

BETWEEN THE LINES

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Hiring, Tanking and Retirements: Some Scenes from NFL Drama

Introduction

On February 1, 2022, Brian Flores, former Head Coach for the Miami Dolphins, sued the NFL and three teams—the Dolphins, Broncos and Giants—alleging discrimination regarding his interview processes with Denver and New York and his firing last month by Miami. He also alleges that Stephen Ross, owner of the Dolphins, incentivized him to lose games during the 2019 season to improve the team's draft pick position. While the story is still evolving with recent news surrounding whether Mr. Flores signed a Dolphins NDA, we at BIA examined statements released by the teams in response to the original announcement of the lawsuit. Using our unique behavioral lens, we uncover clues to help determine whether any of Mr. Flores' allegations have merit. What we found was a mixed bag of conclusive and inconclusive evidence on who is culpable for what.

In addition, no piece on the NFL would be complete without mentioning Tom Brady's retirement. We analyzed his original announcement and some statements he made during a subsequent podcast and conclude that Mr. Brady is out of the game, but not necessarily out of the business.

Ross Tanks His Statement on Tanking

In his lawsuit, Mr. Flores claims that Miami Dolphins owner, Stephen Ross, offered him \$100,000 for each loss in 2019 to improve the team's draft position. Mr. Flores says he refused Mr. Ross's directive to "tank" and was fired after two winning seasons in a row. On February 2, the Dolphins and Mr. Ross each issued statements which, when viewed through BIA's behavioral lens, suggest that Mr. Flores' allegation about tanking has merit.

The Dolphins statement says, "we vehemently deny any allegations of racial discrimination and are proud of the diversity and inclusion throughout our organization. The implication that we acted in a manner inconsistent with the integrity of the game is incorrect." While the denial of racial discrimination is direct, the statement presumably regarding tanking is ambiguous. Saying the allegation is "incorrect" is not a denial. While the intended message is that "incorrect" means "untrue," it instead allows for some of the statements to be in some way true. Therefore, the phrasing that the "implication" that they "acted in a manner inconsistent with the integrity of the game" is "incorrect" does not directly refute the allegation of tanking. The language is meant to give the impression that the team did nothing wrong while skirting the specific allegation entirely. This suggests that the team is unable to flatly deny the allegation, suggesting it is in some part true when viewed through a behavioral lens.

Mr. Ross's statement contains even stronger behavioral evidence. Behaviorally speaking, a truthful person usually focuses on making a strong denial because the facts are on their side. However, Mr. Ross resorts to attacks to impugn Mr. Flores' credibility and bolster his own. He insists that he is a "man of honor and integrity" while characterizing Mr. Flores' allegations as "false, malicious and defamatory" and "baseless, unfair and disparaging." On the surface, these statements appear to refute Mr. Flores' allegations, but they are vague and nonspecific and do not directly deny any of them. Mr. Ross also makes statements that give the impression he has done nothing wrong, emphasizing "I welcome [the NFL] investigation [into the tanking allegation] and I am eager to defend my personal integrity, and the integrity and values of the entire Miami Dolphins organization." However, the fact that he resorts to tactics to discredit Mr. Flores' allegation rather than simply saying he did not offer an incentive is a strong behavioral indication that Mr. Ross did, indeed, offer Mr. Flores money to lose games during the 2019 season.

The Giants Mind Their Ps and Qs But May Have Punted Their Hiring Decision

The “Rooney Rule” is an NFL policy requiring teams to interview ethnic minority candidates for open head coaching and other senior football operations positions. Mr. Flores alleges that some teams violate the intent of the rule by simply checking an interview box to give the appearance of striving for diversity in hiring. In his lawsuit, Mr. Flores claims he had a “sham” interview with the New York Giants and that, at the time, they had already hired or planned to hire Brian Daboll. In response to the lawsuit, the Giants issue two statements—one on February 1 and another on February 3.

The statement from February 1 is brief and to the point. It states that the team is confident in the hiring process of Brian Daboll, that they interviewed a diverse group of candidates, and that Brian Flores was in the conversation to be head coach until the eleventh hour. While this does not rule out the possibility that internal conversations unfairly favored Brian Daboll, there is little behavioral evidence in the language to challenge this statement.

