



- In this Nov. 14, 1983, file photo, Dallas Cowboys running back Tony Dorsett (33) is stopped after a two-yard gain by St. Louis Cardinals safety Lee Nelson (38) and linebacker Charlie Baker (52) during the second quarter of an NFL football game in Irving, Texas.

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Tony Dorsett, other ex-players suing NFL for negligence

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The helmet-to-helmet shot knocked Tony Dorsett out cold in the second quarter of a 1984 Cowboys-Eagles game, the hardest hit he ever took during his Hall of Fame NFL career.

“It was like a freight train hitting a Volkswagen,” Dorsett says now.

“Did they know it was a concussion?” he asks rhetorically during an interview with The Associated Press. “They thought I was half-dead.”

And yet, he says, after being examined in the locker room — a light shined in his eyes; queries such as who sat next to him on the Cowboys' bus ride to the stadium — Dorsett returned to the field and gained 99 yards in the second half. Mainly, he says, by running plays the wrong way, because he couldn't remember what he was supposed to do.

“That ain't the first time I was knocked out or been dazed over the course of my career, and now I'm suffering for it,” the 57-year-old former tailback says. “And the NFL is trying to deny it.”

Dorsett traces several health problems to concussions during a career that lasted from 1977-88, and he has joined more than 300 former players — including three other members of the Pro Football Hall of Fame, and at least 32 first- or second-team All-Pro selections — in suing the NFL, its teams and, in some cases, helmet maker Riddell. More should have been done in the past to warn about the dangers of concussions, their lawyers argue, and more can be done now and in the future to help retired players deal with mental and physical problems they attribute to their days in the NFL.

In interviews conducted by the AP over the past two months with a dozen plaintiffs, what emerged was, at best, a depiction of a culture of indifference on the part of the league and its teams toward concussions and other injuries. At worst, there was a strong sense of a wilful disregard for players' well-being.

“It's not about whether players understood you could get a concussion playing football. It's about the negligence of care, post-concussion, that occurred,” says Kyle Turley, an offensive lineman for the Saints, Rams and Chiefs who was the No. 7 overall pick in the 1998 draft and an All-Pro in 2000.

Players complain that they carried owners to their profits, in an industry that now has more than \$9 billion in annual revenues, without the safety nets of guaranteed contracts or lifetime medical insurance.

“Yeah, I understand you paid me to do this, but still yet, I put my life on the line for you, I put my health on the line,” Dorsett says. “And yet when the time comes, you turn your back on me? That's not right. That's not the American way.”

Head injuries are a major topic of conversation every day of the NFL season. With the Super Bowl as a global stage, the NFL will air a one-minute TV commercial during Sunday's game highlighting rules changes through the years that have made the sport safer.

The owners of the teams playing for the Lombardi Trophy in Indianapolis — Bob Kraft of the New England Patriots and John Mara of the New York Giants — acknowledge the issue's significance.

“There's more of a focus on it now, without question, and I think that's a good thing, and I think it'll continue to be a focus. Because none of us want to put players in perilous situations like that,” Mara says. “I don't want to see guys that are on this team, 20 years from now, with debilitating injuries, no matter what they are.”

Says Kraft: “We know this is a physical game, and when people play the game, they know it comes with certain risks. We have tried to stay ahead of it.”

The most accomplished and best-known plaintiff in the flurry of lawsuits — a star for the Cowboys after winning the 1976 Heisman Trophy at Pittsburgh — Dorsett agreed to two interviews with the AP, one over the telephone and one at his suburban Dallas home.

“I don't want to get to the point where it turns into dementia, Alzheimer's. I don't want that,” says Dorsett, who ran for 12,739 yards, the eighth-highest total in league history. He is, in that moment, sad and deflated — in others, pumped up and angry, fists flying to punctuate his words. “There's no doubt in my mind that ... what I went through as a football player is taking an effect on me today. There's no ifs ands or buts about that. I'm just hoping and praying I can find a way to cut it off at the pass.”

He spreads two pages' worth of brain scans on his coffee table and says doctors told him that red regions in the colour-coded scan mean he is not getting enough oxygen in the left lobe of his brain, the part associated with organization and memory. He already forgets people's names or why he walked into a room or where he's heading while driving on the highway, and fears his memory issues are getting worse.

Dorsett's had surgery on both his knees, and problems with his left arm and right wrist. He says then-Cowboys coach Tom Landry once told him he could play despite a broken bone in his back. Not even the flak jacket Dorsett says he wore beneath his jersey could bring relief, the injury so painful that “tears would just start flowing out of my eyes, profusely and uncontrollably” during practices.

“They would see me and just point to the training room. ‘Go to the training room, get some ice and heat and come on back out here,’” Dorsett says.

And during games?

“They were hitting me, and I'd be squealing like a pig,” Dorsett says, imitating the guttural sound. “It was so bad that the other team was telling our coaches, ‘Get him out of the game.’ You know that something's wrong then. And like a fool, I stayed as long as I could. They're going to our sideline, telling our coaches, ‘Get him out of the game!’ ... You know it's bad when the opposition feels sorry for you.”

