The Miami Dolphins’ Offended Lineman: Richie Incognito vs Jonathan Martin

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Situation

Perhaps Jonathan Martin felt a little off as he walked into the training cafeteria for six o’clock dinner in late October of 2013. With the freshly aching memory of a 27-17 loss to the Patriots the day before, he wasn’t the only defeated Dolphin on the grounds. But Martin’s quiet mood that day wasn’t coming from the defeat in Foxborough; it stemmed from something much closer to home.

As the 6-foot-three-inch, 312 lb. offensive tackle grabbed his food tray and waited in the buffet line; he heard a shout from the lineman’s table, to move and find a seat by himself. The yell came from his fellow lineman and friend, Richie Incognito, who had been hurling similar racial slurs at Martin since their film meeting earlier that day. “One more taunt like that,” Martin thought to himself, “and I’m leaving.” As soon as Martin sat down to eat at the lineman’s table, the rest of his teammates jumped up and moved across the cafeteria. Martin snapped.

He smashed his food on the ground, stormed out of the cafeteria, bought a large bottle of vodka and then checked himself into a hospital, which he said was for his own safety. Three-and-a-half hours after his explosive supper, alone in a hospital, Martin texted his parents and the Dolphins head coach, Joe Philbin informing them of his location. He later admitted he was not thinking clearly at the time, and had experienced frightening suicidal thoughts. When Philbin received Martin’s text message that night, he visited his player in the hospital. Though he expressed his concern to his player, the two did not discuss the incident earlier in the day or the circumstances that drove Martin to his current state (Wells & Karp, 2014).

It was only a matter of hours before the media would release the story. The Dolphins organization had no choice but to list Martin as missing from the next day’s practice, and the media would want to know why. Something serious was going on within the team and off the playing field, and this incident had become the catalyst set to ignite an explosion of media investigations and potential lawsuits. Was this just an isolated incident involving an overly emotional player, or was this a team-wide problem of epic proportions? And if the latter was true, how should the coaches, players, management, and employees of this $3.1 billion franchise deal with it once the media frenzy began?
One Tough Sport

The National Football League was formed out of the American Professional Football Association in 1922 and originally fielded 18 teams in total, eventually rising to the 32 teams in the league today (NFL, 2015). While baseball may hold the title of America’s pastime, football was America’s game. The epitome of rugged masculinity, this sport had been a source of national pride since its inception before the turn of the century. Football was characterized by large amounts of high-impact contact between players, making it one of the most dangerous sports in the country.

Each team had 11 players on the field at a time—one offense and one defense—and the basic objective of the offense was to pass or run the football from one end of the field to the other without getting stopped by the defense. The quarterback directs the offense and was guarded against opposing players who try to tackle him by the tallest, heaviest, strongest group of players on the field; the Offensive Line. The “O Line,” was made up of one center, with a guard and a tackle on either side of him. These giants’ job description includes making sure no defensive player can get anywhere near the football. Martin and Incognito were both members of the O Line (Left Guard and Left Tackle), and because they were on the left side of the ball, they worked as partners to protect the quarterback every play. In a sense, a guard and his tackle are two of the closest players on a football field, both physically and mentally.

The figure below shows the typical Dolphins offensive formation from the 2013 season, and indicates Martin and Incognito’s positions on the field.

![Figure 1. NFL Offense](image)

Though the regulations of the sport have changed for the safer since Walter Camp’s original rules were laid down in 1880, the sport was still known to be both physically and mentally
dangerous. In many cases, the two types of injury were not mutually exclusive. According to a 2014 article by PBS Frontline, a study from America’s largest brain depository showed that of 79 deceased former NFL players examined, 76 of them exhibited signs of the degenerative brain disease chronic traumatic encephalopathy, or CTE (Breslow, 2014). These findings had important implications for football as they could shed light on a link between the risk of head injuries and the mental instability disorders seen more and more in connection with contact sports.

