



MINNESOTA VIKINGS **NEWS RELEASE**

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VIKINGS RESPOND TO INDEPENDENT INVESTIGATIVE REPORT OF CHRIS KLUWE'S ALLEGATIONS

Eden Prairie, MN (July 18, 2014) – Immediately following the publication of the January 2, 2014, *Deadspin* article written by **Chris Kluwe**, the Minnesota Vikings retained former Chief Justice of the Minnesota Supreme Court **Eric Magnuson** and former U.S. Department of Justice Trial Attorney **Chris Madel**, two partners of Robins, Kaplan, Miller & Ciresi, L.L.P., to complete an independent review of Kluwe's allegations. Magnuson and Madel were asked to thoroughly and comprehensively investigate three particular allegations by Kluwe and Kluwe's counsel:

- 1) Special Teams Coordinator **Mike Priefer** made offensive and insensitive remarks in Kluwe's presence.
- 2) Representatives of the Vikings discouraged Kluwe from publicly supporting marriage equality and had knowledge of the Priefer comments prior to the *Deadspin* article publication on January 2, 2014.
- 3) Kluwe's activism for marriage equality was the reason for his release from the Vikings on May 6, 2013.

Magnuson, Madel and others spent nearly six months conducting interviews with 31 individuals, reviewing electronically-stored information and multiple paper documents and compiling requests for specific materials from various interviewees. At least one former FBI Special Agent attended each of the interviews. The investigators also retained two independent football experts – former 30-year NFL Player Personnel Executive **Jerry Angelo** and two-time Pro Bowl and 17-year NFL punter **Craig Hentrich** – to analyze Kluwe's performance as a punter during the 2012 season, aside from reviewing the Vikings football operations documented review and grading of Kluwe throughout the 2012 season.

When the investigation was complete, in order to further maintain objectivity and integrity, the Vikings engaged a nationally-prominent law firm in employment matters and one of the top-ranked and recognized firms for diversity, Littler Mendelson P.C. and partner **Donald Prophete**, to independently review and assess the findings and provide a report to the Vikings from an employment law perspective. Littler Mendelson P.C. has directly revealed the following (Littler Mendelson's full conclusions can be found at kluweinvestigation.com):

1) Mike Priefer's Alleged Homophobic Comments

"There is support in the record through (Cullen) Loeffler that Priefer made the single homophobic statement to Kluwe...Loeffler said that Priefer made this statement after becoming frustrated that Loeffler and Kluwe were not focused on football during practice...There is no support in the record that Priefer made any additional statements of this nature."

2) Attempts to Discourage Kluwe's Marriage Equality and Equal Rights Activism

"We also did not find sufficient evidence to establish that members of the Vikings organization attempted to discourage Kluwe from engaging in marriage equality or equal rights activism...The record supports the conclusion that players and management were concerned about the distraction that Kluwe's activism was creating, as opposed to the nature and content of his activism. The record does not support the contention that

members of management and the coaching staff were focused on discouraging Kluwe based on the nature of his activism.”

3) Vikings Management’s Knowledge of Priefer’s Comments

“Kluwe himself stated that he never reported any of Priefer’s alleged statements to management, Human Resources, or anyone else other than in discussions with Loeffler and Walsh. The investigation did reveal, however, that sometime on May 2, 2013, Kluwe discussed Priefer’s alleged statement with Les Pico, Vikings Executive Director of Player Development/Legal. According to Kluwe, he asked Loeffler to sign an affidavit stating that he had heard Priefer make homophobic statements. Loeffler then met with Pico to discuss the affidavit...According to Kluwe, it did not appear that Pico was going to tell anyone else about what was discussed in the meeting out of concern that doing so would jeopardize Loeffler’s job with the Vikings...Pico said that Kluwe was adamant that Pico keep the entire conversation confidential and not disclose any part of it to anyone in the Vikings organization. Pico recalled telling Kluwe that their conversation was confidential. Kluwe then told Pico that he knew his time with the Vikings was finished and that all he wanted to do was to compete in the NFL and not be ‘blackballed’; if he was not blackballed, then ‘there would be no issue.’ Pico said “Kluwe was adamant that he was not making a report to Pico because [Kluwe] knew he ‘was already done with the Vikings.’ Kluwe told Pico he wanted the affidavit because it would provide him ‘leverage.’ ...During his interview, investigators asked Kluwe why he did not bring Priefer’s comments to the attention of others within the Vikings organization sooner. Kluwe explained that at the time, he did not know he was going to be released from the Vikings so he thought Priefer’s remarks were ‘a momentary unpleasant thing’ that would pass as they moved on to the next year.”