Other players describe an off-camera NFL that is darker than the carefully scripted show presented during Super Bowl week. Their recollections, based on playing careers that touched every decade from the 1960s to the 2000s, include:

— “Midnight snack” buffets at a team hotel the night before games that would consist not only of food and drink, but also painkillers so that, as Rory Graves, an Oakland Raiders offensive lineman from 1988-91, puts it, “The next day, you feel like a kid. You could run into a car — no pain! You didn't feel nothing.”

— Cans of beer tucked into airplane seat pockets before players would board, so they'd have something at the ready to wash down the prescription drugs such as the painkiller Vicodin (commonly called “footballs” by players because of their oblong shape) or the muscle relaxant Flexeril (“home plates” because they're pentagons) disbursed freely by someone coming down the aisle on team flights. “We took those drugs because we wanted to play, but there was nobody stopping us,” Turley says. “We're young. We're 10 feet tall. Nothing can harm us. If you're giving it to us, we're going to take it.”

— Widespread and regular use of Toradol, a medicine intended for pain relief, generally after an operation, and a central part of one of the lawsuits that says the drug could put someone with a head injury at increased risk. “If it wasn't torn or it wasn't broken, to me, Toradol fixed it and allowed me to keep going. I was so used to using it that I wanted to make it a weekly ritual to make sure that if I did get hurt, I wouldn't have to be taken out of the game,” says Joe Horn, who estimated he got four or five concussions during a career in which he caught more than 600 passes for the Chiefs, Saints and Falcons from 1996-2007. “To be honest with you, we were kind of — what's the word for it? — addicted. But I always thought it was OK; the NFL doctors were giving it to us.”

— Being scorned by teammates or coaches if unable to return to a game because of injury, and a seeming total dismissal, particularly in the 1970s, 1980s and 1990s, of the notion that head trauma could cause significant problems, immediately or long term. “Get back out there” was a phrase repeated by the ex-players, citing words they heard during practices or games. As Joe Harris, a linebacker with five teams from 1977-82, says: “I know I had nine or 10 concussions, because I played through them. A lot of times, I'm out there and I was dazed, and I heard guys say, ‘He's knocked out, and he don't even know it.’ And then you talk to your coach, and they bring out smelling salts. ‘Give him a hit of that, and put him back out on the field.’ And they show you fingers, and you say it's three when it's two. And they say, ‘Get back out there. Just hit the one in the middle.’”

— A day-to-day, post-football existence that is difficult because of, for some, depression, dementia, migraine headaches, memory lapses, along with balky hips and knees and shoulders. “My body hurts all the time,” says Mark Duper, who caught more than 500 passes as a wide receiver with Dan Marino's Miami Dolphins from 1982-92. Duper is more concerned, though, about the ringing in his ears, the loss of memory, “having a conversation and, all of a sudden, I just forget what I'm talking about.”

“I try not to take medicine. I don't want to be a zombie,” Duper adds. “What little left I've got in my brain, I want to keep it normal.”

Dorsett describes making the trek to the annual Hall of Fame induction ceremony and being saddened by once-hearty men deteriorating before his eyes.

“Bodies that were just mangled, just beat up. Twisted up. Hit with arthritis and the knuckles and the bones, the twisted bones. It's ‘Wow!’ It's very enlightening to see that,” he says, wincing at the images he describes. “And then when you hear that these guys don't have insurance, that the

league won't give them insurance, that the league is saying that it didn't happen on their clock. That's bull.”

Citing the pending litigation, NFL spokesman Greg Aiello said the league would not comment on players' specific allegations and referred to a written statement initially released in December: “The NFL has long made player safety a priority and continues to do so. Any allegation that the NFL intentionally sought to mislead players has no merit. It stands in contrast to the league's actions to better protect players and advance the science and medical understanding of the management and treatment of concussions.”

Jack Yeo, who works at a public relations firm representing Riddell, said the equipment company does not comment on legal matters.

As public as the plight of current players is, former players say their stories aren't widely known.

“Fans don't know. They have no clue. And you think the NFL is going to tell them? No,” says Ronnie Lippett, a Patriots cornerback from 1983-91. “I'm just so happy that the senators and congressmen and congresswomen took notice of how they have been cheating us. And that's the only reason (players are) getting the help that we're getting now. And it's only been in the last two years that anything has started to change.”

Soon after a House hearing in October 2009, when lawmakers grilled Commissioner Roger Goodell about the league's concussion policies and the connection between injuries on the playing field and later brain diseases, the NFL made several changes. Those included revamping return-to-play guidelines and changing the co-chairmen of its committee on concussions — a panel, originally formed in 1994, that one pending suit against the league describes as “part of the NFL's scheme to deceive Congress, the players and the public at large.”

The league finds itself continually changing its concussion protocols, most recently after Cleveland Browns quarterback Colt McCoy returned to a December game despite not being checked for a head injury following an against-the-rules hit to the helmet. The league put certified athletic trainers in booths above the field to watch for injuries and added video feeds on sidelines to make it easier to track dangerous hits immediately.

But players like Dorsett and Duper, who played long before that greater awareness and vigilance, didn't have such safeguards.

