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LOS ANGELES POLICE PROTECTIVE LEAGUE

A PROFESSIONAL POLICE UNION

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August 5, 2021

Adam Silver
NBA Commissioner
Olympic Tower
[REDACTED]

Gayle Benson
New Orleans Pelicans
[REDACTED]

Re: Jaxson Hayes Criminally Assaulted Police Officers and Repeatedly Called them the N-word

Dear Commissioner Adam Silver and Pelicans Owner Gayle Benson,

On July 27, 2021, the Los Angeles Police Department responded to a domestic abuse disturbance call at the home of New Orleans Pelicans Jaxson Hayes's girlfriend. Following the officer's arrival, Mr. Hayes assaulted our officers causing injury, obstructed the officers' domestic abuse investigation, and then went into an obscenity laced tirade that included calling the responding officers the despicable and repugnant "N-word." Mr. Hayes' actions were repugnant and in clear violation of the law, the National Basketball Association (NBA) code of conduct and warrant immediate action by the NBA to show that it takes reports of domestic abuse seriously.

When law enforcement is called to a potential domestic abuse call, we are obligated to ensure all parties are safe before we can clear the call. We must see who the potential victim is and determine if they have been harmed, if a law was broken and, if not, that if they remain at the scene, that they will be safe.

Mr. Silver, the actions of your player were unlawful, completely unacceptable and are as clear a prima facie case of violating several of the National Basketball Association policies as we have seen. We respectfully request that you immediately initiate a thorough investigation into Mr. Hayes' actions before, during and after the incident and to take appropriate corrective action to hold Mr. Hayes accountable.

Incident Background

Three Los Angeles police officers responded to the home of Mr. Hayes' girlfriend to investigate a domestic dispute reported to the LAPD. Upon arriving at the home, our officers encountered Mr. Hayes' in the residence's front yard. Our officers politely explained to Mr. Hayes that they were conducting an investigation into a domestic dispute and potential domestic violence, and that they needed to talk with his girlfriend to check on her well-being. Mr. Hayes responded belligerently, refused to allow our officers to check on the well-being of his girlfriend and became physically and verbally combative. In fact, another male who was present at the scene attempted to physically restrain Mr. Hayes while urging him to listen to our officers. Further, Mr. Hayes' girlfriend came outside of the house and attempted to verbally instruct Mr. Hayes to calm down and cease his actions against our officers.

Mr. Hayes not only refused these attempts by civilians to de-escalate the situation but he went on to assault one of our officers. This LAPD officer was much physically smaller than Mr. Hayes and attempted to restrain him, however, Mr. Hayes violently pushed this officer into a wall causing physical injury.

Repeated attempts to verbally and physically restrain Mr. Hayes were unsuccessful and throughout these efforts, Mr. Hayes screamed several racial epithets at our officers, aggressively calling them the "N-word" repeatedly. To protect our officers and the safety of others from Mr. Hayes' belligerent actions, our officers were forced to deploy their Taser prior to taking Mr. Hayes into custody.

A representative of the Los Angeles Police Protective League has viewed the body worn video from the incident in compliance with the LAPD's policy. Based on the review of the video, we believe Mr. Hayes engaged in these criminal acts:

- **Violation of Penal Code Section 69, felonious assault on a police officer.**
- **Violation of Penal Code Section 148, obstructing and/or delaying a peace officer in the performance of their duties.**

Mr. Hayes also violated the NBA policy on violence. The collective bargaining agreement (CBA) between the NBA and National Basketball Players Association (NBPA) states that any conviction of a violent felony necessitates a ten-game suspension (VI.7). Setting aside potential criminal charges, the CBA also states that if there is reasonable cause to believe that a player has engaged in off-court violent conduct, then the player should undergo clinical evaluation and counseling if necessary (VI.8).

The video is clear. Your swift action in this incident is warranted.

