

**Resolution denouncing the 49ers franchise for allowing Ray McDonald to continue playing during an active investigation of a felony domestic violence arrest and urging both the 49ers and the NFL to strengthen their policies against domestic violence.**

WHEREAS, Professional athletes enjoy great fame and possess great influence in our popular culture, particularly among children; and

WHEREAS, the City Council of Santa Clara believes that professional athletes, their coaches, their teams, and their organizations are beholden to a high standard of ethics, sportsmanship, and propriety; and

WHEREAS, the residents of the City of Santa Clara invited and welcomed the San Francisco 49ers players, coaches, employees, and organization into its community based in part on their reputation as a “first class” organization, to play in a City-owned stadium which is jointly managed by our City Council through the stadium authority; and

WHEREAS, The National Football League (NFL) suspended Baltimore Ravens running back Ray Rice for only two games in July 2014 after video surfaced of him dragging his unconscious then-fiancée out of a public elevator, despite his earlier indictment in March 2014; and

WHEREAS, NFL Commissioner Roger Goodell “got it wrong” the first time in his handing down of an insignificant penalty for the domestic violence incident of Ray Rice; and

WHEREAS, the NFL, in response to strong public sentiment, then updated its rules regarding players charged for domestic violence, such that “violations of the Personal Conduct Policy regarding assault, battery, domestic violence or sexual assault that involve physical force will be subject to a suspension without pay of six games for a first offense, with consideration given to mitigating factors, as well as a longer suspension when circumstances warrant;” and

WHEREAS, not more than three days later, on Sunday August 31st, 49ers defensive end Ray McDonald was arrested and booked into Santa Clara County Jail on felony domestic violence charges, based on the report that he had inflicted visible signs of bruising on his 11-week pregnant girlfriend’s arm and neck, which the Santa Clara District Attorney is currently investigating; and

WHEREAS, Only one week after his arrest, in spite of the serious criminal charges against him and in opposition to the good faith created by the new NFL rules regarding domestic violence, the 49ers allowed Mr. McDonald to play in both their September 7<sup>th</sup> game against the Dallas Cowboys and their September 14<sup>th</sup> game against the Chicago Bear; and

WHEREAS, The actions or inactions of the 49ers’ leadership impact both the franchise and the City of Santa Clara; and

WHEREAS, In most cases the City of Santa Clara places its own employees, such as police officers and firefighters, on paid administrative leave pending the investigation of serious criminal charges related to their job; and

WHEREAS, It is imperative that professional sports, popular culture, and anyone associated with the city of Santa Clara stand up against domestic violence, lest they injure the people of our

city and every other; and

WHEREAS, The National Football League specifically, major league sports in general, and American culture must do more to stop domestic violence and protect the victims of abuse and hold perpetrators of domestic violence accountable; now, therefore, be it

RESOLVED, That the City Council of Santa Clara denounces the 49ers' decision to allow Ray McDonald to play on Sunday September 7 and Sunday September 14, and urges the 49ers to prohibit him from playing games until the criminal issue has been resolved; and, be it

FURTHER RESOLVED, That the NFL and 49ers set as a policy that upon *arrest*, the arrested player is prohibited from playing until the matter is resolved; and, be it

FURTHER RESOLVED, That the city council of Santa Clara urges the 49ers and the NFL to reevaluate and strengthen their procedures for addressing accusations of criminal activity, particularly domestic violence, levied against their personnel; and, be it

FURTHER RESOLVED, That the City Council of Santa Clara demands that the SF 49ers develop, establish and publish a set of values that guide the team and that those values are in alignment with the values of the City of Santa Clara, in particular those values that address domestic violence; and, be it

FURTHER RESOLVED, That the City Council of Santa Clara urges the 49ers to adhere to a similar protocol as theirs concerning paid administrative leave pending the investigation of serious criminal charges, such as domestic violence; and be it

FURTHER RESOLVED, That the 49ers should partner with local domestic violence agencies to help them effectively address domestic violence within their new community and educate their players and employees about the issue.