

Office of the Commissioner
MAJOR LEAGUE BASEBALL



Daniel R. Halem
Executive Vice President
Labor Relations

October 20, 2014

Via E-Mail

The Honorable John Conyers, Jr.
Committee on the Judiciary
United States House of Representatives
2138 Rayburn House Office Building
Washington, DC 20515-6216

Re: Domestic Violence

Dear Ranking Member Conyers:

I write to inform the Committee on the Judiciary of the efforts that Major League Baseball (“MLB”) is taking to address the issues of domestic violence and sexual assault in our sport. Commissioner Selig has repeatedly stated that MLB is a social institution, and has an obligation to set a positive example for other institutions in this country. The Commissioner deplors domestic violence and crimes against women, children and the elderly, and has instructed his staff to develop a comprehensive policy to address those issues prior to the 2015 baseball season that will cover Major League players, Minor League players, non-playing personnel, and Club and League employees. We have asked each Major League Club to appoint one or two individuals who will coordinate our Clubs’ efforts in this area. Any policy covering Major League players must be negotiated with the Major League Baseball Players Association (“MLBPA”).

Since September, representatives of MLB have met with over a dozen national and local organizations that are focused on preventing domestic violence and violence against women, and/or providing services and support to survivors. After we have completed our internal education, we and the MLBPA intend to select representatives of several of these organizations to serve on a joint MLB-MLBPA steering committee that will develop education and training materials for players (and staff), and ensure that appropriate resources are available for players, employees and their families. The areas that we intend to cover in the policy include the following:

- Providing education and training to all players and staff each season through qualified experts in the field, and ensuring that such training will

be provided with cultural competency. The education/training will include, among other things, guidance on how to maintain healthy relationships with family members, including intimate partners, elders and children.

- Creating and disseminating educational materials to players, staff and their families, including, for example, posting materials in the family rooms and bathrooms at Major and Minor League ballparks, and publicizing contact information for confidential hotlines, shelters or other resources.
- Developing educational programs at each Club specifically designed for the families and/or intimate partners of players.
- Developing appropriate responses to reports of domestic violence or sexual assault, including taking measures to ensure the safety of the affected individuals, providing confidential counseling and treatment for the survivors, and providing counseling/intervention for the perpetrators.
- Developing community outreach/advocacy programs to create awareness of domestic violence and sexual assault, and support organizations that are working in the area.

We also will discuss with the MLBPA a disciplinary policy for Major League players who commit an act of domestic violence or sexual assault. Currently, the Commissioner has the authority under the collective bargaining agreement to discipline players “for just cause for conduct that is materially detrimental or materially prejudicial to the best interests of Baseball including, but not limited to, engaging in conduct in violation of federal, state or local law.” Although the Commissioner currently has the right under this provision to discipline a player who commits an act of domestic violence or sexual assault, there are a number of challenges that MLB faces under our current collective bargaining agreement to appropriately discipline players for this type of off-field conduct. For example, under a “just cause” standard, the Commissioner’s Office is required to prove a violation, which can be difficult in the absence of a conviction or plea, or without cooperating witnesses or tangible evidence regarding the conduct. In addition, our arbitrators in the past have been less inclined to uphold severe discipline under a “just cause” standard for off-field conduct that does not impact the player’s ability to perform services.

We will attempt to address these issues in negotiations with the MLBPA, but MLB does not have the right to insist on any changes to player discipline until the current agreement expires in December 2016. Even without a substantial change to the disciplinary policy, the Commissioner intends to address acts of domestic violence or sexual assault with the severity they deserve after carefully considering all of the facts and evidence.

Hon. John Conyers, Jr.

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We hope this letter provides an overview of the actions that MLB currently is undertaking to address this extraordinarily important issue. We will keep the Committee informed of our progress.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Dan Halem", with a long horizontal flourish extending to the right.

Daniel R. Halem

cc: The Honorable Bob Goodlatte
Committee Chairman