“They weren't as cautious back then. We played with concussions. I didn't know what a concussion was, really, when I was playing football. We got hit, we got up,” Duper says. “I can remember times when I got hit, and I went back out on the field, and I couldn't remember the plays. I guess that's what a concussion is, the ‘Eeeeeeeeeeee!’ you'd hear. And you woke up and you'd see stars. I remember those things. And I played with it.”

Says Barry Brown, a linebacker and tight end for three teams from 1966-70: “When you know you've got a concussion, and they put you back in the game, it's abuse.”

That attitude extended beyond head injuries, according to the plaintiffs the AP interviewed.

“The game of football and the money that was out there — they wanted the best players in the games, no matter what. If he was 80 per cent well or 75 per cent, they believed that he, the starter, was better than the second guy behind him, and they'd rather have a less-percentage guy. They didn't protect us at all,” Lippett says. “I took shots in my foot, in my shoulders, in my ribs. They had to know of the ramifications of going back out there with different injuries. The money aspect of it just forced them to not pay attention.”

Mara, the Giants' owner, says he can't speak for other teams, but insists his medical staff takes “any kind of injury seriously.”

“They don't let players go back on the field unless they feel they can do so without risk, particularly with head injuries,” says Mara, whose family founded the Giants in 1925. “Our trainer, Ronnie Barnes, has been with us forever. You ask any of our players, or former players, whether he put their interests first or the team's interests first, and I think you'd find a pretty strong consensus that he always put the players' interests first. I can't speak to other organizations.”

Giants long snapper Zak DeOssie's father, Steve, also played for New York, as well as New England, during his 1984-95 career. The elder DeOssie was approached about signing on as a plaintiff against the NFL but hasn't because, he says, “I'm not 100 per cent sure if my concussions have affected me.”

“You accept the responsibility and you accept the idea that you're in a dangerous profession, but you also expect certain levels of care and professionalism on the other side. And I think it's a lot better now than it ever was before,” says Steve DeOssie. “Whether it's through public pressure, or whether it's their own desire, they've gone a long way to make it right, which is a good thing.”

Players have differing motives for suing their former employers, and the 20 or so lawsuits against the NFL seek varying remedies, although lawyers are reluctant to discuss specific monetary damages. At least one suit, for example, asked that the NFL and Riddell fund a medical monitoring program that would test players over the years to see whether they wind up with problems that stem from concussions.

“I just want to make sure there is some recognition given to the fact that, 10 years from now, if I come down with something ... that I have some kind of recourse,” says Cedric Brown, a safety for the Tampa Bay Buccaneers from 1976-84. “I don't want to end up, 10 years from now, being a vegetable, and you've got nowhere to go.”

Asked what advice he'd give current players, Brown says: “First thing is, wear every pad. ... And pay attention to your body. When you get to be 50 or 60, those little injuries you have now, guess what? They're coming back.”

Dorsett acknowledges he's not familiar with details of the lawsuit that includes him among the plaintiffs. He was approached about joining other former players, and he agreed, figuring his name would call attention to the issues of mistreatment he sees as being at the heart of the case.

“I'll stand up on a mountaintop,” Dorsett says, “and tell the world it's not right.”

Ask Dorsett what outcome he hopes for, and he speaks about money and principles.

“The owners need to own up to it, own up to what the game does to human lives. There's a zillion football players in the same situation with their brains, their backs, their knees. Come on. They just need to own up to it, and do something about it. They've got money they can put in funds to take care of guys when they need to help,” Dorsett says. “We need health insurance for life. Paid by the NFL. No question in my mind, we definitely need that.”

According to the NFL Players Association, full lifetime medical insurance was not sought by current and former union leadership because such a plan would cost an estimated \$50-million a year and the current U.S. health care laws should cover most players with pre-existing conditions.

“Until the public realizes what's going on and how many players — there's guys in the Hall of Fame; in the Hall of Fame! — that were making \$300, \$400, \$500 a month with no health insurance. Again, what is that? That is sad. That is sad,” says Dennis Harrah, a Los Angeles Rams offensive lineman from 1975-87 and an All-Pro in 1986. “They're just fallen heroes. You take care of fallen heroes. Somehow, some way.”

For now, the lawsuits are still in the initial, procedural stages. On Tuesday, at least four, including one in which former Chicago Bears Super Bowl-winning quarterback Jim McMahon is a plaintiff, were consolidated in a Philadelphia court.

Harrah, like most of the former players interviewed by the AP, isn't all that optimistic about a quick resolution. “They're just waiting until we die,” he says of the NFL. “They're just waiting for us old guys until we pass — to quit complaining, and we die.”

That same sense of resentment and despair permeates Dorsett's words as he raises his voice and shakes his head.

“They use you up. No matter what the circumstances are, it's all about winning games, football games, regardless. And they don't care, because they figure, you know, ‘We got, you know, replacement factories,’ which are colleges. And there's going to be somebody else to eventually come along and fill that void,” he says. “So they just put you out there, and feed you to the wolves. And if you make it through, fine. If you don't, that's fine.

“Management, ownership, as far as injuries are concerned, I think in some regards they wish they could just look the other way.”