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The Communication of Cheating:
A rhetorical analysis of the communication Major League Baseball players use when accused of
taking performance enhancing drugs.

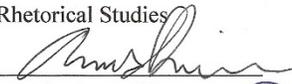
A Capstone Project Submitted in Partial Fulfillment of the
Requirements of the Renée Crown University Honors Program at
Syracuse University

Andrew J. Mallon

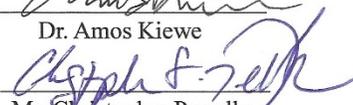
Candidate for Bachelor of Science Degree
and Renée Crown University Honors
Spring 2017

Honors Capstone Project in Communication and Rhetorical Studies

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Abstract

There has always been a strong bond between baseball and controversy. Most recently, this connection has manifested itself in the form of the steroid era in baseball. While that chapter in baseball history has closed, there are lingering effects. Each season, players are receiving suspensions for performance enhancing drug (PED) use by Major League Baseball.

Through different methods of rhetorical analysis, four players will be looked at and critiqued on their statements regarding PED accusations. Reading and analyzing the communication through the lens of these players shapes the strategies that each player chose to implement. In a post-steroid era league, Ryan Braun, Jenrry Mejia, Jhonny Peralta, and Nelson Cruz were faced with PED accusations, which ultimately, culminated in serving suspensions. Each player made unique rhetorical choices that would shape how their audience perceived them. Through a rhetorical analysis of the communication the players had in response to the claims against them, it is possible to identify strong and weak communicative strategies.

Executive Summary

Baseball is a game forever surrounded with controversy. Perhaps the biggest scandal the sport has encountered was the steroid era. In the 1990s and early 2000s, performance enhancing drugs were rampant throughout Major League Baseball. After public and private efforts to end the widespread cheating that was plaguing the record books, there has been a return to normalcy in the sport. However, the drug abuse has lingered and while far less players are “juicing” now than before, there are still players getting caught each season. What effects do the steroid era have on a cheating player’s audience? Why would a player turn to PEDs knowing the dark past and association with drugs the sport has had? This paper seeks to break down the rhetorical strategies of post-steroid era MLB players accused of PED use. Each situation is different, as is each strategy. How well the players are welcomed back into the sport from the league and fans hinges on their rhetorical and communicative choices.

Through examining the cases of outfielder Ryan Braun, relief pitcher Jenrry Mejia infielder Jhonny Peralta, and outfielder Nelson Cruz we can see and analyze the ways they communicated with their audience and handled the PED accusations. All of them used a unique strategy from one another and have an in-depth break-down that exposes the positives, negatives, and unspoken aspects of their communication.

Each player has a section devoted to critiquing the statements they made after being accused of PEDs. For Braun, a denial speech and acceptance statement are analyzed. In contrast, Mejia is looked at through his three denials and an article which includes his thoughts on each suspension. Peralta is analyzed through a denial and an acceptance. Finally, Cruz is dissected with his two statements directly addressing the PED accusations. It is through the analysis of the variety of statements that it is possible to identify strong and weak strategies.

The major source for this project is *Modern Rhetorical Criticism* second edition, by Roderick P. Hart. It helps dissect the statements made by players attempting to evade public criticism. Joined with this book is a plethora of other media sources that help to shape the landscape and culture that these players fit into, as well as document the events leading up to their suspensions that created an atmosphere encouraging poor decision making. It is through this research that a basic understanding of the culture of cheating in baseball can be understood. From this history, we can see what past events may have impacted the strategies implemented by the players being examined.

Through the culmination of direct player statements, a review of the history of cheating in baseball (particularly as it pertains to PEDs), the use of textbook and media research, and even statistical analysis, or how much a player’s performance was seemingly effected by PED use, the player’s rhetorical strategies can be analyzed. This effort leads then to identifying which strategies were most effective and which ones did not fulfill the goal of the communicator. It is significant to research this because it helps recognize the most effective ways of communication. This rhetorical analysis is done through the lens of PED use in baseball because it serves as a valuable example of vastly different ways of handling the same situation. All the players being considered in this project chose different methods from one another in response to their PED accusations and shed light on the different ways of communicating and its effectiveness.

Table of Contents

Abstract.....	iii
Executive Summary.....	iv
Chapter 1: Introduction.....	1
Chapter 2: Background/Context.....	5
Method.....	10
Chapter 3: The Hebrew Hammer: Part One.....	14
Chapter 4: The Hebrew Hammer: Part Two.....	31
Chapter 5: Lights Out in Queens.....	42
Chapter 6: Jhonny Picks the Juice.....	53
Chapter 7: The Boomstick Gets Busted.....	58
Chapter 8: Conclusion.....	66
Works Cited.....	71
Works Consulted.....	74

Chapter 1

Introduction

Baseball has never shied away from controversy. Whether it was the “Black Sox” of 1919 sparking outrage by gambling on the World Series, or Jackie Robinson breaking the color barrier as the fight for civil rights in America was trying to gain steam, baseball has always been at the front of controversy. But one thing is for certain: these controversies improved the game. The Black Sox exploited a real gambling problem in baseball that forced Major League Baseball (MLB) to address those issues and Jackie Robinson became one of the biggest and most important figures in the civil rights movement. However, at the turn of the century, America’s pastime would face one of the biggest controversies in sports history.

The 1990s and early 2000s would be marked as the steroid era, from the game’s best players to the game’s worst, “juicing” up to improve their performance. This was an institutional issue within MLB that would take years to eradicate. However, as this paper will show, even with stricter testing policies, better health education, and the villainization of some of the game’s all-time best players, MLB has not been able to get performance enhancing drugs (PEDs) out of the game entirely. The modern player takes PEDs for a variety of reasons, ranging from ego to a higher salary; although it is difficult to “beat the system” and not get caught taking these drugs, when they do get caught it is interesting to see their reactions. What this paper sets out to do is examine the reactions of certain players caught cheating with PEDs through statements, press

conferences, or team notices. Through seeing the rhetorical choices made by an athlete, we can decode what their approach was to dealing with the accusations. Questions about the means of sharing the information with fans, or why they might have decided to use a certain excuse, are the types of questions this paper seeks to answer.

Although other negative controversies in baseball went away rather quickly with time or attention from MLB, the issue with PEDs has lingered. What is also interesting to note is why baseball is faced with the issue of performance enhancers over other sports. Whereas football players receive a suspension for enhancers frequently, there really is not much issue surrounding that sports problems with cheaters. What is it that makes baseball so susceptible to the criticism? One theory would be that baseball is a numbers game. 3,000 hits, 600 home runs, 20 wins. Baseball, more than any other major American sport, cares about a player's statistics. With the steroid era shattering record books, this angered many of baseball's fans. Its historic footing within American society makes some of the records almost folklore. The idea of a player taking drugs that would give them an advantage over baseball's ghosts could be cause for the anger and controversy surrounding steroids in the game. Is it possible that the idea of cheating your competitors is worse than cheating storied history? Possibly, if the disparity in reaction to steroid use in baseball and football are any indication.

The steroid era brought a positive change to baseball just as other controversial actions had before it. Far less players now cheat the sport through the use of PEDs, but some players are still willing to take the risk. I will be breaking down the rhetorical choices of the responses from four players I identify as "post-steroid era" players. They range in position, popularity, salary, ability, and other means. My selections were based on this variety, but also the variety of ways that these players responded to the PED accusations.

Examining Ryan Braun and his rhetorical choices is a fascinating and unique look into the steroid controversy. As a young outfielder with the Milwaukee Brewers, Braun rose to prominence rather quickly. With his fan-favorite personality and his Most Valuable Player (MVP)-like numbers, the news of his steroid suspension came as a massive surprise to the baseball community. He was selected for the uniqueness of his case. While he had tested positive for PEDs, the world never should have known. Before he could go through arbitration in an attempt to prove his innocence anonymously as the rules suggest, it was leaked from anonymous sources that he failed a test. Winning the appeal and proving that there was not enough evidence for a suspension highlighted this. While his image was nearly completely restored, years later his connection to a steroid dealer would incriminate him, and prove that he had, in fact, taken PEDs. This poses an interesting amount of communication and rhetorical decision-making, and therefore, he was selected for the paper.

New York Mets young relief pitcher Jenryy Mejia will also be examined. Like Braun, his unique situation made him a perfect subject to examine. He was caught three times within one year and is currently banned for life. In contrast to Braun, Mejia had very little major league experience, and therefore a looser connection to his fan-base. Perhaps similarly, Mejia showed potential of being a rising star. Would PEDs be the reason why? This poses a very unique situation that is unprecedented in MLB history; breaking down his responses to these accusations rhetorically will shed light on a pattern of cheating and the mind-set of a player facing baseball exile.

The year 2013 brought the suspensions of many players in connection to a PED dealer in Florida, referred to as the biogenesis scandal. Two players who were caught by MLB in connection with this are current St. Louis Cardinals infielder Jhonny Peralta and Seattle Mariners

right fielder Nelson Cruz. The rhetorical choices that went into their statements are interesting to identify because there was no positive test. The suspensions they received were mainly based off of their relationship with the biogenesis location, but without a positive test, they could take a different approach to responding to accusations. Interestingly, both of these players have regained somewhat good relations with fans and organizations despite their cheating past. This is in stark contrast to some of the other names on this list.

All four players fit the mold of a post-steroid era player, but each used a different kind of strategy from one another. What this allows the paper to do is see what variables change their responses to accusations and their persuasiveness in their apologies (or lack thereof). The players also range in ability, position, team, and popularity. This is sure to yield the best results.

From the analysis of these players' responses to PED accusations, I seek to find common themes and plans for handling the suspensions, but I also hope to find out how different the strategies were to evaluate what plans had the best effect on their careers and helped shape their image in the public in a positive light. By doing this, it is also possible to find underlying sources of why players take PEDs and possibly help come up with solutions to MLB's lingering problem. How have these players fit back into baseball's society and the hearts and minds of fans? How will history reflect on their careers and their ethics? What method of handling accusations leaves a better legacy? How does the handling of their reactions play into their acceptance and empathy? These are the questions at the heart of this paper and by the end of it, readers should be able to fully grasp how rhetorical choices reflect the authors intent, but also the public perception.

Chapter 2

Background/Context

What makes the issue of performance enhancers in baseball so compelling is the history of cheating baseball has. As touched upon briefly in chapter one, the “Black Sox” scandal of 1919 saw eight Chicago White Sox players charged with throwing the World Series (Andrews, Evan). This was the first big scandal MLB had to deal with. They came down hard and for the most part, it was successful in ridding the game of gambling. In recent history, MLB has had players standing trial for lying under oath regarding PED use. Using a familiar strategy, baseball gave long suspensions and took PED use seriously, but did MLB get involved too late? Were PEDs already indoctrinated into the sport? There has been a long history of players cheating the game for various reasons, but the issue of PEDs has lingered longer than most. For the eight banned players of the Black Sox scandal, they saw money. For many steroid players, they saw money, fame, and talent.

One must think, “why does baseball seem to be bogged down with cheaters at a higher rate than other sports?” This is in part, due to the “unwritten rules” of the game, which make rules that should be black and white extremely gray. In 2014, New York Yankees right-hander Michael Pineda was caught using pine tar to pitch with – a foreign substance banned from use for pitchers (Lehman, Jonathan). He was caught twice that season – a rare occurrence, even though the use of the illegal substance was common. What separated Pineda? His inability to

hide it properly. If a pitcher is good at cheating, they will not suffer consequences; Pineda made it too obvious and as a result, suffered a suspension. This double standard and blurring of ethics makes cheating seem almost accepted in MLB, and has left some players with immortality.

Gaylord Perry was a notorious cheater; he would “doctor” the baseball to make him a more efficient pitcher, but where Pineda was suspended, Perry was celebrated, so much so he would be placed in the Hall of Fame – a spot many voters want to keep PED players out of.

Cheating in baseball is so widely accepted, it can even lead to articles, such as the one written by *BuzzFeed* titled “A Guide to Cheating in Baseball.” The tagline? “Not all methods are created equal.” An absurd statement that some cheating is fine seems so regular when speaking about baseball. The article lists spitballs, stealing signs, pine tar, Vaseline, sandpaper, corked bats, PEDs, and many more common methods of cheating in baseball. Author Lindsey Adler then explains how seriously enforced each method is and ways to get around it. Within her writing, she lists some notorious players who used the methods. Cheating has been so accepted throughout baseball history that the precedent was to do what you could to win or play better – no matter the cost. All a player had to be was good at cheating and others would turn a blind eye.