In a 2015 article for ESPN, former Green Bay Packers offensive lineman, Aaron Taylor, was asked how many football retirees he thought might have depression. “It’d be easier to start with which ones do NOT have depression,” Taylor said. CTE affects a person’s ability to rationally judge and handle complex emotions, which could lead to increased feelings of depression in a sufferer (McKee et al., 2009).

The NFL realizes the importance of mental health and issues like CTE, as well as the high risk its players are subject to (NFL, 2014). Intense emotions and aggressive behavior are inherent to any sport that relies on brute force and physical contact to succeed. Football was a dangerous game, a fact that makes it popular, but the risk doesn’t stop when the game was over. Instances of verbal and physical abuse, on and off the field, have ranged across the league throughout the years to include acts like trash talking, hazing, targeted violence, and even brawling in the locker rooms. Former San Francisco 49ers wide receiver Nate Jackson described the nature of teammate talk in a 2013 interview:

“There are some realities inside that bubble that would appall people from the outside,” said former 49ers receiver and budding author Nate Jackson. “It’s hard to understand the context, the way people speak with each other when your job description was hand-to-hand combat on a daily basis” (Steward, 2013).

Though, when a sport was built on aggressiveness, how can it come as a surprise when the players act aggressively? Workplace abuse was a serious problem, but an NFL locker room was anything but a serious workplace. Can a six-and-a-half-foot, 300-plus-pound man actually be bullied like a kid on the playground? Adult men getting paid millions of dollars to play a game of football was not a typical corporate scenario. Randy Starks, defensive tackle for the Dolphins said, “We joke with each other. You can’t have thin skin here,” (Mihoces, 2013). In an article he wrote for New York Magazine, Nate Jackson also said the following:

A professional football player was an attack artist, trained to inflict violence on other humans. He was employed because he does this well. Most people don’t hurt each other for a living. And if they do, they aren’t praised for it. They aren’t called weaklings if they show themselves to be in pain. They aren’t chastised for not being violent enough. They aren’t paid large sums of money to commit violent acts. And they aren’t implored by the media, the fans, and their coaches to just shut up and do that violent thing that we love to watch them do. There was nothing civilized about the existence of an NFL player. He was a culturally sanctioned savage: a trained dog. And now our faux-moralistic media was swatting the dogs on the nose because they’re playing too rough outside the ring. (Jackson, 2013).
In fact, these “dogs” are paid to play rough, and have been for over 100 years. The NFL was big business, even though it’s not technically a business at all. Because the revenue of the league was sent back to the 32 teams that comprise it, it’s closer akin to a nonprofit organization. According to Bloomberg Business, the league rakes in around $9.5 billion every year, with the total market value of the 32 teams being in the value of $46 billion. The Miami Dolphins rank number 16 in NFL team values, placing them dead in the middle, with a 2013 annual revenue of $268 million (Forbes, 2015).

All this revenue means big money for the players. According to Spotrac.com, the NFL minimum yearly salary for a rookie was $435,000 for the 2015 season. In 2012, Jonathan Martin was signed to a four-year contract for almost $5 million, making around 1.2 million a year (Ginnitti, 2014). In 2013, Richie Incognito was signed to a five-year contract for 5,383.333, making about 1 million a year (Nogle, 2013). The Chicago Bears quarterback, Jay Cutler, signed a seven-year, $126.7 million contract year making him the highest paid player in the league (Gaines, 2014). With this kind of money, all the legal and medical expenses a player might have that aren’t covered by benefits are taken care of. Despite the massive amounts of money being made by the NFL and the Miami Dolphins, the fear of a detrimental loss via a public relations fiasco was an ever-present danger. Not only could a scandal hurt the team’s reputation with the media, it could also affect things like: ticket sales, fan loyalty, player morale, contract loyalty, changes in coaching staff or management, and a whole slew of other bad business.

