council on the issues related to the potential implementation of this procedure for the 2010 offseason and report to the membership at the May meeting."

talents.

- Look for NFL Players Association executive director DeMaurice Smith to meet with owners this week in Fort Lauderdale. Smith's trip to South Florida to introduce himself to Dolphins players on Monday can't be a coincidence.
- Also on Sirius, Cincinnati tight end Ben Utecht said Bengals rookie Chase Coffman won't be medically cleared for full participation in the team's offseason program until June. A third-round pick, Coffman suffered a broken foot while playing for Missouri in the Alamo Bowl. The Bengals are hoping for upgraded receiving production at tight end from Coffman and Utecht, who had an injury-plagued 2008 campaign. Cincinnati hasn't had a player at the position catch more than 40 passes in a season since Tony McGee in 1995.

Week in Review

Big winner: Buffalo running back Fred Jackson. The NFL's three-game suspension of Marshawn Lynch was the best thing to happen for Jackson this offseason. Not only will he open the season as a starter, Jackson leveraged his increased importance to the team into a new contract. According to the Buffalo News, Jackson will receive \$2.3 million in 2009 as part of a four-year, \$7.5 million contract extension. That's a nice raise for a third-year exclusive rights free agent who had zero bargaining leverage before Lynch's off-field mess. **Big loser:** Pittsburgh linebacker James Harrison. Players from Super Bowl-winning teams that get invited to the White House sometimes skip the trip because of previous commitments or even political views. But Harrison's rationale for not traveling with his teammates to Washington D.C. for Thursday's meeting with President Obama is asinine. "If you want to see the Pittsburgh Steelers, invite us when we don't win the Super Bowl," Harrison told WTAE-TV in Pittsburgh. "As far as I'm concerned, [Obama] would've invited Arizona if they had won." Yeah, James. That's how the process works. Here's hoping Harrison realizes how ridiculous his statement sounds and does one of two things: A) Offers a better excuse; B) Gets with the program and meets with Obama, who nominated Steelers owner Dan Rooney as the U.S. ambassador to Ireland after his support on the campaign trail. **Under-the-radar move:** Michael Irvin's foundation donated \$40,000 to the family of Rich Behm, the Dallas Cowboys scout left paralyzed after a storm destroyed the team's practice facility earlier this month. Irvin can be obnoxious at times, but his heart is usually in the right place.

Tagged: Bills, Bears, Bengals, Cowboys, Titans, Dolphins, Vikings, Patriots, 49ers, Redskins, Steelers, Jason Taylor, Joey Porter, Adalius Thomas, Albert Haynesworth, James Harrison, Lance Briggs, Tully Banta-Cain, Charlie Anderson, Ben Utecht, Pierre Woods, Fred Jackson, Marshawn Lynch, Shawn Crable, Percy Harvin

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