The steroid era should not have come as a surprise to those around the game. Baseball had been inundated with drug use for years. Former pitcher and current broadcaster Ron Darling shared what it was like during his playing days (1983-1995). His most notorious team was the 1986 World Champion New York Mets. This was a fun and exciting team that captured the hearts of baseball fans throughout the country. Yet as we would learn later, the chaotic locker-room was not isolated. Many superstars would turn to rehab later in their careers for drug use. But their drugs of choice were “greenies” or uppers (amphetamines), cocaine, and alcohol. *Bleacher Report* details Darling’s comments regarding how drug use helped the Mets through

the rigors of the season. The article points to ex-commissioner Bud Selig having heard about greenie use as early as 1950. “Tony Gwynn spoke openly of baseball’s amphetamine problem in 2003, estimating for the New York Times that 50 percent of position players were using them routinely, many of them before almost every game” (Zucker, Joseph). So Darling’s account of 80s and 90s players was not far off from the norm. Steroids were not a new problem – they were an evolving one. According to an *ESPN* article, Darling even claimed to see players using performance enhancers in the dugout, directly before at-bats. What this may demonstrate to us is that PED use did not come out of nowhere; it came to a point where the drugs were too obvious and too entrenched in the game to have a safe working environment for players and have a true game for fans. The old days of Babe Ruth hitting home runs off hotdogs and beer were looking through foggy lenses; PEDs and cheating have always been a part of baseball.

Now it is time to set the scene. It is 1994; the baseball season has been cut short. The players are on strike and there will be no World Champion crowned. Steroids have entered locker-rooms throughout the league, and while it may not be the majority of players juicing, we know the seeds of an epidemic are growing. Fans are fleeing to other sports every day baseball does not come up with a new collective bargaining agreement. The perception of players and owners as greedy reaches new heights. *USA Today* called the 1994 strike the “most embarrassing moment in MLB history” (Nightengale, Bob), *ESPN* referred to the lockout as MLB’s “low-point.” But all this would be resolved with cooperation. Play would resume the next season and hard-core fans would stay, but what would keep the casual fan interested in a sport that had burned them so recently? A strike that saw many of their favorite players call it quits rather than return. A monster home run chase. As Ben Walker of *The Washington Post* put it, “Sadly, Steroids Saved Baseball.” He, and many others, would credit the single season record for home

runs, which was a chase between Mark McGwire and Sammy Sosa, as what captured the nation's attention in 1998.

In a season referred to as “The Summer of Love,” two friends and competitors chased down Roger Maris' record. Unfortunately, both players had been clouded by steroid suspicions with McGwire admitting the act and Sosa denying – even after being caught with a corked bat. But this would not be the biggest issue or the biggest names involved with PEDs. That title would go to Barry Bonds and his chase of the all-time home run record. There is no confirmation Bonds had cheated, but the evidence is insurmountable. The 1998 season would not just be a season for the fans, but for other players to take note. Steroids = money, fame, attention, and immortality. One cannot help but think Bonds watched that season, as the best player in the game, frustrated at the notoriety of others. Many suspected that he felt he should be chasing history, and that he needed to juice to catch up and create an equal playing field. He would become the face of an era of cheaters. Baseball's popularity was reaching unprecedented heights at the turn of the century, and players, coaches, front offices, and owners turned a blind eye at what was becoming a drug epidemic in their sport.

So what propelled the explosion of PED players and fan criticism? A book written by Jose Canseco, a disgruntled ex-player, would give people insight into MLB locker rooms of the era. While a dominant player of the steroid era, he would be forced out of the game. Teams around the league began to realize the problem on their hands, and Canseco was a notorious juicer of the time. He felt the owners blackballed him out of the league, as he did not receive a contract offer from anybody. He would not go down as a scapegoat without a fight and he did not care who he exposed along the way. In 2005, he published *Juiced: Wild Times, Rampant 'Roids, Smash Hits & How Baseball Got Big*. He told on everybody. He exposed the behind the

scenes drug use that went on throughout his playing career within the clubhouse. This was not isolated; Canseco played for seven different teams throughout his career and shared stories of teammates' drug use from superstars to the 25th man on the roster. The media, teams, and players were in frenzy. Accusations flew around, stories were told and the end of the steroid era neared. In 2007 Senator George Mitchell would carry out an investigation to identify PED users. Through his investigation many names would come out and many legacies tarnished. In what would be referred to as the "Mitchell Report," it put a cap on the era and started a new time in baseball. As far as we know, PED use is way down compared to the 1990s and 2000s. However, there are still some cheaters today who I will look at. What makes the post steroid era PED user so unique is the strategies they use to defend themselves or deny accusations. Knowing now how much a player's legacy can be destroyed by steroids, makes it fascinating to try to see what a player was thinking, or see how they thought they could outsmart the testing. In the steroid era, there were common defenses. Players were taking steroids for recognition, money, a spot on the roster, to keep up with other juicers, and because to an extent, it was the norm. They could blame the lack of testing, the environment, the success of the game, and lack of knowledge about the drugs to defend themselves. While the reasons for taking steroids today may be the same, the defenses those players could use have been taken away. The media, fans, and teams (even teammates), are critical on PED users; the risks are substantially higher, the incidents more isolated. This leads to unique statements when caught, which is why I will explore players who cheated in the post-steroid era.

Method

The main outside source for this paper will be *Modern Rhetorical Criticism* second edition by Roderick P. Hart. What this will do is help with the methods of rhetorical criticism that I will use to break down the speeches or statements made by the players. Hart does a great job of guiding the reader. He does this through breaking down text to find out the rhetorical choices being made. I will rely on the information in his book to guide my analysis.

In *Modern Rhetorical Criticism*, there are various methods of rhetorical analysis. Besides my own thoughts and knowledge on the subject, I will focus on the techniques outlined in the book to help make sense of the statements. Below I list the questions that will inform my analysis of the players' responses.

Speaker Variables:

- Is the speaker making some sort of social statement?
- Does the audience have first-hand knowledge of the speaker on which the speaker can draw rhetorically?
- Is the speaker "sainted" or "victimized" by stereotypes listeners have of "speakers like this"?
- Is the speaker able to roam freely when specifying his motives for speaking?
- Has the speaker subscribed to a particular ideology or doctrine that expands or limits what can be said?
- Does the speaker possess any unique assets or liabilities when speaking on this topic?

Audience Variables:

- Has the audience made any significant social statement by coming to listen?

- To what extent is this audience a “rhetorical audience,” or one that can directly implement the change the speaker is requesting?
- Can the speaker capitalize on existing common ties with the audience when speaking to them?
- What previous personal or philosophical commitments has the audience made that may affect their responses to the speaker?
- What contrary information or attitudes does the audience have that can inhibit the speaker’s success?
- What recent experiences has the audience had that may affect their responsiveness?

Topic Variables:

- Is this topic socially acceptable? Is the fact that it is being discussed a significant social statement?
- Is the topic either volatile or innocuous? Is public opinion highly polarized on this matter?
- How complex is the topic? Can it be reasonably discussed with this audience in this setting?
- Because of how this topic has been discussed before, must the speaker deal with it in a certain way?
- Does the topic have any special features that make its discussions via this medium advantageous or risky?

Persuasive Field:

- Can the speech situation be seen as a counter-statement to some other set of messages?
- Have the speaker’s previous remarks to this audience expanded or limited current persuasive

possibilities?

- To what sort of immediate “verbal competition” is the speaker being subjected?
- Can any future rhetorical messages be envisioned that require anticipatory strategies now?

Setting Variables:

- Is there a special kind of history attached to where the speech is being given?
- Do any nonverbal events affect the speaker’s game plan?
- Is an event likely to occur in the future that will affect what can be said now by this speaker?

Media Variables:

- Does the method chosen enhance or detract from the speaker’s message?
- Does the size of the audience the medium can reach present or deny any important rhetorical possibilities?
- Are there any important “sponsorship effects” associated with messages presented via this medium?
- Does the medium chosen permit the speaker’s personality to become an important force of persuasion?
- Do sub-audiences exist because of the medium chosen for the message?

Additionally, I will use from *Modern Rhetorical Criticism* another technique known from the *Webelos Scout Book*, which breaks down what values culture cares about when determining if someone is a “good” citizen. Below is the method I will use to analyze the players response. Through the eyes of the “good citizen test.”

- He obeys the law. If he thinks a law is wrong, he tries to have it changed.
- He respects the rights of others. He does not try to get special privileges for himself.
- He tries to be fair and honest with everyone.
- He tries to make his country or town a better place.

It is through these methods of rhetorical analysis, that I can accurately critique the communication from the PED users. From these critiques, we can understand the motives, strategy, and process that each player went through in defense of their accusations of cheating. It is through this analysis that it is possible to see which strategies were most effective, and which strategies were not as successful.

Chapter 3

The Hebrew Hammer: Part One

It was the 2011 postseason and everything seemed normal. Ryan Braun, the Milwaukee Brewers Outfielder was on a tear. Following up an outstanding .500 batting average in the Division Series, he hit .333 in the Championship series as his team fell short of the World Series. He did as he had done all year: delivered big on offense. 2011's Most Valuable National League player finished up his season and there was not a peep in the public eye, but for Braun, he must have had a million thoughts running through his head. What could get the MVP nervous? He was a young, rising star with a great career

ahead of him. But soon after it was easier

Ryan Braun

to understand, as it was leaked he failed a

drug test administered during the

playoffs. Sending shockwaves through

the league, it was difficult to rap one's

- *Milwaukee Brewers*
- *Left fielder*
- *2007 NL Rookie of the Year*
- *2011 NL Most Valuable Player*
- *5x NL All-Star (at time of suspension)*

head around this situation. *He didn't LOOK like a steroid guy.* People may have given him the benefit of the doubt because he was so likeable and was not building with inhuman muscle definition and scale. Every player in the union has the right to go through an appeal process and prove their innocence. The process is not supposed be publicized, to make sure innocent players' images are not tainted to the public. But this was no ordinary appeal; this was the case of the

MVP. While the details of the court hearings were kept hidden away from the media, when Braun won the case he detailed his defense in a speech given right before the start of the baseball season to justify to the fans how this test could have come up positive. In the eye of public Braun had returned to an innocent player, a man who should be celebrated. This chapter will look at the speech he gave that was the denial and proof of his innocence.

I want to say thanks to (Brewers vice president of communications) Tyler Barnes. I want to say a special thank you to Michael Weiner and the players association for supporting me through this situation and through this challenge. I want to thank the entire Milwaukee Brewers organization starting with Mark Attanasio, who truly represents everything that's good about our game today. I want to thank my teammates, many of whom are here today and have supported me through this entire situation. I want to thank my family, my friends, a lot of other players around the league who have supported me and were there for me and who have stood by me throughout the biggest challenge I've ever faced in my life. I also want to thank athletes in other sports who have stepped up, shown their support and been there for me. I want to take a moment to especially thank the fans, all the fans who have supported me as well as the fans who withheld judgment as I respected the confidentiality of this case.

As I've previously stated, this is without a doubt the biggest challenge I've ever faced in my life, and it's made it that much more challenging that I've had to deal with it publicly. But I truly view this challenge as an opportunity, just as I've viewed every other challenge in my life – as an opportunity. I've tried to respect this process, even though the confidentiality of the process was breached early on. I've tried to handle the entire situation with honor, with integrity, with class, with dignity and with professionalism because that's who I am and that's how I've always lived my life.

If I had done this intentionally or unintentionally, I'd be the first one to step up and say, 'I did it.' By no means am I perfect, but if I've ever made any mistakes in my life I've taken responsibility

for my actions. I truly believe in my heart, and I would bet my life, that this substance never entered my body at any point.

I've always had tremendous respect for the game of baseball, and part of the reason that I've kept quiet throughout the course of this ordeal, and part of the reason why I won't be able to get into all the details today, is to put the best interests of the game ahead of the best interests of myself. And that hasn't been easy. There were a lot of times when I wanted to come out and tell the entire story, to attack everybody as I've been attacked, as my name's been dragged through the mud as everything I've worked for my entire life was called into question. There were a lot of times I wanted to come out, tell the entire story, but at the end of the day I recognized what's actually best for the game of baseball and I put that ahead of what was actually best for myself.

I could have never, ever envisioned being in this position today discussing this subject with you guys. But I truly believe that everything in life happens for a reason. I learned a long time ago to stop questioning life. I believe that everything that's thrown at us we're able to handle, and there's a reason for it. I have yet to figure out exactly what the reason for this is, but I don't question that.