Managing Corporate Reputation

The Miami Dolphins peaked seven years after their 1966 inaugural season. In 1972 the Dolphins, led by legendary Floridian Don Shula, capped off the only fully undefeated season with a Super Bowl win against the Washington Redskins. The following year they went on to win their second, and most recent, NFL championship. The four decades after that last Super Bowl have featured a ranging assortment of vapid promises, lackluster rosters, semi-loyal fans, indecisive upper management decisions, a staggering amount of coaching changes, and ultimately a disappointment. Jeff Ireland was the General Manager of the Team, and Joe Philbin was the head coach in 2013.

Public Relations Theory

The public perception and reputation of the Miami Dolphins was important to the owner, general manager, head coach, and all employees. In a 2009 article for Public Relations Quarterly, Prema Nakra described the idea of Corporate Reputation Management (CRM) as, “building a sound corporate reputation and maintaining its strength. While some defined corporate reputation as ‘corporate identity’ others, defined it as ‘the collective opinion of stakeholders toward an organization,’ based on its past record,” (Nakra, 2000). The author said that once a reputation was tarnished, it may have irreversible effects on the company’s ability to sell product, make its customers happy, or be successful in general.

In Public Relations: The Basics, (Smith, 2013) provided a framework for thinking through reputation management problems. Public Relations managers considered various approaches to
communicating with the media. The first was to be proactive by planning and initiating contact with the media. Proactive approaches included using audience engagement or research to assess the community’s feelings about an issue. Adapting the organization to meet public concerns was a preemptive strategy of reputation management.

A second approach was to respond directly to influences and opportunities. A reactive strategy involved seven options as described in Table 1.

**Table 1: Reactive Strategies**

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<thead>
<tr>
<th>Reactive Strategy Options and Description</th>
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<tr>
<td><strong>Option 1</strong></td>
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<td><strong>Option 5</strong></td>
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<tr>
<td><strong>Option 6</strong></td>
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<td><strong>Option 7</strong></td>
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*Preemptive action* included presenting advance information when bad news is inevitable. *Offensive response* action described attacking accusations claiming maliciousness or negligence. *A defense response* entailed denying a problem exists, justifying a problem, or making an excuse. *A diversionary response* included ways in which an organization tries to divert attention from a problem by making concessions, disassociation, or relabeling. *Vocal commiseration* involved ways in which an organization expresses empathy and understanding about misfortune. Concern, condolence, or apology were part of this strategy. *Rectifying behavior* was looking into the cause of a problem and often involved a change of heart or change of policy. Finally, the last reactive strategy, strategic silence, involved deliberate inaction.

While the Miami Dolphins’ fan base had not always been happy with the team’s performance or organizational choices, the franchise had a healthy relationship with the surrounding community as well as a large nationwide audience. The Dolphins organization was involved in community service and outreach initiatives to maintain a positive reputation with the public. The official Dolphin’s website contains links to their community service-oriented “Special Teams” project, the Miami Dolphins Foundation, and their other efforts aimed at bettering South Florida’s health and youth fitness. The organization’s 2011 Community Report cited aiding cancer research, improving literacy, organizing food giveaways, and donating to the Haiti earthquake relief effort as a few of its accomplishments for the year (Community Report, 2011).
Typically, the main worry for the Dolphins and other NFL teams was with individual players getting in trouble for criminal offenses typically. Though, according to a criminal database compiled by the San Diego Union-Tribune, in the past five years, there was only eight instances of Dolphins players being involved with the law (Monteagudo, 2014). This was on the low side when compared to other NFL teams like the Denver Broncos or Minnesota Vikings.

However, the situation for the Dolphins was quickly developing into something as serious as a criminal charge.

Crisis Mode

The potential risk of encountering some sort of crisis was one of the most terrifying and probable public relations occurrences for many large corporations in this country. The key was to have a strategic communication team that was prepared to deal with the upcoming storm in a transparent and honest manner through a system of constant public dialogue with the stakeholders. However, these crises can be unanticipated and sudden, in which case the company in the crosshairs must work through it step-by-step, out in the open, to truly mitigate any damage to their reputation (Regester & Larkin, 2008).

