

## ethikos Volume 33, Number 11. November 01, 2019 Chief compliance and ethics officers and their C-suite interactions, Part 2

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The path to trust in the C-suite is through “the numbers.” C-suite decisions do tend to be based on “the numbers.” However, “the numbers” is an ill-defined term. Yes, the numbers are important, but ethics and compliance officers need to be sure that the C-suite and the board have *all* of the numbers. The not-so-usual numbers are key.

### **The numbers lessons of Antonio Brown and the Patriots**

The Patriots football team recently made what might be called many things in football lingo, but let’s call it a management fumble. Based on “the numbers,” the Patriots signed one Antonio Brown. Here are his numbers:

#### **College**

- College one-year record of 110 receptions
- College career record of 305 receptions (left after his third year)

#### **NFL**

- Games played 131
- Touchdowns 75
- Records:
  - First receiver in NFL history with 125 catches in two consecutive seasons
  - Surpassed that record with 265 catches in two consecutive seasons
  - First NFL player to record 175 yards in four consecutive games in a season
  - Twice NFL leader for the season in receiving yards and receptions
  - Top 100 NFL players in 2018 – only Tom Brady was ranked ahead of him
  - Highest paid receiver in the NFL when the Steelers renewed his contract in 2017

The performance numbers are stellar, but there are other numbers that should have been considered before the Patriots seized the moment.

Brown was a sixth-round draft choice by the Pittsburgh Steelers in 2010. He had a four-year contract extension

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in 2017 for a total of \$60 million. However, because of strained relationships with quarterback Ben Roethlisberger, he was traded to the Oakland Raiders in 2019. He remained the highest paid receiver in the NFL. Because off-the-field incidents (including an ugly argument with the team manager), Oakland released Brown before he ever played a game. Enter the Patriots with a one-year contract, and Tom Brady being “a million percent in” on the decision.<sup>[1]</sup> In fact, Brady offered to have Brown stay in his home until he could find a place to live in Boston. Brown played one game before that “million percent” endorsement slipped a tad because of these numbers that were not part of the decision:

- Number of sexual assault allegations: NFL is still investigating
- Number of lawsuits filed against Brown: Six\*
- Number of run-ins with police: Unknown

\*Make that seven with the suit that was filed during Brown’s first week with the Patriots by a former trainer who alleges sexual assault and “forcible rape.” There are more allegations that have not yet been detailed.

The six lawsuits are by former assistants, part-time employees, investment partners, and a chef to recover their unpaid bills and wages. Some are combinations of all of the above. Then there was the charity auction for the National Youth Foundation in Pennsylvania, where Brown put in a \$700 bid for a picture after a near-closing bid of \$450, and then failed to pay the charity. The Foundation did not file suit, but went public with its concerns once the other allegations against Brown emerged.

The domestic disturbance calls were made from Brown’s homes in Pittsburgh and Florida, sometimes by Brown and sometimes by his girlfriends/mothers of his children. There were also bizarre calls from neighbors about Brown tossing furniture from his 14th-floor apartment balcony. Brown’s lawyer denied all allegations, but the Patriots released Brown by Friday of his first week.

This mistake by a management team was made because of that team being enamored of the usual numbers. The NFL and college performance records are “the numbers.” However, those not-so-usual numbers tell the complete story and expose the risk. Finding and presenting those not-so-usual numbers is a means for developing a solid connection with those in the C-suite, because the not-so-usual numbers are a means for preemptive and preventive actions that avoid legal and ethical missteps.

Several groupings of not-so-usual numbers are predictive of ethical and legal difficulties, because there have been so many examples of ethical collapse in companies that we can dissect to see what signals (numbers) those companies missed as the issues developed.

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