I've always stood up for what is right. Today is about everybody who's been wrongly accused, and everybody who's ever had to stand up for what is actually right. Today isn't about me, it isn't just about one player – it's about all players. It's about all current players, all future players and everybody who plays the game of baseball.

Despite the fact there have been many inaccurate, erroneous and completely fabricated stories regarding this issue, I've maintained the integrity of the confidentiality of the process. There's never been a personal medical issue, I've never had an STD. Many of the stories that were erroneously reported by the initial network continue to live on, and it's sad and disappointing that this has become a PR battle and that people continue to leak information that's inaccurate.

I will continue to take the high road because that's who I am, and that's the way that I've lived my life. We won because the truth is on my side. The truth is always relevant, and at the end of the day the truth prevailed. I am a victim of a process that completely broke down and failed the way it was applied to me in this case. As players, we're held to a standard of 100 percent perfection regarding the program, and everybody else associated with that program should be held to the same standard. We're a part of a process where you're 100 percent guilty until proven innocent. It's opposite of the American judicial system – it's not an innocent until proven guilty situation. So if we're held to that standard, it's only fair that everybody else is held to that exact same standard. With what's at stake – this is my livelihood, this is my integrity, this is my character, this is everything that I've worked for in my life being called into question – we need to make sure that we get it right. If you're going to be in a position where you're 100 percent guilty until proven innocent, you can't mess up. And today's about making sure that this never happens to anybody else who plays this game.

The system in the way it was applied to me in this case was fatally flawed. The initial test result in question was on Oct. 1. It was a playoff game. I was made aware of the positive test result on Oct. 19, at which point I had a conversation with the players association. I expressed to them that I have not done anything that could have possibly led to this test result. I told them that I promise you on anything that's ever meant anything to me in my life – the morals, the values, the virtues by which I've lived in my 28 years on this planet – I did not do this. I told them that I would be an open book. I opened up my life to them. I told them I would be more than happy and willing to take any and every test to prove that I did not do this.

You know, the entire process has really been frustrating for me. It's been an extremely difficult, challenging time in my life. But at the end of the day, I know the truth. My friends, family, teammates, Milwaukee Brewers organization and everybody who knows me knows the truth. At the point that I told the players association about the positive test, they told me that the test result was three times higher than any number in the history of drug testing. We've had this program

since, I believe, 2003 or 2004. I don't know how many tens of thousands of tests there have been. But the fact that there's a single number that's three times higher than any number in the history of drug testing made me question the validity of the result. At that point, I was able to prove to them through contemporaneously documented recordings that I literally didn't gain a single pound. When we're in Milwaukee we weigh in at least once or twice a week. I was able to prove that I literally didn't gain a single pound. Our times are recorded every time we run down the line, first to third, first to home. I literally didn't get one-tenth of a second faster. My workouts have been virtually the exact same for six years. I didn't get one percent stronger. I didn't work out any more often. I didn't have any additional power or any additional arm strength. All of those things are documented contemporaneously, and if anything had changed, I wouldn't be able to go back and pretend like it didn't change.

I initially took a humanistic approach and explained to them, 'I'm 27 years old, I'm just entering my prime, I have a contract guaranteed for nine more years. I've been tested 25 times over the course of my career, at least three times this season prior to this test, and an additional time when I signed my contract, including an extensive physical, blood test – everything you could imagine. I've never had any issue. There is no evidence to suggest otherwise, and they said, 'That's great, we believe you. In fact, the other side believes you. None of this makes any sense to anybody.' At that point they explained to me the way that the process works, and that the burden of proof falls on us to be able to prove objectively what caused the positive test result, or what could have went wrong during the process that could have possibly led to the positive test result.

So at that point, we start looking into the process. It states in the Joint Drug Prevention and Treatment program that all samples shall be taken immediately to FedEx on the day they're collected absent unusual circumstances. The reason that this is important, typically the only two people in the world who know whose sample it is are us, the donor, and the collector, who receives our urine samples. In my case there was an additional third person, the son of the collector, who just so happened to be the my chaperone on the day that I was tested. The day of

the test we had a 1 o'clock game. I provided my sample at about 4:30. There were two other players who provided their samples that day within 10 minutes of mine. The collector left the field at about 5 o'clock. There were at least five FedEx locations within five miles of the stadium that were open until 9 p.m. and an additional FedEx location that was open for 24 hours. There were upwards of 18 or 19 FedEx locations that were open between the ballpark and his house that he could have dropped the samples off at.

When FedEx received the samples, it then creates a chain of custody at the FedEx location where he eventually brought my sample to. It would have been stored in a temperature-controlled environment, and FedEx is used to handling clinical packaging. But most importantly, you then would become a number and no longer a name. So when we provide our samples, there is a number and no longer a name associated with the sample. That way there can't be any bias – whether it's with FedEx, while it's traveling, at the lab in Montreal, in any way – based on somebody's race, religion, ethnicity, what team they play for, whatever the case may be. As players, the confidentiality of this process is extremely important. It's always been extremely important, because the only way for the process to succeed is for the confidentiality and the chain of custody to work.

Why he didn't bring it in, I don't know. On the day that he did finally bring it in, FedEx opened at 7:30. Why didn't he bring it in until 1:30? I can't answer that question. Why was there zero documentation? What could have possibly happened to it during that 44-hour period? There were a lot of things that we learned about the collector, about the collection process, about the way that the entire thing worked that made us very concerned and very suspicious about what could have actually happened.

I want everybody to ask themselves this question: if you guys went to go get a physical, something you've done 20-25 other times in your life, and three weeks later and told you that you were terminally ill with a disease, and it made no sense to you. 'I feel perfectly fine, nothing's any

different than it's ever been, this doesn't make any sense,' and you look back at the process and you find out that your doctor decided to take your urine sample home for a 44-, 48-hour period, there's no documentation as to what happened. You don't know if he left it in the trunk of his car, you don't know where it could have been or what could have potentially happened to it during that period of time. I can assure you that you would never go back to that doctor, and you would demand a re-test.

When our samples get to the lab in Montreal, they literally handle them like it's a nuclear weapon. Everything is documented, everything is recorded. Anybody who enters the room where the samples are stored, their names are recorded, they sign for it, they write the time that they're there. The model of the refrigerator they're stored in is recorded, the temperature it's stored at is recorded. Every time they move it, it's all documented. Contemporaneously documented, and that's important, again, with what's at stake – our livelihoods, our integrity, everything we've ever worked for in our lives, it's extremely important that there isn't room for human error or systematic error.

We spoke to biochemists and scientists and we asked them, 'How difficult would it be to tamper with somebody's sample?' And their response was that, 'If they were motivated, it would be extremely easy.' Again, that's why it's so important to get it out of the hands of the only person in the world who knows whose sample it is. As soon as it gets to FedEx, they don't know whose sample it is. As soon as it gets to the lab, they don't know whose sample it is. That's why it's extremely important.

Ultimately, as I sit here today, the system worked because I am innocent, and I was able to prove my innocence. After today I look forward to returning my focus to the game of baseball, being able to get back with my teammates, allowing my life to return to some sense of normalcy and focusing on helping our team get back to the post-season.

I'll try to answer all of your questions, but please respect the fact that I can't get into many details

of the process because it's supposed to be confidential, and because of potential ongoing litigations and the fact that I am considering all my legal options. There may be some questions I can't answer.

Thank you. (Rosiack, Todd)

Braun begins his speech by thanking a large group of people. He thanks specific people such as the head of the Player's Association in addition to broad groups like his organization and fan base. While doing this, he is attempting to use their reputation to legitimize his position. He has been proven not guilty, however, he still needs to defend himself in the public sphere. By listing these various groups, he is saying that because they stand with him, the people watching

Suspension

2011: 50 game suspension for high testosterone levels (won appeal)

2013: 65 game suspension for connection to a biogenesis clinic and using PEDs (accepted suspension)

and listening with doubts should as well. He finishes his thank you message by appreciating their withheld judgment until his innocence was proven. In other words, Braun makes it so those that

trusted the process, would side with him.

He then positions himself as the victim through speaking of the great challenge this false accusation was for him. He does this to garner sympathy from the public. He further victimizes himself by reminding viewers that this was supposed to be a private matter. It was not meant to cause a distraction unless he was found guilty. By doing this, he also potentially makes the breach of privacy the aggressor and the villain of his situation. Thus, in actuality, the public should be unaware of his flagged test. Braun delves into the idea that he relished the opportunity

to prove himself and show his honor, integrity, class, dignity, and professionalism through this horrible process and show how his handling of this situation backs his personality claims.

He then appeals to past behavior as well as how he would have reacted had he cheated. He says that he would be the first one to step up and admit his wrongdoing if he had done anything wrong. This further asserts that he is a man of strong moral character. He then wagers his life, a useless claim that helps him drive home his innocence, that the banned substance had never entered his body “at any point.”

In hindsight, knowing that he failed the drug test due to taking PEDs, we know that he won his case through a loophole. As a result, he uses the next segment of his speech to validate why he is avoiding so many details and why this should not alarm the public. He claims to respect baseball too much to cheat it. It is this very respect for the game that prevents him from detailing the process to prove his innocence and he remains quiet on the subject. This kept in mind the best interest of the sport (according to Braun). So again, Braun positions himself as a martyr that puts the best interest of baseball in front of his desire to tell the “truth” to the public. He plays into the idea that he is the victim again, by saying that he has wanted to tell everyone his side of the story and attack the very people attacking him the whole time. However, it was his strong character that prevented that, as he positions the needs of baseball over his own. He put baseball first. This is his reasoning for not explaining how the test came back positive.

Braun proclaims that he could not imagine ever being in this position because he never would do a morally gray act. He appeals to faith or a higher power by saying that everything in life happens for a reason and that although he does not know why he has been placed in this situation (again acting surprised and caught off guard by the failed test), he trusts that it has a higher purpose in his life. Therefore, he plays into this situation as having divine influence to

prove his character and test his ability to handle challenges.

Clearly, Braun uses his situation to stand up for all that is right. This way, he deflects from his actions and projects himself a martyr for the cause of all innocent people wrongly accused. His situation was for everybody in baseball, past, future, and current. He literally says, “Today isn’t about me,” while at a press conference to address his failed test.

Braun attempts to delegitimize those who opposed him throughout the appeal process. His claim frames him as the only one with integrity; who respected the process while his opposition and the public were the ones at fault. He then uses other medical aspects of his life to further the idea that he would not put a PED in his body. He randomly links the idea that he has never had a personal medical issue or an STD (without providing evidence to either), as a defense for him not taking illegal drugs. He finishes his claims of delegitimizing his opposition and proving himself a man of pristine medical track record, by saying the people who erroneously covered this story did so for other motives inferring ratings and public relations. He further says that they plan to leak more false information. Perhaps Braun does this as a way to make the public skeptical regarding the facts that will soon come out about how he won his appeal. He does this knowing that he never proved that his testosterone levels were not higher than normal, but rather, that the person in charge of the test did not abide by protocol.

Now referencing specifics of the case and describing the process itself, Braun says that the entire system is broken and asserts that it is un-American the way it is operating now. Only because the truth was on his side was he able to win. He feels players are held to impossible standards for testing, but the testers themselves are not held to any. This is his way of admitting that he won the case due to missed regulations.

Finally, Braun delves into actual dates and specific events. He walks his audience

through his timeline, where he claims he was completely caught off guard, and knew he was innocent from the start. He refers to his code of ethics that he claims to have abided by his entire life, as his defense at the time. He also plays into the idea that he was more than willing to accommodate MLB in anyway throughout the process, even through opening up his life to them and taking more tests at their request.

Braun now had to address information regarding how his testosterone levels were so high – the highest, in fact, since the testing had been implemented by three times. He uses his blatant cheating at historical levels, as a way to show the information is false. *How could the numbers be this high, it is unnatural?* As we later discovered, he was juicing and at levels never seen before. He uses his weight as a consistent measure to prove that he could not take any substances. If he did not gain weight, how could he be taking PEDs? He then refers to his speed and weight-lifting ability as evidence for his consistency. What he neglects to mention, is that the consistent aspect could be the drug he is taking. Rather than the issue being that Braun cheated tests until a certain point, it was that the one test was flawed.

He explains how he attempted to reason with MLB, further illustrating that he was an open book throughout the process. He gives evidence why someone in his position would not use PEDs, listing that he had passed 25 tests prior (including three that season), he is young, entering his prime, and is guaranteed a nine-year contract, which included getting a complete physical and blood work. Braun asserts that MLB officials believed him, saying they thought of him as innocent as well, but had to go through protocol. If the accuser is saying they do not really believe the test was correct, how could the public? No MLB official ever publicly stood by his claims through a statement, or otherwise.