The statement from February 3 is lengthy and more detailed. It labels Mr. Flores’ allegations about the legitimacy of his candidacy for the head coach position as “disturbing and simply false.” The team claims that the head coaching decision was not made until January 28, a full day after Mr. Flores’ second round of interviews, and that the allegation that a decision had been made prior to January 28 is “false.” Again, there is little behavioral evidence to challenge this statement, but it does not rule out the possibility that, internally, the Giants were already strongly leaning toward Brian Daboll. Notably, the Giants state that for Mr. Flores to base his allegation on a text exchange with Bill Belichick—in which Belichick reveals that he thinks Brian Daboll already has the job—is irresponsible. They point out that this text exchange took place the day before Mr. Daboll’s in-person interview. However, they then add: “Giant’s ownership would never hire a head coach based only on a 20-minute zoom interview, which is all that Mr. Daboll had at that point.” This statement is meant to give the impression that the Giants had not yet made up their mind on Brian Daboll, but it does not actually say so. Saying the team would not hire based on a Zoom call is not the same as denying that the decision on Mr. Daboll’s candidacy was already well deliberated or even finalized prior to their January 27 interview with Mr. Flores and that that following through on the official hiring process was a mere formality.

No Way Elway was Prompt and Perky

Mr. Flores also claims in his lawsuit that John Elway, then-general manager of the Denver Broncos, interviewed him for a head coaching position but showed up an hour late, was disheveled, and clearly had been heavily drinking the night before. These statements are presumably meant to support Mr. Flores’ contention that the Broncos only interviewed him to fulfill the Rooney Rule.

Mr. Elway’s formal statement in response to these allegations does not fully refute them. He insists that he interviewed Mr. Flores “in good faith, giving him the same consideration and opportunity as every other candidate for our head coaching position in 2019,” that he “took Coach Flores very seriously as a candidate,” and “was prepared, ready and fully engaged during the entire interview.” From a behavioral perspective, there is little evidence to disprove these statements. However, it is notable that while Mr. Elway goes on to address the claim that he appeared disheveled, he does not refute the accusations that he showed up late or hungover. He states that “for Brian to make an assumption about my appearance and state of mind early that morning was subjective, hurtful and just plain wrong.” He goes on to say that “If I appeared ‘disheveled’ it was because we had flown in during the middle of the night -- immediately following another interview in Denver -- and were going on a few hours of sleep to meet the only window provided to us.” While this may be true, Mr. Elway’s failure to even mention the allegations that he showed up late to the interview and had been drinking excessively the night before is a strong behavioral indication that these accusations are true.

The GOAT Isn’t Buc’ing Football

For weeks after the Tampa Bay Buccaneers lost their bid to go to the Super Bowl, there was a great deal of speculation about whether Tom Brady would retire from football. On February 1, Mr. Brady seemed to put the matter to rest when, through Instagram, he announced “I have loved my NFL career, and now it is time to focus my time and energy on other things that require my attention.” Based on this announcement, it was widely reported that Tom Brady had, indeed, retired. When examining his statements through BIA’s behavioral lens, however, we are not convinced Mr. Brady is leaving football altogether.

First, Mr. Brady never specifically says he is retiring. Instead, he states that he has “always believed the sport of football is an ‘all-in’ proposition” and “there is a physical, mental and emotional challenge EVERY single day that has allowed me to maximize my highest potential.” He then says: “I am not going to make that competitive commitment anymore.” What is behaviorally

significant about these statements is that Mr. Brady emphasizes the 100%, daily commitment that he will no longer make. This suggests that he is open to commitments to football that are less demanding. Furthermore, he twice references his experience on the field, saying, “There are no shortcuts to success on the field” and that “it’s best I leave the field of play to the next generation of dedicated and committed athletes.” This overly narrow focus on leaving the “field” of play does not rule out the possibility that he will pursue opportunities in football that do not involve playing the game.

Next, on February 7 during the weekly podcast “Let’s Go!” Mr. Brady is asked if he would consider coming back. He says, “You never say never,” which is not an unexpected response. However, Mr. Brady makes other statements that more directly leave his options open. He says, “I’m just going to take things as they come. I think that’s the best way to put it,” and later says “I’m looking forward to doing things other than playing. That’s as honest as I can be with you today.” The phrases “that’s the best way to put it” and “that’s as honest as I can be with you today” signal that Mr. Brady is carefully crafting his message, which in turn signals that he has more of an idea than he implies of what his next career move will be. Furthermore, the statements “I don’t know how I’ll feel in six months from now” and “I think you have to be realistic that you never know what challenges there are going to be in life” clearly suggest that Mr. Brady is open to staying involved with football. Indeed, his statement that “I’m looking forward to doing things other than playing” again only rules out playing on the field, not football altogether. While it is no secret that Mr. Brady’s first post-Buc project is producing and acting in a movie about Patriots fans, based on the TBA Indicators we see here, BIA concludes that Tom Brady will very likely stay more directly involved with football in some capacity—what that will be remains to be seen.

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