The Miami Dolphins had a crisis on their hands with Incognito, and it just kept getting worse. A report from the Associated Press came out the Thursday following the cafeteria incident that cited Jonathan Martin’s emotional issues as the cause of his disappearance, though there was no talk of what else may be in play (AP, 2013). That same day, a report from Alex Marvez of Fox Sports said Martin was missing because:

An abusive environment that developed during Martin’s 1 ½ seasons with the Dolphins led him to take a personal leave of absence to spend time with his family. Martin left Dolphins headquarters on Monday when finally reaching his limit. (Marvez, 2013)

On November 1, ESPN reported Richie Incognito was the target of an NFL Players’ Association investigation though the case was later dropped. News outlets around the country began to target Incognito, citing his checkered past and former abuse and molestation allegations to bolster characterization (Klopman, 2013). The table below gives a brief synopsis of Incognito’s previous questionable behavior on and off the field:

Table 2. History of Incognito’s Behavior

<table>
<thead>
<tr>
<th>Time of Event</th>
<th>Description of Event</th>
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<tbody>
<tr>
<td>2003- University of Nebraska</td>
<td>• Suspended for throwing punches at Penn. State lineman</td>
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<tr>
<td></td>
<td>• Attended psychiatric and behavioral specialty clinic in Topeka, KA</td>
</tr>
<tr>
<td>2004- Nebraska and Oregon</td>
<td>• Withdrew from Nebraska after indefinite suspension due to a series of disciplinary issues</td>
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As a Miami Dolphin, in 2010, Rickie Incognito was involved in an altercation at a nightclub at the Fontainebleau hotel in Miami. Some reports stated the Incognito was the victim of the security guard. Incognito was not arrested or booked into jail. The hotel was unwilling to turn over a videotape of the incident according to an article in Sports Illustrated. The Miami Dolphins kept the incident out of the headlines, similar to the deliberate inaction strategy. Some reporters said that the Dolphins, had “done everything to bury it” (Polzer, 2013).

In 2012, as a Miami Dolphin, Rickie Incognito harassed a 34-year old female volunteer at the team’s annual golf tournament. He was accused of being drunk (Abramson, 2013).

Despite it occurring at a team event — the Fins Weekend Golf Tournament — the Dolphins continued to keep Incognito in a leadership role. That same year, he was voted by his teammates to the club’s leadership council, and the team used him in a video on fan etiquette that was filmed at The National Croquet Center in West Palm Beach and showed at home games on the video screen.

<table>
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<tr>
<th>Year</th>
<th>Event Description</th>
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<tr>
<td>2005</td>
<td>- Enrolled at University of Oregon, but released from team after just one week</td>
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<tr>
<td>2005</td>
<td>- Designated as “Do Not Draft” by the Indianapolis Colts and New England Patriots during the 2005 NFL Draft</td>
</tr>
<tr>
<td>2005</td>
<td>- Signed by the St. Louis Rams in the third round</td>
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<tr>
<td>2009</td>
<td>- Named “The Dirtiest Player in the NFL” by the Sporting News</td>
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<tr>
<td>2009</td>
<td>- Criticized St. Louis fans and was fined for making an obscene gesture at a cameraman</td>
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<tr>
<td>2009</td>
<td>- Released by Rams after drawing two personal fouls for head-butting opposing players after the whistle</td>
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<tr>
<td>2010</td>
<td>- Signed with Miami, and receives a trespassing citation for a fight with a security guard</td>
</tr>
<tr>
<td>2012</td>
<td>- Accused by golf tournament volunteer of being intoxicated and molesting her with a golf club. No charges are filed</td>
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Source: (Hartford Courant, 2013)
A Dolphins spokesman declined to comment on the golf tournament issue, again taking a deliberate inaction public relations strategy. The Dolphins organization released a statement saying the National Football League Players Association (NFLPA), a labor organization representing the professional American football players, was based on inaccurate speculation.