Braun states fact by fact what was breached in the Joint Drug Prevention and Treatment

program, identifying to the public how they mishandled his sample. This further illustrates the idea that his test was tampered with. While doing so, he aggressively targets a FedEx employee who delivered the sample late (the loophole that prevented a guilty verdict). By scapegoating this random person, he deflects all blame off himself and claims this is the source of the investigation. This man would lose his job.

Appealing to authority is a solid strategy to use when attempting to gain public sympathy and make doubters believe you. Braun refers to biochemists and scientists that he and his team spoke with to prove how easy it would be to tamper with a sample. He then reverts focus to the season ahead and says he plans to move on. He is about to answer questions from reporters, so he uses the excuse that there is on-going litigation and possible legal battles for him, so he may not be able to answer everything. This excuse works perfectly as a way to avoid speaking on the details of the case, or anything else he is uncomfortable answering, while keeping the shield of innocence in front of him.

Braun turns a press conference, addressing his successful appeal of a failed drug test, into a social statement on the fairness of the MLB judicial system. He claims the process in place now is broken and unfair. He also speaks to all innocent falsely accused people and says that his experience should serve as an example of how to handle those situations and prove innocence. The audience is very aware of Braun and his career to this point. From the outsider watching, it makes no sense why he would take steroids. He lists the reasons why in his speech (age, contract, size, etc.). He plays into this idea, that the previous knowledge and identity people had assigned Braun should hold up now, and the failed test was due to tampering. His “clean” image is something he tries to visualize for his audience again here and prove that that image is still intact. He plays into the idea that he is a martyr being tested by a higher power. He attacks a FedEx

employee and the process itself, in addition to the media who he blasts for leaking information that was meant to remain quiet. He frames the situation as these different groups victimized him and it was the truth that led to the point he was at today – without punishment. Braun chooses to stand behind a podium, perhaps to signify the importance of his speech and to give him the appearance of authority and truth for his audience. He did not move around, possibly in an attempt to reflect the serious nature of the speech. Interestingly, he did it on a baseball field rather than the media room, this is in sync with his message: that he just wants to put this behind him and get back to baseball. He also frames his current situation as an on-going effort. He claims to want to explore legal options. Due to this, Braun says he may not be able to answer all the questions, limiting what is required of his answers to the media. It was an asset for this speech, that he was able to win his case. He was proven innocent, although through a loophole. However, it is a liability that he was not able to prove how the test came back with such high testosterone levels; only that it must have been tampered with when the FedEx employee broke protocol.

While the media actually in attendance was not making a statement regarding Braun's speech by being there, members of the Brewers organization that were present were making the statement that they stand with Braun and his innocence. They agree with his message by being there. Being shown on television and online as well, the audience was making the statement that Braun's situation was newsworthy, and that they may be willing to give him a chance depending on what he says in his broken silence. The audience is certainly a rhetorical one, as they can implement the change that Braun is requesting immediately. With most people in attendance the media and most people watching fans, if Braun were successful in his attempt at convincing his audience of his character and innocence, his image would be restored – which was the purpose

for his press conference. Braun capitalizes on the ties he has with the audience and he consistently appealed to their commonalities throughout his speech. This creates sympathy and compassion. He did this through saying he was speaking for all victims, as well as all players, and the people that stood up for him along the way. What previous personal or philosophical commitments has the audience made that may affect their responses to the speaker? For much of the audience, PED speeches were getting old and tired. Drugs have dragged down baseball more than any sport in recent years in the United States. There has been a commitment at this point by fans and the media alike to scourge cheaters and make sure they are held accountable for their actions. Braun tries to dispel any negative reaction by inferring the test had been tampered with, and that the loophole he won his case with, was because of others' actions, not his own. He says it himself, the system he had to go through made him guilty until innocent. That affects the audience he spoke to and how they approached listening to him. With all of the leaked information Braun refers to, there is an idea that he is guilty until proven innocent. While he was not found guilty, the reason why was not because they could prove how the testosterone levels increased. That question was still out there. As a result, the audience knows that he was not able to prove tampering, just that protocol was breached. This clearly inhibited his success in the speech. Coming out of the steroid era, fans may be jaded to the idea that Braun was being honest there. That instinct turned out to be correct, when it was later discovered that he did in fact cheat.

The topic of steroids in baseball is always a heated debate with many opinions. Braun discussing this matter is not a social statement, but rather, a defense against opinionated media and fans. The topic is largely volatile, as the public is highly polarized on the issue. Is it cheating? Does it make the game more fun? Is he innocent? Is he guilty? These are the major questions surrounding his speech and strong opinions pose as a challenge for Braun. The topic is

not particularly complex. PEDs are illegal. Braun's sample tested positive for testosterone levels far above the legal limit. He won the case due to a handling loophole. It is pretty clear, however, Braun does his best to "muddy the water" in an attempt to throw his audience off, or confuse them, to make it seem like a far more complicated issue than it actually is. The less people understand, the better for Braun, who was one of the only people that knew he did, in fact, cheat. In the past, many players have failed to restore their image when confronted with a PED accusation, even when there is nothing but hearsay against them. Braun must have a unique approach and learn from mistakes from past players who have been in a similar situation. It is risky to do a live statement rather than release something online because how you deliver the message may inhibit the speaker's ability to convince his audience of his innocence. At the same time, doing a live press conference where he directly addresses the media and fans is a good opportunity for Braun to look confident and sure of his abilities.

The speech is a direct counterstatement to all of the publicity the case received. While it was supposed to be kept a secret, the story was leaked and covered immensely by the media. This speech was meant to be the opposition to those statements and prove his innocence. He remained quiet through the process, but when he was found not guilty, he decided to do this press conference as a way to share his side of the story. But not speaking at all on the matter beforehand, it expanded his persuasive possibilities because he was not beholden to something he may have said earlier or out of anger. Braun had the attention of all those watching, there was not heckling interrupting him or anything along those lines. However, he did stay to answer media questions afterward, which poses as competition to his narrative. Braun knows that he did, in fact, cheat. He seems to disregard this in his response and claim complete innocence. The next speech we will look at is his response when he is caught. It shows how this speech hurt his

legacy and image more in the long run.

Having the speech on the spring training field for the Milwaukee Brewers brings a new dimension to the communication. Braun wants to turn the focus to playing baseball over worrying about this fiasco, and he wants people watching him to do the same. He did not perform this speech in a press room, so this was clearly a calculated location where he wanted to address people from. The weather could have posed an issue with his plan, but besides a little wind it was clear and effective. Interestingly, he also addressed the crowd in regular clothes rather than in uniform, perhaps to show his humanity and relate him to the crowd. If he knew what was to come, Braun would have never said pretty much anything he did in that speech. So it should have affected what he said, but unfortunately for him, it did not.

By doing a live press conference, Braun is enhancing his message. He stayed quiet throughout the case, but now wants to use this time to humanize himself and make people relate to him. If he can do that and frame himself as a victim and martyr, it enhances his message. He can only truly create this lens through a spoken message, directed at the media and fans – the groups he seeks to win over in his speech. The size of the audience and location where he performed does deny rhetorical possibilities. It is a broad enough audience that he cannot specifically tailor his speech to one type of crowd, but rather, Braun needs to appeal to the masses through one message for all. While sponsorships were not an issue with the medium at all, how persuasive Braun was, did affect later sponsorship offers.

Perhaps one of the reasons that Braun spoke on the field rather than in the media room was due to the advertisements in the backdrop, which may have caused a distraction or made the issue seem less severe. Performing the speech outside, in regular clothes, with nobody on screen besides himself, took away distractions and humanized Braun to his audience. The medium can

be persuasive also, because it represents what Braun's message was: that he wanted to move on and play baseball. What better symbolizes this message than a baseball field? Because of his medium, there were a variety of sub-audiences. While the intimate group was family, friends, his organization, and the media, through broadcasting, anybody could have watched his speech and judged his message. This was also an intentional move as he tried to approach the subject once, say what he wanted to say, and then never address the issue again.

Braun defends that he took no banned substances and complied with MLB in every possible way. At the same time, he claims the system is broken and needs to be repaired for players to have a fair chance. Through attempting to say that MLB officials agreed with his position and believed his innocence, he is, in fact, saying he is better than other players accused of the same crime. Braun tries to get his audience to believe that his accusers even believe in his character. By doing this, he can then say that by following protocol, even though he had every reason not to, he did his part as a player – seeking no different or special treatment. He pleads time and time again that he is a man of strong morals, he cites other instances in his life and attempts to de-legitimize the accusations and failed test by building up his “resume,” so to speak. In this instance, rather than a country or town, Braun is in the context of baseball. He claims that he wants his situation to be a learning experience for the entire baseball community, and hopes that everyone can learn from how he handled the process, and make the changes he seeks from his audience.

Chapter 4

The Hebrew Hammer: Part Two

Just over a year after Braun went on the attack and won his innocence back, one of the oddest twists in MLB history occurred. An investigation into Anthony Bosch and his store for supplements created even more evidence that Braun had “juiced.” In a scandal that would be referred to as Biogenesis (after what Bosch claimed the store was for), documents with Braun’s name next to banned substances, interviews, and evidence collection from MLB, had enough proof to force Braun into accepting a 75-game suspension – with no appeal. Not only had Braun cheated in that 2011 year, the positive test that he adamantly fought was right all along. In his defense, he went into a hard attack on the person in charge of holding the sample, which cost him his job. This was a messy situation that was unprecedented in MLB history. This would call for an apology – which is exactly what Braun did. Below is his apologetic speech and it is interesting to look at, due to his technique defending himself in the past. Rather than go through a legal battle, Braun met with MLB officials and admitted cheating. He accepted a 75-game suspension and released this statement.

Now that the initial MLB investigation is over, I want to apologize for my actions and provide a more specific account of what I did and why I deserved to be suspended. I have no one to blame but myself. I know that over the last year and a half I made some serious mistakes, both in the information I failed to share during my arbitration hearing and the comments I made to the press afterwards. I have disappointed the people closest to me -- the ones who fought for me because

they truly believed me all along. I kept the truth from everyone. For a long time, I was in denial and convinced myself that I had not done anything wrong.

It is important that people understand that I did not share details of what happened with anyone until recently. My family, my teammates, the Brewers organization, my friends, agents and advisors had no knowledge of these facts, and no one should be blamed but me. Those who put their necks out for me have been embarrassed by my behavior. I don't have the words to express how sorry I am for that.

Here is what happened. During the latter part of the 2011 season, I was dealing with a nagging injury and I turned to products for a short period of time that I shouldn't have used. The products were a cream and a lozenge which I was told could help expedite my rehabilitation. It was a huge mistake for which I am deeply ashamed and I compounded the situation by not admitting my mistakes immediately.

I deeply regret many of the things I said at the press conference after the arbitrator's decision in February 2012. At that time, I still didn't want to believe that I had used a banned substance. I think a combination of feeling self-righteous and having a lot of unjustified anger led me to react the way I did. I felt wronged and attacked, but looking back now, I was the one who was wrong. I am beyond embarrassed that I said what I thought I needed to say to defend my clouded vision of reality. I am just starting the process of trying to understand why I responded the way I did, which I continue to regret. There is no excuse for any of this.

For too long during this process, I convinced myself that I had not done anything wrong. After my interview with MLB in late June of this year, I came to the realization that it was time to come to grips with the truth. I was never presented with baseball's evidence against me, but I didn't need to be, because I knew what I had done. I realized the magnitude of my poor decisions and finally focused on dealing with the realities of-and the punishment for-my actions.

I requested a second meeting with (MLB) to acknowledge my violation of the drug policy and to engage in discussions about appropriate punishment for my actions. By coming forward when I did and waiving my right to appeal any sanctions that were going to be imposed, I knew I was making the correct decision and taking the first step in the right direction. It was important to me to begin my suspension immediately to minimize the burden on everyone I had so negatively affected -- my teammates, the entire Brewers organization, the fans and all of MLB. There has been plenty of rumor and speculation about my situation, and I am aware that my admission may result in additional attacks and accusations from others.

I love the great game of baseball and I am very sorry for any damage done to the game. I have privately expressed my apologies to Commissioner Selig and Rob Manfred of MLB and to Michael Weiner and his staff at the Players' Association. I'm very grateful for the support I've received from them. I sincerely apologize to everybody involved in the arbitration process, including the collector, Dino Laurenzi, Jr. I feel terrible that I put my teammates in a position where they were asked some very difficult and uncomfortable questions. One of my primary goals is to make amends with them.