4) Kluwe’s Release in 2013

“The record fails does not support the claim that the Vikings released Kluwe because of his activism on behalf of same-sex marriage, but instead because of his declining punting performance in 2012 and potentially because of the distraction caused by Kluwe’s activism as opposed to the substance of such...The objective evidence, in addition to the subjective evaluation of coaches, special teams staff members and external evaluators, simply contradict Kluwe’s view of his performance in 2012. No interviewed witness agreed that Kluwe had a good year in 2012...There is also the issue of Kluwe’s age (31) and salary (\$1.3 million) in 2012 and slated salary of \$1.4 million in 2013. Several coaching staff members noted that Kluwe’s age, previous knee injury and leg strength showed a punter in decline. Also, the Vikings were able to sign drafted punter (Jeff) Locke for \$405,000, less than one third of Kluwe’s scheduled 2013 salary...In grading Kluwe, (Angelo and Hentrich) considered criteria, including but not limited to: (1) get-off time; (2) gross punting average; (3) net punting average; (4) hang time; (5) directional punting; and (6) pooch punting...Angelo said that if he held the title of General Manager for the Minnesota Vikings for the 2012 season, he would have “in all likelihood” released Chris Kluwe as the Vikings punter.”

5) Hostile Work Environment

“We did not find any support for the contention that the Vikings lacked institutional controls with respect to its workplace environment as it relates to homophobia. To the contrary, the evidence establishes that the Wilf Family Foundation has been a strong supporter of equal rights, specifically anti-bullying, for the LGBT community. Other than the statement allegedly made by Priefer, the record is devoid of any support for the contention that the team harbored a homophobic hostile work environment.”

In conclusion, the Vikings organization and ownership does not accept, condone or tolerate any type of insensitive or disparaging remarks. Based on the investigation conducted by Madel and Magnuson and the conclusions by Prophete, the team will take the following internal steps:

1) Special Teams Coordinator Mike Priefer will be required to:

- Serve a three-game suspension without pay during the 2014 regular season.
- The three-game suspension may be reduced to two games provided he also attend individualized anti-harassment, diversity and sexual-orientation sensitivity training.

2) Enhanced Sensitivity Training

All Vikings employees, coaches and players have been required to attend annual anti-harassment, diversity and sexual-orientation sensitivity training for the past several years. The Vikings will continue to look at and take additional steps to improve these educational programs.

In addition, as a continued effort to support human rights and anti-hate causes, the Vikings will make a total donation of \$100,000 to LGBT rights charitable and educational organizations.

The following statements are from Coach Priefer and Vikings Owners Mark and Zygi Wilf:

*I owe an apology to many people - the Wilf family, the Minnesota Vikings organization and fans, my family, the LGBT community, Chris Kluwe and anyone else that I offended with my insensitive remark. I regret what has occurred and what I said. I am extremely sorry but I will learn from this situation and will work on educating others to create more tolerance and respect. – **Mike Priefer***

We want to express our appreciation to former Chief Justice Magnuson and Mr. Madel of Robins, Kaplan, Miller & Ciresi for their highly professional and thorough efforts to compile a complete independent investigation that would find the facts. They and their colleagues proceeded where the evidence led them and were in full control of the investigation at all times.

We are also grateful to Donald Prophete and Littler Mendelson for their detailed work in reviewing the investigative information and providing conclusions on the allegations in their report. We are pleased that they concluded that there was no wrongdoing on the club's part and that the decision to release Chris was based on his on-field performance.

We are very disappointed with some of the findings contained within the report. As we have said in the past, we consistently strive to create – and believe we have – a supportive, respectful and accepting environment for our players, coaches and staff, and we strongly disassociate the club from the statement that Coach Priefer made. Coach Priefer is a good man, and we know that he deeply regrets the comment. We do not believe that this error in judgment should define him.

Accountability, however, is important both on and off the field. In this instance, Coach Priefer fell short of what is expected. Accordingly, we have decided to suspend Coach Priefer without pay for the first three games of the 2014 regular season. In addition, he will be required to satisfactorily complete specialized workplace training that will include an emphasis on the managing of diversity and sexual orientation. If Coach Priefer completes this training and conducts himself in accordance with our workplace policies, we will consider reducing the length of his suspension by one game.

*We will continue to hold all team members accountable and take the outlined critical steps to further educate everyone within our organization both individually and collectively. We will accept nothing less than creating a franchise that Minnesotans and Vikings fans everywhere can be proud of on and off the field. – **Mark Wilf/Zygi Wilf***

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