Investigation of Domestic Abuse & Obstruction of a Domestic Abuse Investigation

The LAPPL firmly believes that all calls involving potential domestic abuse must be thoroughly investigated to ensure the safety of vulnerable populations. The NBA and the NBPA adopted a joint policy on domestic violence which states: “Acts that constitute domestic violence, sexual assault, and child abuse are prohibited at all times and regardless of where they occur.”¹ The policy defines domestic violence as follows:

“...domestic violence” includes, but is not limited to, any actual or attempted violent act that is committed by one party in an intimate or family relationship against another party in that relationship. Such an act may include physical assault or battery, sexual assault, stalking, harassment, or other forms of physical or psychological abuse. It may also include behavior that intimidates, manipulates, humiliates, isolates, frightens, terrorizes, coerces, threatens, injures, or places another person in fear of bodily harm. Domestic violence can be perpetrated by current or former spouses, current or former domestic or same sex partners, persons who are living together or have cohabitated, persons with children in common, persons who have or had an intimate or dating relationship, and family members. Domestic violence can be a single act or a pattern of behavior in a relationship.”

We respectfully request that the NBA investigate whether Mr. Hayes violated this policy with his conduct in this incident and/or exhibited similar conduct in any prior incident. As you know, Mr. Hayes also attempted to obstruct our officers from conducting their investigation into a potential domestic abuse incident as they are required to do by law. **His obstruction of the LAPD investigation appears to violate the spirit of the joint NBA/NBPA’s policy on interference in the investigation of domestic violence.**

The policy states, “Failing to cooperate in full, or interfering in any manner, with an NBA investigation will subject the noncooperative individual to discipline consistent with the terms of Article VI, Section 11(a) of the CBA.” We assume that if obstructing your internal investigation violates the policy, then surely obstructing a legitimate law enforcement investigation requires action. Violence against women should never be tolerated and we are hopeful your actions to hold Mr. Hayes accountable reflect those values.

Use of Hate Speech

In addition to physically attacking our officers and obstructing a domestic abuse investigation, Mr. Hayes repeatedly called our officers the “N-word” and did so in an aggressive and threatening manner. No person should be subjected to such vile and offensive language. It has no place in our society and it should have no place in the NBA.

Given that the NBA professes to oppose hate speech (although we did not find any prohibition in either its Constitution or CBA), the NBA Constitution does state the Commissioner can suspend a player or fine a player up to \$50,000 if a player’s comments have a “prejudicial or

¹ Joint NBA/NBPA Policy on Domestic Violence, Sexual Assault, And Child Abuse

detrimental” impact on the “best interests of basketball or of the Association (NBA Constitution Section 2.35(d)).

Recently, [the NBA fined Miami Heat player Meyers Leonard](#) \$50,000, and suspended him from all Miami Heat activities and facilities for one week for making anti-Semitic comments while playing a video game. In response to Leonard’s comments, you provided the following statement: “We have further communicated to Meyers that derogatory comments like this will not be tolerated and that he will be expected to uphold the core values of our league — equality, tolerance, inclusion and respect — at all times moving forward.”

We ask you to investigate Mr. Hayes’ use of the “N-word” during the incident, and based on the obvious evidence, hold him accountable for the blatant violation of the NBA’s values of “equality, tolerance, inclusion and respect.”

Conclusion

The human impact of his actions is obviously lost on Mr. Hayes. Mr. Hayes’ inability to consider how his violent tirade harmed all those involved, from his girlfriend to the other civilians at the residence to the responding officers is troubling and should be a point of reflection for Mr. Hayes.

Once again, we find ourselves in the position of asking the NBA to take action to uphold its own values and standards. Further, we hope you send an unequivocal message that assaulting police officers will never be tolerated by the NBA. Given the severity of this incident, we sincerely hope you take decisive action in this case.

Lastly, we encourage the NBA to provide mandatory training to all its personnel, players and support staff about the obligations police officers have to investigate reports of domestic abuse. We also encourage the NBA to include mandatory training on how to deescalate volatile situations to ensure the most positive outcome for all involved. We certainly can provide references to qualified trainers if requested.

Very truly yours,

BOARD OF DIRECTORS
Los Angeles Police Protective League



CRAIG D. LALLY
President