I understand it's a blessing and a tremendous honor to play this game at the major league level. I also understand the intensity of the disappointment from teammates, fans, and other players. When it comes to both my actions and my words, I made some very serious mistakes and I can only ask for the forgiveness of everyone I let down. I will never make the same errors again and I intend to share the lessons I learned with others so they don't repeat my mistakes. Moving forward, I want to be part of the solution and no longer part of the problem.

I support baseball's Joint Drug Treatment and Prevention Program and the importance of cleaning up the game. What I did goes against everything I have always valued -- achieving through hard work and dedication, and being honest both on and off the field. I also understand that I will now

have to work very, very hard to begin to earn back people's trust and support. I am dedicated to making amends and to earning back the trust of my teammates, the fans, the entire Brewers' organization, my sponsors, advisors and from MLB. I am hopeful that I can earn back the trust from those who I have disappointed and those who are willing to give me the opportunity. I am deeply sorry for my actions, and I apologize to everyone who has been adversely affected by them.
(USAToday)

The discourse Braun delivers here is not just for apologizing doping, but also an apology for the speech he gave claiming innocence when he won his appeal. Because of this, it makes the apology completely unique, as he cannot do a “cookie-cutter” PED apology. He begins right off the bat by taking full ownership of his mistakes. Interestingly, he put all focus on himself initially and goes on to explicitly state how wrong he was for his previous press conference just over a year earlier. This is in direct contrast to what he did in that previous speech, however, where he tried to make the case a symbol for all players. In the end, he seemingly undoes his acceptance of his behavior by saying he was in denial himself and fully believed he had done nothing wrong. So is he taking full responsibility, or saying he was correct from a certain point of view?

In his next part, he emphasizes that nobody close to him knew what the truth was. All of the people he thanked for standing by him in the previous statement, were now exonerated from any blame coming from Braun. This is an interesting tactic because it makes the speech seem more genuine and thought out that he would single out the same people he did before, to let them and his audience know that they were duped and left in the dark as well. He understands that people stood up for him and put their image on the line for him and he let them down.

After a few short remarks, Braun delves into details – but interestingly, he uses a similar excuse to past drug offenders, which is of course, is not taking full responsibility. He explains

that he only used illegal enhancers to stop an injury in the latter part of one season. He explains that he used products that someone told him would expedite his rehabilitation. This is a common tactic that is frequently used by steroid abusers. Isolate the incident (latter part of one season), give a particular reason for juicing (injury), have a mysterious figure tell you it helps the healing process (“which I was told”). This is seen in many basic defenses for people admitting PED use, from Andy Pettitte, to Barry Bonds, to Alex Rodriguez. I do not believe he is telling the full truth here (especially due to his statistics dropping significantly since being caught).

Braun then moves to directly address the previous press conference, which looking back, is a wildly humongous blunder and one of the main reasons he has not been forgiven as many drug abusers have been. His excuse for particularly inexcusable behavior, was that he, at the time, felt like he was telling the truth. I do not know how he came up with this strategy, but one cannot take full responsibility and then claim they felt their message was true, when it was a blatant lie. Braun blames self-righteousness, unjustified anger, and the feeling of being attacked as the reasoning behind his response to performance enhancement accusations. He does mention his embarrassment at the speech, but says his vision of reality was clouded. Braun claims to want to look deeper into his thought process to understand how he could have made such a mistake. He says there is no excuse, yet has just finished a few minutes of speaking about his excuses.

Braun now must discuss his meeting with MLB: where he accepts a suspension with no appeal. He makes it clear that he was backed into a corner to admit he cheated when he attended the meeting. He “came to the realization” that he had to come to terms with the truth, only after understanding there was no loophole out of this situation as he had done before. He also claims he did not need to see the evidence MLB had piled up against him, as he already knew what he had done. So his actions were not clouded then? He is very inconsistent with his thought because

he does not want to come out and say, “I cheated, I knew I cheated all along, and I am only sorry for getting caught.” His words do carry some truth however, as he did not fight the suspension, he accepted it, and moved on. A smarter move, knowing that he had cheated and likely had cheated more than the league even knew. It is better to accept the punishment because it allows the player to control how much the public knows of his drug abuse.

Braun then takes an interesting approach to make himself look like a martyr and a team player. He says that his decision not to appeal the large 75-game suspension was to expedite his punishment to soften the effect on his organization, his teammates, and the fans. He then tries to discredit future attacks on his character, by claiming he is aware stories will be thrown around in the public sphere as a follow up to his apology. He calls them accusations in an attempt to delegitimize the truth that may be shared in the coming weeks.

Apologizing to specific people makes the speech more personal. He singles out the Commissioner and the staff of the Players Association, but also, specifically apologizes to the collector from FedEx and refers to his name. This is his only mention of the man who he got fired from his position.

Braun vows to honor the game and says he understands the frustration and disappointment he brought people. He will not make the same errors again and wants to be viewed at as part of the solution rather than part of the problem in the future. He will not repeat his mistakes. This is interesting because it is also a common defense to ask for the audience judge from this point forward, rather than on past decisions. Braun makes it clear that he wants all of MLB to think of him as someone who can create positive change in this aspect of baseball.

In the conclusion of his statement, Braun makes claims of supporting the Drug Agreement and Prevention Program, which strives to clean up baseball of drugs. He also

mentions that this blunder and cheating was not indicative of his character, but more so, a fluke in an otherwise honest and moral life. Cheating went against his values. Braun says he is committed to working hard at making amends and earning his trust back. He concludes his speech with one last, all-encompassing, apology. In an unusual situation not seen before in MLB, it was interesting that Braun “stuck to the script” so much in using the typical strategy of defense. This perhaps, is why the public has not fully embraced Braun and he still has a stigma around him.

While this is far less of a social statement than his previous speech, Braun still tries to use his story as a cautionary tell. He downplays the amount he did cheat, but at the same time, hopes to be a force of change for drug abuse in baseball. The audience in this case is very knowledgeable of Braun and his past statements. They know what to expect from this statement. He has built a web of lies that makes the audience against him from the start. His brutal attacks and lying to the face of the people he would now apologize to, make this an odd situation. It made more sense for a statement to be released (as he did), rather than a press conference that would force him in front of the spotlight. Braun tries to frame the situation to make him victim of himself and his clouded and poor judgment. He acts like he has “seen the light” and understands what he has done. Braun attacks past decisions and confronts the very things he said in his first speech. Here, he plays into the idea that he may be the victim of future rumors due to his past transgressions, then he infers they will not be true. He does not deliver these statements while speaking, but rather, just as a released written statement online. This restricts human issues that can arise from an in-person apology and also, for the time being, limits the questions he is soon to face. It also keeps his apology to a strict script, where he cannot forget something or not look sincere. He limits what can be said through the medium of the statement. By doing this, Braun can control

the topic and make sure his exact message is going to the audience, without other audience interference, through questions or interruptions. A unique liability here, is how strongly he defended his character and how much he attacked innocent people. He literally got an employee fired and accused them of tampering with his sample when he knew all along he had taken PEDs. He was so aggressive in his defense that he now has an interesting relationship with the audience. He does not have people defending him this time; those who defended him last time are angry.

There is no statement by the audience here, because it was a released statement rather than a direct speech. The reason the audience would read it, is to see what excuse he comes up with, as there is no denying cheating this time. The adamant denial also makes many of the audience members and readers angry. The audience can choose to accept his apology, however, and judge him on future actions as he suggests. If he was completely successful in his persuasion, this would be a possibility, however human nature does not forgive and forget that easily. Through his previous reaction and speech, Braun cannot fall back on his relationships to help him. Many of his defenders lost credibility and respect, while the rest of them were skeptical from the start. Braun says he hid the truth from those close to him and issues a special apology to those people, but the common ties between them are only baseball, as personal relationships have been ruined. Much of the audience is going into reading the statement already committed to not liking or respecting Braun and what he has to say. His last speech has ruined most relationships Braun had with his audience. So even if Braun is completely genuine, the audience will not be as accepting due to his past remarks. The audience has been confronted with the Biogenesis Scandal and many of their favorite players are in the midst of investigation. The fans are angry, Braun's organization is angry, the press is looking for interesting stories. That is a bad combination for

Braun, who now seeks sympathy and a second chance.

The topic has become socially acceptable in baseball. Unfortunately, situations like this have been somewhat frequent. His response can serve as a significant social statement, although Braun stays basic and conforming. This is an extraordinarily volatile topic; however, the polarization is less so than other PED instances. Here, Braun went on the complete attack of anybody who doubted him and patted himself on the back for his morality. Because of this and his response to previous accusations, most of the audience agrees that Braun is wrong and was overly arrogant. It is a multi-layered topic that Braun intentionally clouded to help his case earlier. Not only is he apologizing for cheating, but also now for lying and attacking those who opposed him. It cannot be reasonably discussed with an audience, which is why he determined to make it a released statement rather than a press conference. This controls the setting by keeping it non-existent. Due to the severity of his attacks and the truth that has since been released, Braun must be extra-certain and genuine that his message seems real and his future seems moral. He cannot be brash or negate rumors, because he has already accepted the suspension at this point. He can only accept his actions and/or make excuses for them – both strategies he attempts to use. Braun needs to come across as sorry and understanding that he was completely out of line in his response prior. By releasing a statement, it can come across as less genuine and less personal than apologies tend to be. He also makes the decision to release a statement rather than perform one, because it creates less news and keeps him more in the background as other players also involved in the scandal are put into similar situations. Giving a speech also creates sound bites and video footage of him, which backfired the last time he did a public performance. His remarks are less brash through the context of reading.

This statement is a complete counterstatement to his previous press conference. With new

evidence, and an accepted suspension, it made the entire message of his previous speech completely incorrect, which this statement looks to improve on. He devotes time here to directly counter what he said prior. Braun is completely limited in his persuasive ability with his audience due to his past remarks. He has been proven unreliable and not trustworthy to his audience, so the people he is addressing here will already not believe entirely what he says. Excuses aside, Braun tries to somewhat claim ownership over his actions, but how much people believe his PED use was limited, is largely different from person to person. He has proven to be a liar and seem genuine, so to convince his whole audience to trust him will not happen. Braun is expecting to have other negative stories released. He attempts to delegitimize them by referring to them as accusations and frames the people who will release them as capitalizing on the negative news surrounding him already. He is anticipating major backlash and is trying to limit what the audience will believe in the coming weeks by delegitimizing his soon-to-be attackers.

While the decision to release a statement rather than speak directly to an audience has positive attributes, it also has negative effects. It can be a good decision, because it limits media attention as much as possible and makes sure what Braun wants to be said is going out with no other indicators forming public opinion except for the words. It is a negative strategy because it can come off as not genuine and possible avoidance of confronting his mistakes. The audience is the same as it would be for a speech, so the size of the audience is the same as the first speech. The platform elected seems to be intentionally a divider between Braun's personality and his audience. This has the potential to make his message stronger after facing an audience and lying to them his previous address. There is a large body of people reading his statement. His organization, the league, the fans, his friends and family, etc. As a result of his fame, there are a variety of sub-audiences each looking at their own particular interests as it pertains to what

Braun says here.

Braun says that at the time he felt he was right. This frames his apology as being for clouded judgment – not cheating. So technically, at the time, he felt he was following the law. This is the goal of his statements, to get his audience to believe this narrative. *He* claims that he accepted the suspension to make the lives of those around him easier. *He* makes it clear that he respects the judgment of his critics and allies. *He* makes this statement his coming clean. *He* acts like he is being entirely honest and giving a real account of what happened. How much is true, the audience does not know, but Braun makes the case he is morally sound and had one incident that he did not fully understand until now. Braun claims he wants to help baseball with the PED issue moving forward and act as a cautionary tale. By doing this, he can help a future generation of players make better decisions than he did.

Chapter 5

Lights Out in Queens

Playing for a New York team always places a special spotlight on a player. New York City especially loves their young stars, and with the Mets looking like an up and coming team, their young closer was receiving a lot of praise. Jenrry Mejia looked to be adjusting to the role of the bullpen ace with ease, but he hit his first

Jenrry Mejía

speed bump early in the 2015 season. He tested positive for PEDs. He did not deny a positive test, but he did, however, claim to not know how the drug he tested positive for, stanozolol, ended up in his system.

