

Brian Flores suit alleges corruption, racial discrimination in National Football League

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Brian Flores, the recently fired coach of the Miami Dolphins of the National Football League (NFL), filed a class-action suit February 1 against the NFL and three teams—the Dolphins, Denver Broncos and New York Giants—alleging racial discrimination in his firing last month by Miami and in hiring interviews conducted by the Broncos in 2019 and the Giants last month.

Of Afro-Honduran descent, Flores was one of three black NFL coaches at the beginning of the 2021 season, two of whom were fired at the end. His firing was a surprise because he had posted winning records in both 2020 and 2021, turning around a franchise with a dismal record over the previous two decades. The Dolphins had not had back-to-back winning seasons or any playoff victories during that period.

Flores was well liked by his players and the team recovered strongly after a 1-7 record during the first eight games, due in part to injuries to key players, posting an 8-1 record over the second half of the season and remaining in contention for the playoffs until the final weekend.

The official reason given for firing Flores was failure to cooperate with team management. The brief filed by Flores' attorneys claims that the head coach had refused to go along with directives from team owner Stephen Ross, a billionaire real estate mogul, to deliberately lose games in 2019 so as to improve the team's position in the draft of college players ("tanking"), and to approach a star quarterback on another team while he was still under contract ("tampering").

Tanking and tampering are both serious violations of NFL rules, and may be illegal as well.

The league now says it will investigate these charges, while strongly denying the allegations of racial discrimination.

According to Flores, during his first season with the Dolphins in 2019, when the team began to recover from a long losing skid and perform better, winning several contests, Ross offered him \$100,000 for every loss for the remainder of the season. In the post-season draft, teams choose in reverse order of their record, so the more losses, the better the chances for drafting one of the top college players.

According to the legal brief filed by Flores, when he continued to push for victories and the team won games late in the season, Dolphins General Manager Chris Grier told him that Ross was "mad" that the on-field success was "compromising [the team's] draft position." Miami ultimately received the fifth choice in the draft rather than the first.

Additionally, Flores alleges that Ross pressured him into recruiting a "prominent quarterback" at the end of the 2019 season, which the coach refused to do so as not to violate the NFL's anti-tampering rules. Ross then invited Flores onto his yacht for lunch in the winter of 2020, where he informed him that the quarterback was "conveniently" arriving at the marina for an impromptu meeting. The head coach refused the meeting and left the yacht. Afterward, Flores charges, he was "treated with disdain and held out as someone who was noncompliant and difficult to work with."

There are apparently no independent witnesses to either incident, and Ross, as well as Dolphins General Manager Grier, who is black, have strongly denied that either took place.

There is, however, some indirect corroboration. Ross engaged in "dumping" veteran players in 2019, trading them away for little in return, a frequent practice by losing teams that want to lose more in order to improve their draft position. Rumors of Dolphin "tanking" were so prevalent in October 2019 that NFL President Roger

Goodell had to rebut them at an owners' meeting.

Another fired African American coach, Hue Jackson, formerly of the Cleveland Browns, said that Browns owner Jimmy Haslam offered him incentives to lose games, before withdrawing them. Jackson, who is said to be considering joining Flores's class-action suit, is now head coach at Grambling State University in Louisiana.

The bulk of the 58-page legal brief filed by the attorneys for Flores does not deal with the allegations of corruption, however, or present any evidence to back up Flores' account. Instead, it is devoted to recounting statistical data on the well-known disparity between the proportion of black players in the NFL—from 60 to 70 percent in recent years—and the proportion of black coaches, general managers and assistants, which is currently only 3 percent for head coaches and 17 percent for GMs.

This is supplemented by anecdotal reports about various black assistant coaches who either were not interviewed for vacancies, despite being qualified, or were given only pro forma, sham interviews for positions that went to white coaches. It also reviews the number of successful black coaches who, like Flores, were fired despite having winning records.

The brief is not written in the manner of a legal document seeking to provide evidence to convince a court in a civil suit. Instead, it has the character of an appeal to sections of the political and media establishment to put pressure on the league's owners to hire more black coaches and executives.

Every issue confronting professional football is presented through a racial lens. There is a three-page recounting of the case of Colin Kaepernick, blackballed from the league after his 2016 actions to protest police violence against minority youth by kneeling during the playing of the national anthem before games. Kaepernick was vilified by right-wing political figures, above all Donald Trump, for this defiance of official patriotic rituals.

The Flores brief makes no mention of the conflict over the national anthem, which threatened to undermine the use of professional football to promote militarism and war. Instead, it presents the issue entirely as one of racial discrimination against Kaepernick.

The brief deals in a similar manner with the issue of

Traumatic Brain Injury, perhaps the worst consequence of a football career for the long-term health of players. Repeated concussions have been shown to produce brain damage, leading to emotional and mental deterioration and early death.

This is presented solely as a racial issue, with black players receiving a lower level of compensation than white players because of so-called "race norming," a reactionary method of calculating intelligence that was applied not by the NFL itself, but by the insurance companies.

The corporate media has taken up the Flores suit entirely from the standpoint of its racial allegations. The charges of discrimination in hiring and firing have been widely reported, but the charges of tanking and tampering are virtually ignored.

There is an obvious commercial reason. Three of the four major broadcast networks—NBC, Fox and CBS—carry NFL games and have a huge financial stake in the games being viewed as legitimate and not rigged. NBC, in particular, has a great deal riding on the Super Bowl, the NFL championship, which is being held on February 13.

Neither the intrinsic savagery of professional football nor its use in promoting militarism would be altered by increasing the percentage of black coaches. Nor would this affect an even more important issue: the sheer criminality of holding professional football games with packed crowds of 50,000 people or more, under conditions of a pandemic that has killed nearly 1 million Americans, and with a new Omicron variant that is far more transmissible.

The NFL recently dropped most COVID-19 testing for players in an effort to insure that its post-season playoffs would not be disrupted by outbreaks that might force a team to cancel or forfeit a contest. Like the Biden administration, and Trump before it, the NFL has adopted the criminal strategy of slashing testing for the virus and covering up infections and deaths in order to promote the fiction that the pandemic will either disappear or become relatively harmless.



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