Perhaps the cumulative effect of his actions contributed to the outcome. Incognito was suspended indefinitely from the team (Pelissero, 2013). It was important to note that 2013 was the final season of Incognito’s contract with the Dolphins and that a suspension at that time would have an impact on whether or not he was re-signed the following year. Incognito lashed out on Twitter saying he wanted his name cleared, calling the reports about himself slanderous and false (Mortensen & Schefter, 2013).

Reports of a voicemail from Incognito to the rookie Martin in April, earlier that year, began to circulate. In addition to the racially-charged voicemail, other reports of off-field harassment between Incognito and Martin included the veteran 9-year Dolphin pressuring the rookie to spend $15,000 for a Las Vegas trip Martin preferred not to go on (Walker, 2013). After suspending the starter Incognito, the Dolphins released a statement saying, “We believe in maintaining a culture of respect for one another… we reached out to the NFL to conduct an objective and thorough review. We will continue to work with the league on this matter,” (Walker, 2013).

Despite the aggressive voicemails and news reports, a large number of Dolphins players began coming to the defense of Incognito and criticizing Martin for breaking the locker room silence code of conduct. Dolphins Quarterback Ryan Tannehill, who told USA Today Sports that, if asked who Martin’s best friend on the team was, he would have to say Incognito (Sobleski, 2013). Fellow offensive lineman, Tyson Clabo, said, "What's perceived was that he was a racist, psychopath maniac. The reality was Richie was a good teammate, and that Richie and Jonathan Martin were friends, or appeared to be,” (Busfield, 2013). NFL Commissioner Roger Goodell decided to appoint an investigator and prominent New York litigator, Ted Wells, to inquire into the Dolphins’ workplace problems (Mihoces, 2013). Ted Wells was a litigation partner at the New York law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, and had been selected by the National Law Journal as one of America's best white-collar defense attorneys.

On November 10, 2013, Incognito agreed to sit down and talk with NFL Insider Jay Glazer of Fox Sports to clear his name of racist allegations. During the interview, Incognito stated that he and Martin regularly spoke to each other in a demeaning way and that it came from a place of love. He also said he had a multitude of vulgar texts from the rookie that said, “I will murder your whole f--ing family,” but that it was just the way the two communicated to each other. The interview ended with Incognito saying he would like to give his teammate a big hug (Incognito Interview, 2013).

Ted Wells’ investigation into the Dolphins workplace included meeting personally with Martin, as the organization allowed him full access to all its staff, facilities, and players; Incognito included. The Dolphins announced they would agree to continue Incognito’s suspension until the conclusion of the investigation, meaning he received payment, but could not play. Stephen Ross,
the owner of the Dolphins, held his first press conference since the initial incident on November 11, 2013, where he voiced his support for Jonathan Martin and admitted to asking Goodell to start an investigation to root out the problems within the organization (Axon, 2013). Ross also announced the organization would be developing a new locker room code of conduct to safeguard against any further incidences (Timeline, 2013). The investigator thanked the Dolphins for their complete cooperation with the investigation after conducting his first round of interviews.

Due to the NFL’s collective-bargaining agreement, the Dolphins were only allowed to suspend Incognito through the beginning of December, at which point they would need to make a very crucial decision. However, by paying him two game checks during his suspension, the organization was able to extend the suspension until the Wells report was published in February so that all the facts of the case would be known before a final decision was made (Hanzus, 2013).

The general public opinion of the team was at an all-time low. Racial and anti-bullying activist groups were targeting the Dolphins, and members of the organization were being accused of turning a blind eye to the situation. However, the team’s fans seemed divided on their opinions of Incognito, and many supported his reinstatement. The photos below show a few fans holding signs in support of Incognito.
Throughout the course of the investigation, several other players and an offensive line coach were also noted as persons of interest in addition to Incognito. While the Dolphins had cooperated with both Wells and the media to be transparent, the full details of the report that would be published in two months were unknown. The extent of abusive behavior in the organization was unknown.

The Decision

How should the Miami Dolphins organization maintain their reputation?
References


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Klopman, M. (2013, November 8). Richie Incognito accused of molesting woman with golf club