- *New York Mets*
- *Pitcher (Closer)*
- *28 saves at 24 years old*
- *98 strikeouts in 93 2/3 innings pitched in 2014*

He would again fail a test, this time with no comment (Deadspin). The silence of the matter is communication unto itself. Interestingly, after failing another drug test, he would go on to fail a third, which causes a lifetime ban from MLB. He stuck by the same defense and will have to wait before he can plead his case to the Commissioner for reinstatement. This chapter will delve into all three instances of communication from each failed test and his response to the suspensions handed out by MLB. By combined analysis, it allows comparison directly and shows a common thread between the statements. Additionally, with his smaller scale (or more broken up) comments, viewing the statements together is better suited for a rhetorical analysis of

his communicative approach to dealing with PED suspensions.

Suspension One Statement (80 Games):

I know the rules are the rules and I will accept my punishment, but I can honestly say I have no idea how a banned substance ended up in my system.

I have been through a lot in my young career and missed time due to injury. I have worked way too hard to come back and get to where I am, so I would never knowingly put anything in my body that I thought could hold me out further.

I'm sorry to the Mets organization, my teammates and the fans, as well as my family.

In life, I know God puts certain obstacles in your path and this is something else I know I will overcome. (Lacques, Gabe)

Suspension Two Statement (162 Games):

No statement will be coming from Jenrry Mejia. (Draper, Kevin)

Suspension Three Statement and Article (Lifetime Ban):

Jenrry Mejia, the Mets pitcher who was permanently barred from baseball after three failed doping tests, says that he was the victim of a witch hunt by Major League Baseball and that the players' union did not properly advocate on his behalf.

Baseball's drug-testing program, which is jointly administered with the players' union, caught Mejia using anabolic steroids three times. He was penalized twice in 2015, then received the permanent suspension last month.

But Mejia, 26, said in an interview Thursday that he was guilty only of the first doping offense. After the second positive test, which Mejia said was inaccurate, he was pressured by Major League Baseball officials to share information about his doping connections, he said.

Mejia said that baseball officials told him that if he appealed the punishment for the second doping offense, “they will find a way to find a third positive,” Mejia, who is from the Dominican Republic, said through an interpreter. “I felt there was a conspiracy against me. I feel that they were trying to find something to bring me down in my career.”

Baseball officials denied making any such threats. “No one at M.L.B. or representing M.L.B. has met with Mejia regarding any of these drug violations,” Pat Courtney, a league spokesman, said.

The players’ union and Mejia’s agent, Peter Greenberg, declined to comment, citing confidentiality provisions in baseball’s drug-testing policy.

Baseball’s antidoping protocols allow for Mejia to apply for reinstatement after a year, in 2017. But the minimum penalty is two years, so regardless of Commissioner Rob Manfred’s decision, Mejia would not be eligible to play again until 2018.

His hopes of reinstatement will probably not be helped by his claims that Major League Baseball fabricated a positive drug test to get him out of the sport.

Mejia also said that he asked the players’ union for help, but representatives told him there were no grounds for an appeal.

“The association should have done more,” Mejia said, adding that he thought the union “should have been there to defend me — because that’s what they’re there for. They should have found

something to appeal for...

But then came 2015 and the onset of his positive drug tests. Although he now admits taking an illegal substance in the first instance, he did not at the time.

And the substances he tested positive for have long been easy to detect in a urine sample. Two of his positive tests involved boldenone, a steroid that has been used in horse racing...

Mejia has retained a lawyer, Vincent White, who specializes in labor disputes.

White said he was unsure what, if any, legal avenues Mejia would pursue. "For us, this is a collective bargaining issue, this is a labor issue, this is an employer who we see perhaps overstepping," White said.

Mejia said he had no regrets. "I wouldn't change a thing," he said. "If the situation was meant to happen, then it was meant to happen. If God wanted it that way, it's going to happen."

He added: "All you have to do is admit your guilt when you are guilty. And stay positive when you're not. (Berkon, Ben)

After Mejia's first suspension, he goes into a communicative strategy of deploying partial denial. He claims to know the rules and accept the punishment; however, he does not know how the banned substances entered his body. This is an interesting approach because he does not deny using the PEDs, but rather, denies intentionally cheating the game. This is typical of those who admit to having taken the banned substances, but he does not make mention of that. He says he did not take anything illegal, but at the same time, says he does not know how he tested positive

and will accept his punishment.

He mentions injuries holding him back in his career. While not being explicit, Mejia is clearly hinting that he has an excuse waiting if there is more proof against him released. He

Suspensions

2015: 80 game suspension for stanazolol

2015: 162 game suspension for stanazolol and boldenone

2016: Lifetime ban for boldenone (3 failed tests for anabolic steroids)

somewhat distracts from this common

PED excuse to tell his audience that he

worked too hard to come back (from the

injury to be accused of PEDs), and

would never knowingly take illegal

substances. In his wording he says,

“that could hold me out further.” This is

an odd statement because doping typically helps players recover quicker, not slower. It is almost as if he is creating a loophole for himself to avoid a Ryan Braun-type embarrassment if he is caught later on with more incriminating evidence.

Interestingly, Mejia apologizes to his team, the New York Mets, family, friends, and fans without saying what he is apologizing for. He never admits to cheating, but he also never explicitly says he did not cheat. A vague apology would not seem logical if he was innocent. Could he have accidentally taken illegal substances that he now knows were illegal? Possibly, but it seems unlikely.

Mejia finishes his online statement by citing God and the obstacles he places for people to overcome. A call to religion or a higher being by a player is often used to show they are men of morals and faith – this is a test from a higher calling.

A few games back from his suspension, Mejia was caught once more, this time with a test taken while he served his suspension. It is odd that a player knowingly under watch would

continue to use drugs. Could it actually be accidental? Is he careless with his supplements? Is there a mistake? For this to occur shows recklessness from Mejia and those advising him regardless. In this situation, he released no statement on the matter and quietly served his suspension – this time for an entire season. But this would not be the last we would hear from Mejia.

In this case, Mejia had no formal press conference or released statement, but rather spoke directly to members of the media. Looking at Ben Berkan's *New York Times* article paints a clear message of the communication that Mejia wanted his audience to see and his rhetorical strategy from this point.

Mejia comes out firing at MLB saying he is the victim of a witch-hunt. He also comes out to attack the Players' Union, claiming they did not properly act on his behalf. Keeping in mind that he has now a lifetime suspension, how could this not be the strategy he implements? His only chance is to attack the people who represented him throughout the appeals he lost and the organization that banned him. Admitting now that he cheated is too late; he would already have to serve a lifetime ban.

He comes forward to admit now that for the first offense, he was guilty - a move his advisors and attorneys likely agreed he should do. He now argues, after remaining silent, that the second doping punishment was unjust, and MLB tried to use this suspension to get him to give them information about his doping connections. This is a heavy accusation that without any legitimate proof becomes "he-said she-said," and MLB would likely win that battle.

Mejia argues that MLB officials said that if he appealed the second suspension, they would make sure he gets a third. This attack justifies his silence and acceptance of his second suspension. He feels there was a conspiracy behind his two follow-up suspensions. With his

message being relayed from an interpreter, the translation may make his message a bit altered, but these are heavy accusations against the league.

MLB promptly denied making any of the threats Mejia claims; they even go as far to say that they never even had any meetings with the young relief pitcher for the Mets. Mejia's agent declined to comment due to confidentiality provisions in baseball's drug-testing policy.

Interesting that Mejia would not be held to the same restriction as his agent. This could be so the agent is not held accountable for what is likely Mejia lying, as a last-ditch effort to get back into the league.

When Mejia went to the Players Association for help he was told there were no ground for an appeal: a response that likely led to Mejia's disparaging comments about them not doing a good job protecting him. He makes it clear that the Union should have found anything Mejia could use as a defense.

Mejia's initial denial adds an interesting layer to his case, as he now concedes he was doping for his first positive test. Also, as an interesting note, the steroid involved in this case is extremely easy to detect. Either Mejia is right about the conspiracy, or he is an uneducated or careless cheater.

Mejia hired an attorney, Vincent White, who specialized in labor disputes. This means that moving forward, he plans to fight for reinstatement in 2018 - when he is eligible to. White has commented that the legal avenues for Mejia are foggy and does not seem confident he has any grounds to win his reinstatement. This could signal that Mejia does not have enough evidence to prove he was blackmailed, or that the conspiracy is just that, a falsehood. White's plan now is to frame Mejia's situation as an employer overstepping their power.

To salvage fans and image, Mejia claims he would not change a thing. He says it is all

God's plan. This is a similar approach to what he used in his first defense, where speaking of God was a way to show his morality and faith. Mejia says to admit when you are guilty or stay positive when you are not – not making it clear which path he is going to follow. This ambiguous finish to his strategy and attitude summarizes his defense all along: make statements but do not commit too strongly to them.

The statement delivered by Mejia is that he understands the rules, he understands the test results, he does not deny juicing, but he did not knowingly cheat. His social statement is not strong and he makes no attempts at sweeping change of policy. He does not make strong claims defending his character. This is perhaps, as we later learn, because he did take steroids. Even through his eyes, he deserved the suspension. Much of the audience is loosely familiar with Mejia and his background. He is a young, un-established pitcher and fans and media alike know very little about how he is off the field. The knowledge that the audience does have, however, is how players caught cheating have handled this situation in the past. The audience can judge him and his message by the communicative choices he made. Due to the audience's past relationships with PED users, Mejia is victimized by them. Frequently fans and the rest of his audience have been "burned" by players in similar positions. The opinion most common now is guilty until proven innocent. By implementing common defense tactics as Mejia did, it does not bode well for the public perception of his statement. Mejia is able to utilize a variety of forms of communication. In each case, he uses an alternate communicative strategy – perhaps because the public perception of him and his image was not being helped by past efforts. He must limit what can be said, perhaps due to legal battles in the future. While in the first case he had already accepted defeat, his second suspension came at a time where he could still fight for his future. This could be why he remained silent as he explored his legal avenues. For his third failed test,

he knew that his case (if he wants to return to MLB) must be flawless and strong. In each case, he could not be fully open, as his attorney White makes clear in the article. The major liability for Mejia is that he was caught with the same drug three times, while later admitting that the first suspension was just. In conceding that fact while denying it at the time, Mejia loses the trust of his audience. The liability is his complete failure of a track record in truth telling and drug history.

Because his audience did not have to come to listen for any of his three ways of communicating, no great social statement is being made. The audience has the ability, in the case of MLB to agree that there was a conspiracy and allow him back in the league. The fans and media have the ability to directly implement the change as well, through believing his word and keeping a positive image of him. He can do the exact opposite of capitalize on existing ties with the audience. After lying in his first denial and then coming out and admitting to doping, he had broken trust and fizzled any persuasion he may have had with his audience. After seeing so many cheating players with similar excuses and seeing how Mejia “tiptoed” around a full denial three times, the commitment could be that they will side with MLB on this matter. There is a commitment to cleaning up baseball for many fans, so siding against Mejia could be a stand against cheating and drug use. This situation become “he-said she-said” between Mejia and MLB. The biggest problem is that those around Mejia do not even defend his statements. With this in mind, the odds are against the young pitcher to have the audience head his message. His recent past of suspensions, cheating, and lying in addition to other players throughout the league that have been caught with steroids, could most certainly affect their response to Mejia. Thus, causing them to doubt his “genuine” message.

The speaker, in this case, can look at how other players handled suspensions and change the

approach to form a better message to his fans. There has been plenty of trial and error to help him formulate a persuasive communication to his audience. He is not bound to a particular form of communication, or a singular way to discuss the issue, as proof by his drastically different approaches to each suspension levied against him.

This was Mejia's chance to tell his side of the story. He used this ability twice and neglects to once – all very tactically. His counterstatement evolved as the situation becomes more and more dire to his career. His previous remarks have certainly limited his persuasive possibilities. By lying initially and then admitting to cheating later, his persuasive abilities are completely weakened, as his audience cannot be sure what to believe from his communication and strategy. With Mejia planning to appeal his ban as soon as possible, he may have made statements anticipating his strategy, or even preparing for his future endeavors.

Like the persuasive variables, his hearing for reinstatement, and possible courtroom battles in the future, could be impacted by all three communicative strategies. This is likely why he remained silent after the second failure: to make sure he was not indicting himself if he was planning legal action.

In the first case, he chose to release an online statement, as many suspended players do, to share their thoughts and apologize. It can only detract from seeming impersonal or not genuine. His second method of having no comment, seems to imply fault – especially considering how close it was to his first suspension. His third strategy of going to the press for a questionnaire seems to make it as if Mejia is lashing out and going “rouge,” as a way to seem genuine, angry, and confused. Each statement reflects wildly different aspects of Mejia's personality. In the first statement, he seems to be in a state of acceptance and confusion. In the second, non-statement, it can be interpreted as acceptance, anger, or helplessness. In the third communication, his

personality is best illustrated as his answers seem “off-the-cuff,” and far more genuine than the previous two. At the very least, the third statement was more personal and seemingly honest.

Mejia makes it clear from his very first statement he is accepting the punishment and following protocol. This is an attempt to seem like a rule follower in response to breaking the rules. Interestingly, although he does not know how the steroids ended up in his system, he does not fight the law – perhaps because he is aware of his doping. While in the beginning he does not seek out special privilege, by the end, he is accusing the Players Association of not giving him the service they give to other players, which is arguing that MLB is particularly out to get him. This could be the response to the lifetime ban. It is the only real strategy to go with as a last resort. In his final speech, he tries to make the appearance of finally opening up what went on behind the scenes. He explains he did cheat at first, he shares his conspiracy theory, and he attempts to be clear with his approach moving forward. Mejia at no point attempts to make the league and rules better, as he keeps his answers very localized and focused on his situation and his options.

Chapter 6

Jhonny Picks the Juice

He was the tall, big hitting shortstop, a rarity in baseball. A niche in the position founded by Cal Ripken Jr. that would pave the road for players like Alex Rodriguez and Derek Jeter. And while Peralta never has reached that level of success, he had enjoyed multiple seasons of over 20 home runs, a benchmark shortstops typically do not reach. As a young star for the Cleveland Indians, it became a surprise when his numbers began to dip. His offense was always the key to his game, but with his offensive woes, his team would shift him to third base and replace his position. With his importance on the Indians waning, he would be dealt to the Detroit Tigers, where he could explore the possibility of a return to shortstop.

He would excel at his old position with his new team. Peralta's numbers had bounced back and he had proven he could handle the defensive requirements the middle infielder would need. However, his season and a half with the Tigers seemed long forgotten in 2012 when he struggled mightily. It was his last season untainted by accusations of PED use. It is always

Jhonny Peralta

- *Detroit Tigers*
- *Shortstop/Third basemen*
- *2x AL All-Star (at time of suspension)*
- *4x hit over 20 home runs (at time of suspension)*

interesting to think about when a player first started using drugs. Was it his whole career? After all, he was not caught through the testing of MLB, but rather through an investigation spurred from news sources and rumors. Who

really knows when the cheating began? But at the same time, it is easy to see his decline, did he turn to drugs then, as a way to get back to his old numbers? Could he even have used drugs only for the time period his statistics soured in Detroit, fearing a return to the decline in Cleveland? These questions are what makes the case of Jhonny Peralta so fascinating to investigate. And like nearly every other player before him, his initial reaction to the accusations would be denial.

Denial (issued by attorney statement):

I have never used performance-enhancing drugs. Period. Anybody who says otherwise is lying.

(Beck, Jason)

Acceptance (released by Detroit Tigers, after suspension had been handed out):

In spring of 2012, I made a terrible mistake that I deeply regret. I apologize to everyone that I have hurt as a result of my mistake, including my teammates, the Tigers' organization, the great fans in Detroit, Major League Baseball, and my family. I take full responsibility for my actions, have no excuses for my lapse in judgment and I accept my suspension.

I love the fans, my teammates and this organization and my greatest punishment is knowing that I have let so many good people down. I promise to do everything possible to try and earn back the respect that I have lost. (Beck, Jason)

In his first statement, Peralta uses a typical deny response to the accusations. After that, he calls anybody who disagrees with him a liar. Thus, he is attacking the truthfulness of his opposition. After the suspension was handed out, there was plenty for Peralta to think about. He was in the middle of the season and the Tigers were in a fight for first place in the division. If he appealed the decision he may have been able to last the rest of the season with the team.

Suspension

2013: 50 game suspension for connection to a biogenesis clinic and using PEDs

However, this was not the case; the Tigers did not wait. They traded for a replacement shortstop in the form of the Red Sox's young player Jose Iglesias. Moreover, Peralta was going to be a free agent at season's end. Could he afford to have a suspension looming as he sought a contract? He had even more to consider each day another player in the biogenesis scandal accepted punishment, because it made him look more and more guilty. In the end, he accepted the suspension and sat out 50 games.

In his apology statement, he used the most common defense for steroid users: the isolated incident. Only at the end of the previous season did he turn to drugs. The rest of his statement stays par for the course. He speaks of regret, apologizes to teammates, fans, family, etc., and stays very basic and unoriginal in his response. Could this be an attempt at blandness so people forget about him and the incident. It appears that his strategy worked throughout the league, as he was rewarded with a four-year contract worth \$53 million (Axisa, Mike). As for his fans, he has not been particularly villainized. Especially not to the extent of players like Ryan Braun.

Whereas Peralta's first statement is calling on people who are lying about him to be ignored, his second statement is calling on the same audience to forgive him. He does not address the first statement, or even apologize for what he said, but rather, focuses on apologizing

for his actions. The audience is aware and knowledgeable on Peralta's career and almost the entire steroid saga, as it has been documented frequently by the media. As a result, Peralta must form his statement on what his audience already knows. The victimization of Peralta begins at the accusations, but continues through his second statement. There are still parts of his audience and fan base that do not accept his apology and feel his cheating is not forgivable. A unique aspect that can help Peralta, is his ability to blend in. There are a flurry of big names being suspended alongside him, as a result, using a bland response could get him out of the public eye.

His fans and others who read his statement have the power to implement the change Peralta requests and accept his apology, but how many are willing to do that, depends on the strategy that Jhonny chooses to utilize. In comparison with other steroid users, the positive reaction he received is due, in large part, to a successful approach in his second statement. He remains bland and to the script, with other players in his position saying more outlandish statements, his story can be ignored and others spoken and written about. However, regardless how great a strategy is, there are fans that have committed to not be accepting of steroid users, and that is something Peralta will have to deal with for the remainder of his career. Just like with Cruz, the overall response to Peralta's apology will be influenced by what the other 13 players say. They are bonded together from being in the same scandal.

In a way, the second speech Peralta gives is a counterstatement to his first remarks on the matter. His initial denial and de-legitimization of those who said he used drugs, was flipped with a completely different response in his next statement. He just decided to not address the denial and instead turn to apologia as a way to preserve his image and fan base. He could have been stuck and limited from his prior statement, but instead he chose to ignore it entirely. It was a basic enough statement that avoided details, so he was not particularly beholden to it. By owning

up to making mistakes and by admitting drug use, he can plan on the issue being closed for the most part. As a result, he does not need to plan any future rhetorical messaging with his statement.

Releasing a statement, as Peralta did, was chosen for a particular reason. While other players decide to face the audience directly and speak to the press in the clubhouse or on the field, Peralta released a written statement. This could be a way to draw attention away from himself. He does not go into many details and his basic, by the book, approach to handling the whole situation, also contributes to his overall strategy of blending in. Statements are read and forgotten, whereas press conferences are shown time and time again with soundbites and other distractions that come with a live appearance. He does not need to worry about how he looks, the tone of his voice, or any of that with a written statement. This makes him less memorable and in a way, less attached to the scandal.

When looking at the infielder through the lens of the “good citizen” test, we can see if he followed the guidelines to appear positively to the public. While he broke the law initially, he isolates the incident and then serves the appropriate penalty without a fight. By accepting the penalty, he is also not seeking any special privileges or treatment from MLB or the fans. He will serve his suspension honorably and return to baseball “rehabilitated.” Peralta’s second statement serves as his coming clean and honest account of the situation. He promises to do everything he can for the people around him, therefore making his environment a better place. His apology hit on all of the notes of the test. Peralta fared far better in the court of public opinion than many before him.

Chapter 7

The Boomstick Gets Busted

Similarly to Peralta, Cruz had a unique path in his career up until the point he would be handed a suspension. Where they differed was the point in the stage of their careers. Whereas Peralta came into the league with great performance, Cruz took some time to reach what would become his typical season. He bounced around from one team to another, never really given a great opportunity at playtime. However, at 28 years old, the Texas Rangers finally gave him a starting spot. He excelled, so much so, that he made the All-Star team.

From that point on, his production was consistent. He was a power-hitting, corner outfield bat, with a pretty good arm. The one thing that plagued his career was injuries. It seemed he could never stay healthy for an entire year,

Nelson Cruz

never playing over 130 games in each of his first three starting seasons. However in 2012, his fourth year as a starter, he played in 159 out of 162 games. That off-season he was accused of PEDs. A common use of steroids for athletes is to stay healthy. Similarly to Peralta, questions arose around the odd circumstances. An often-injured player plays an entire season healthy, he gets caught using illegal substances that year. It is not an unusual story. Did he use PEDs to gain a

- *Texas Rangers*
- *Right fielder*
- *2011 ALCS MVP*
- *2x AL All-Star (at time of suspension)*

starting spot? Did he use them to stay healthy? Has he always used them? These are questions we will never get definitive answers to. What makes Cruz's case so compelling, is the way he handles the accusations - he does not flat out deny the claims.

Denial Made by Attorney:

We are aware of certain allegations and inferences. To the extent these allegations and inferences refer to Nelson, they are denied. (mlbdailydish.com)

In an unusual turn of events, Cruz does not deny PED use. His strategy is to attack the details of the alleged cheating and argue the extent that MLB is accusing him of. What makes this such an interesting strategy is that nobody can refer to him as a liar or someone who was trying to be deceptive. If he chooses to appeal or accept the suspension, he can say it was enough of a denial and that he was waiting for the details to come out, while not trying to speak on an open investigation. His unique strategy of non-denial, but rather, disapproval of the details, was the most effective strategy utilized by one of the players I have selected to dissect further. As we will see, a more honest approach from Cruz may pay-off for him in the long run.

At first, Cruz's statement seems like there is not much depth to it, but rather just an answer to the accusations. He questions the extent of the information out in the media and delivered to fans to make a social statement through arguing over the facts. His response can be

Suspension

2013: 50 game suspension for connection to a biogenesis clinic and using PEDs

viewed as an attack on the process and the investigation, as unfair or exaggerated. In a way, Cruz's unique response makes him

sainted among his audience. Many fans respected a more honest approach to a defense strategy. Cruz is not explicitly stating his drug use, but rather, the extent to the drug use that MLB is accusing him of. It is a refreshing response to fans, which made him a figure to respect in a way. The biggest liability for Cruz, is that he was named in the biogenesis investigation. What hinders his ability to fight for his innocence is the other players involved in the scandal. If they all come out and admit to juicing, he does not have much footing in doing a complete denial, as his audience and fans will assume his guilt. He is tied to the other players involved.

As a released statement, there is no significant sentiment being made by the audience for reading it. However, the audience does have the ability to take him at his word, wait for the process to work itself out, and then form an opinion and judge Cruz's actions. Nelson is also a "fan-favorite" player, which can play to his advantage. It is this existing, common tie to his audience, that could grant him benefit of the doubt. On the other hand, the audience is so used to players being suspended for PEDs, that they may already assume when they hear a name connected to banned substances, that the player is in the wrong. With so many players being connected to the same drug system Cruz was found to be a part of (14 players total named), he is reliant on how others handle this situation. How they deal with their audiences heavily affect how Cruz's audience perceives him.

The topic itself creates a tough relationship with Cruz and his audience. Being let down that another player cheated or being bogged down with constant talk of PEDs, it is clear most fans are fed up with cheaters and want the game to move forward. The topic is not socially acceptable, however must be discussed do to his alleged involvement, thus putting him in a difficult, persuasive position with his audience. The polarization of Cruz's audience only stands to hurt him and the image he wants to portray to those who read his statement. What Cruz and

his attorneys attempt to do is make the issue seem more complex. The more “moving-parts” that Cruz can put in the story makes it harder for fans to follow, and possibly more able to convince them his drug use was not negative enough to change how they perceive him. The vague dismissal of some aspects of MLB determined parts of the Cruz steroid story, means he could be disputing everything or nothing; the audience will have to wait to find out. The more complex Cruz can make his situation seem, the more apt he is to be able to persuade his audience and guide them along his way of thinking. It is possible Cruz took note of the failed attempt at flat denials regarding drug use, and instead, utilized this strategy as a way to garner more respect from his audience - which leads to better persuasion. Prior attempts at denials have failed for what the players’ end goals have been; it is clear Cruz attempted to create a new way of handling a suspension. Inherently PED accusations are risky for players to deal with. A player only earns one chance at formulating a first statement. A wrong decision of how to handle that responsibility could haunt a player for years and permanently damage their image among fans.

The statement is a clear counterstatement to the accusations levied by MLB. Cruz had not spoken on this matter prior, so he was not limited in what he could say at the time of the statement. However, his persuasive possibilities are limited due to the nature of the suspension and the way prior players in a similar position have dealt with it. The immediate verbal competition can come from one of the other 14 players involved in the scandal, as their stories do impact the audience’s perception of Cruz. Additionally, the fans and media can spread news so quickly on the internet and through social media, that Cruz will instantly be subjected to a barrage of opinions and responses to his statement by his audience. Cruz’s statement on the matter will surely not be his last. Due to this, he needs to anticipate how his situation will play out and release this statement knowing what the repercussions can be on him, and the image he

wants to portray to his audience. The special history of PED use in baseball has to form Cruz's statement in order to avoid past mistakes and to capitalize on past examples that generated positive feedback from the intended audience.

The method Cruz utilizes here is to have an attorney statement. This demonstrates that he is taking this process seriously, by utilizing counsel to explore his options. It enhances his message because it shows that he is serious about the accusations and plans to move forward in defense of himself. It is a more casual approach to directly release a statement to an audience. The size of his audience can open up rhetorical possibilities; and in the case of Cruz, it does. His unique strategy is sure to be covered a great deal by the media and therefore his honest reaction to the PED suspicions could almost make him a sympathetic figure. The medium selected by Cruz takes his personality out of the statement and shows that he is taking the matter seriously. Because of the attorney-released statement, sub-audiences do exist because it was not covered one time, but rather, was broadcasted across television, the internet, and other forms of media. It is a newsworthy scenario that will create coverage.

Acceptance of Suspension in Released Statement from Cruz

I have been notified by the Commissioner of Major League Baseball that I have been suspended for 50 games for violation of the Joint Drug Agreement. I have decided to accept this suspension and not exercise my rights under the Basic Agreement to appeal. From November, 2011 to January, 2012, I was seriously ill with a gastrointestinal infection, helicobacter pylori, which went undiagnosed for over a month. By the time I was properly diagnosed and treated, I had lost 40 pounds. Just weeks before I was to report to spring training in 2012, I was unsure whether I would be physically able to play. Faced with this situation, I made an error in judgment that I deeply regret, and I accept full responsibility for that error. I should have handled

the situation differently, and my illness was no excuse. I am thankful for the unwavering support of my family, friends, and teammates during this difficult time. I look forward to regaining the trust and respect of the Rangers organization, my teammates, and the great Rangers' fans, and I am grateful for the opportunity to rejoin the team for the playoffs. (ESPN)

Nelson Cruz does not waste time in his first statement since the suspension was levied; he says that he accepts the punishment and will not appeal the suspension, as he has a right to do as a member of the Players Association. He then uses a similar strategy to justify use to what we have seen past players use. Cruz explains a mishandled illness caused a drastic weight loss right before the beginning of the season. What he did next was vital to preserving his image: he admits fully that he turned to drugs. What this does, even if he is lying and he had always used PEDs, is limit it to one scenario, or one lapse of judgement, wherein he takes full responsibility for trying to cheat. He isolates the drug use and comes clean about why and when he cheated. Whether he is lying or not, it does work as a more persuasive strategy to salvage his image. His “fan-favorite” background also helps him in an attempt to win back fans. His audience was pulling for him, this answer gives them enough to move on.

This statement plays perfectly off the first statement that he released, because he did not deny use. Rather, he denied facts of the media and MLB investigation (without clearly stating which facts are being disputed). What this allows him to do is come clean to his audience and appear as if he remained honest throughout the process. For the most part, the fans almost instantly accepted him back and so did the league, as he has signed on with two different teams for large payouts since serving the suspension. Additionally, he has been able to answer questions about if juicing helped his performance. Since the investigation, he has performed at an even higher level than before it.

The social statement being made is that cheating is wrong and even in challenging circumstances, drugs should not be used to help a player. Cruz flips his scenario to be a lesson to his audience; where he owns up to his mistakes and serves as an example for the repercussions of PED use. With the audience's past knowledge of Cruz and his prior statements, the outfielder can draw rhetorically off this relationship to better connect and gain sympathy from his fans. He does this by continuing his first statement through isolating an incident, rather than have a record of continued drug use. His acceptance without appeal gives him persuasive power over the audience. Like his first statement, he can be portrayed as a saint for accepting his punishment and moving on, rather than create a drawn-out process. Many fans are annoyed with the steroid conversation that has plagued MLB for over 20 years, so for a player to accept ownership over his actions and try to move forward is refreshing to fans. Because of how well worded Cruz's first statement was, he was not limited in what he could say here. Instead, he could explore the typical attack and denial, or the rout he chose: to come clean and take responsibility for his actions. Cruz's unique asset is that he never made a denial, a move many suspected PED users turn to first.

By listening to Cruz's message, the audience is not making any significant statement other than that they are interested in what Cruz has to say. The audience has the ability to fully accept Cruz back into MLB when he finishes serving his suspension; what Cruz says here will directly impact his treatment upon return. Thus, it is vital this statement resonates with his audience, but especially with the Texas Rangers fan-base. It is this positive existing relationship with his team, that puts Cruz at somewhat of an advantage over players in similar positions. However, despite a great statement, many fans will never look at him the same, or even despise him as a person and player for cheating baseball. This sub-audience is a group that may not even

read his statement, but rather, make up their minds from hearing of a suspension alone, and do not plan to welcome him back to MLB after serving.

Rather than creating a counterstatement, Cruz elects to make an additional one to MLB, one that is in the same line of thinking. Cruz also must compete for noticeability amongst the other players suspended in the scandal. By giving a specific time of use and sharing his story, he hopes to separate himself from his “competition,” or the other 13 players that will likely release a statement regarding their suspensions. The first statement by Cruz expands his persuasive possibilities here, and he takes full advantage of not denying PED use the first time, by admitting to taking illegal drugs in this statement. By admitting use, he also ends all future discussions on the topic. He can put cheating behind him and move on, at least in relation to the biogenesis scandal. By making the statement come from himself rather than his attorney, as he did prior, or even another source, Cruz is able to seem more sincere and genuine than if he had a third party release something for him. This enhances his persuasive opportunities.

Now in the conversation of the “good” citizen test, how does Cruz fare? He does obey the law, because when he breaks it, he accepts his punishment without putting up a fight. He respects the rights of others, which includes how his audience perceives him now that the PED stigma is attached to him. Cruz is also fair and honest with his audience from the very beginning - never denying any use of illegal drugs. He hopes to make put his team in a better place when he returns to them after serving the suspension. Cruz passes the good citizen test and we will see what impact this has on his image and legacy.

Chapter 8

Conclusion

From the strategies utilized by Ryan Braun, Jenrry Mejia, Jhonny Peralta, and Nelson Cruz, it is possible to identify what worked and what did not. I will answer the questions laid out in the introduction.

Ryan Braun likely took steroids for more than he lets on. He did not drastically go up in size, he easily denied and scapegoated somebody else in his denial, and his numbers were far better pre-suspension. Due to these facts, I believe that he had been juicing before 2011 and that he has now stopped, possibly due to fear of another suspension, possibly because he has a multimillion, long-term contract in place. He used a loophole and complex reasoning to prove his innocence initially, but his connection to the biogenesis clinic was his downfall. This proved he was lying. His strategy was ineffective and the idea of targeting certain people and groups has not been positively received by many baseball fans. He has continued to play well, but not at pre-2013 levels. History will show a stark divide of what was and what became of Braun. Maybe a trade to a new and fresh fan-base, where he puts up similar numbers to what he is currently doing, will help repair an entirely broken image. In the end, his flawed strategy resulted in little empathy or acceptance from the people he needed to win over. By making a released statement, rather than a public speech as he did for his denial, his apology seemed less sincere and more impersonal. His prior speech did not factor enough into how he formed his second statement.

Jenrry Mejia has taken steroids for most of his professional career. I come to this conclusion because of how young and inexperienced he was in the majors and how quickly they caught him - *three* times. It is also possible that he had begun to take PEDs after making the Mets, realizing he needed an extra edge to compete. Either way, it seems he took three too many risks and now has a lifetime ban. Could he play well without steroids? He still has not come clean and adamantly denies any wrongdoing. He will look to appeal the lifetime ban when the timeline allows him to. In the meantime, he serves as a forgotten man. As the young star reliever for an up and coming Mets team known for having strong pitching, he now can only watch from afar, as players like Noah Syndergaard, Jacob DeGrom, Matt Harvey, and Jeurys Familia fill his void. If there is no legacy, there is no history. He becomes the answer to a trivia question. As it stands now he has no future in MLB and he does not fit into any part of MLB society. His only way to handle his suspensions were to deny, especially considering if he came clean he would have no argument for reinstatement to MLB. Thus, it is easy to understand his reasoning and strategy. If he is telling the truth and it is a witch-hunt, we can only hope he can prove himself, which will allow baseball to reinstate him.

The infielder Jhonny Peralta was the first player analyzed who ended up with a somewhat positive reaction from both MLB, as he was rewarded with a large contract, and from fans who have accepted him. Because of this, he has avoided being a negative figure. While there has not been overwhelming support for him, there has not been overwhelming attacks on him either. This can be considered a win when dealing with steroids. Excluding the suspension, his career has not been sidetracked or altered in any major ways. His strategy of sticking to basic responses that blend in with other generic steroid statements turned out to be a smart choice, because it drew attention away from himself. History will look back at him as a solid player, someone who

could play like an All-Star at times. His suspension will likely be forgotten from future baseball fans.

The boomstick, Nelson Cruz, has had the most astonishing comeback of anybody selected here. While he had to settle for a one-year contract after serving the suspension, that season may have proved to be his best one yet. He earned big money on a multi-year deal with the Seattle Mariners. Since signing with the M's he has not slowed down. In each of the three seasons since being caught with steroids, he has hit over 40 home runs. In his entire career prior, he had only hit over 30 once. His improved ability makes me believe that he is telling the truth in his story and he did, in fact, turn to drugs to build weight back up after suffering from a major illness. He has also been able to stay healthy, which has contributed to his success. By switching teams from the Texas Rangers to the Baltimore Orioles, and now to the Seattle Mariners, it is possible these new fan-bases gave him a fresh start, and a fresh chance to prove himself. His success has also settled the argument of how artificial his statistics were earlier. He was a fan-favorite before and he still is one now. This is in part due to never lying to fans about drug use. History will likely be positive to him because he has proven post-steroids his abilities. Perhaps the best way to win back fans, is to play better than ever.

What are the major conclusions regarding how to have the best image, post steroid accusations?

- Come clean: Cruz never denied use and he has had the most success rehabilitating his image among baseball fans.
- Do not be a superstar, but you can be an All-Star: people do not want their record books broken, but they do like to see good statistics.
- Do not make grand statements: try to stay as basic and to the script as possible if you

are not a superstar player. For Peralta, blending in with the crowd may have benefited him and helped fans forget his involvement, or not even care to think about it. His strategy kept him out of media coverage in favor of covering more flashy responses.

- Isolating use: while not entirely able to win back fans or persuade audiences of their career innocence, it can be used as a valuable defense by people attempting to defend a player. By isolating drug use to one particular incident, it can show fans that their statistics are valid and they are not cheating the history of the game.
- The final and most important attribute is to produce: if you play just as well or better after the suspension, fans are easier to forgive. If there is a stark drop off, fans are less accepting and attribute more of a player's numbers to enhancement drugs.

In the end, the best strategy to have is to not take performance-enhancing drugs. It seems simple enough, but it is the best way to preserve a positive image. That answer might not be adequate enough for a minor leaguer who needs something to push him into the bigs. Or a player who is up for a big contract and wants to capitalize on his chance. Or even a superstar chasing down record books who wants a boost to chase ghosts, but it is the best way to keep a good relationship with their audience and fans. MLB has shown that it will go after anybody. Home run Kings like Barry Bonds and Alex Rodriguez are not off limits, and regular players like Peralta and Cruz are not off limits, and even young unproven players are not ignored. MLB will try to find a cheater and will come down hard on them. Since all of the players examined in this paper have been suspended, the league has raised the number of games an offender must serve as punishment. For a first offense, it is 80 games currently, so nearly half of a season. Hopefully this will be enough of a deterrent. As we get further and further away from the steroid era, it will be interesting to

see how accused players change their strategies. With an always-changing media landscape it is likely players reach directly out to their audience, which could help their persuasion and cultivate a more genuine apology.

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