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U.S.

# Scores of College Athletes Who Faced Felony Charges Get Second Chance

At least 108 college athletes punished for serious crimes since 2011 were accepted by another team



Alex Figueroa lost his spot as a linebacker at the University of Miami after he was charged with sexual battery of an intoxicated 17-year-old girl. He now is on the University of Central Oklahoma team with a full scholarship. *PHOTO: BRETT DEERING FOR THE WALL STREET JOURNAL*

By **MELISSA KORN**

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Young men facing serious charges such as sexual assault or felony drug dealing often are booted from college sports teams as coaches face pressure to take a hard line about off-field misconduct.

But when such behavior gets them kicked off of one team, the players may get another shot at stardom elsewhere.

At least 108 college athletes who faced serious charges—including armed robbery and rape—were accepted by another school's sports program, often on scholarship, from

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2011 through June 2016, according to a Wall Street Journal review of team disciplinary actions and criminal charges against football and men's basketball players at

Division I schools.

The tally includes charges that resulted in plea deals or convictions for assault and battery, narcotics trafficking, violent sexual crimes and weapons possession. It doesn't count charges related to drunken driving, traffic infractions or misdemeanor marijuana possession, nor does it include cases handled internally at schools that didn't reach the legal system, those where an individual was found not guilty or those where charges were outright dismissed.

Alex Figueroa is one of the promising student-athletes with legal baggage who have been given a second chance.

Mr. Figueroa lost his spot as a linebacker at the University of Miami after he was arrested and then charged with sexual battery of a 17-year-old girl in the summer of 2014, according to school statements and police and court documents.

Mr. Figueroa in an interview maintained that the sex was consensual. But to avoid what could have been a lengthy legal process and, if convicted, a prison term, he took a deferred prosecution deal on felony charges of sexual battery with multiple perpetrators, and agreed to sex-offender treatment and community service.

Then Mr. Figueroa went back to playing college football.

Now 22 years old, he spent the past two seasons at Garden City Community College in Kansas, helping the Broncbusters win the 2016 National Junior College Athletic Association championship. He transferred to the University of Central Oklahoma this semester, with a full scholarship to play on its Division II football team.

John Green, athletic director at Garden City, said small classes and close relationships with administrators and coaches help keep student-athletes in line.

"We're not just prostituting these kids for athletic ability," he said. "We are going to challenge them to do the right thing." He counts Mr. Figueroa as a success story.

Central Oklahoma athletics spokesman Chris Brannick declined to comment on Mr.

Figueroa specifically but said the university tries to provide a “positive environment” for students.

Mr. Figueroa completed his deferred prosecution deal last March, meaning the charges have been dropped. He said he buckled down on school work at Garden City, even earning a handful of As, and had support from his family and girlfriend.

“They had my back,” he said of the school. He still hopes to make it to the National Football League.

Of course, athletes aren’t the only ones who commit crimes or otherwise cause trouble on college campuses, but they often receive generous scholarship packages and play an outsized role representing their schools, sometimes on national television, as part of the billion-dollar college sports industry.

And while there have been efforts in recent years to open the doors of higher learning wider to people with criminal pasts, including by the Obama administration, some schools are accepting athletes with serious criminal records without fully vetting them, activists say.

Still, of the tens of thousands of athletes playing football and men’s basketball for Division I schools, only a fraction are suspended each year for violations.

A few hundred Division I football players, and more than a thousand basketball players, announced plans to transfer in the five years reviewed by the Journal, for reasons that include seeking more playing time or disciplinary issues.

Supporters of second chances for college athletes say participation in organized sports, with their discipline and teamwork, can help troubled youth.

Alabama football coach Nick Saban, who has given another shot to a number of athletes after off-field legal issues, has said he would rather see players pursuing degrees than be on the streets, and that there are more success stories than failed attempts at rehabilitation.

Others disagree. “Coaches pitch it as, ‘They need second chances,’ not realizing the second chance is probably not the second chance. It’s probably the third or fourth or fifth,” said Kathy Redmond, founder of the National Coalition Against Violent Athletes, which provides legal guidance and counseling to victims of assaults by athletes.

She said a number of such cases haven’t gone through the courts, so the students don’t

have criminal records—which is the threshold some schools have for barring players. Yet in situations that were handled by school judicial panels or coaches, she said, team recruiters could likely find out about such disciplinary issues if they asked.

Critics say an inconsistent patchwork of school and conference policies and confusing privacy rules mean college officials can be unaware of—or turn a blind eye to—criminal convictions, or to patterns of behavior that could put other students at risk, if the player is talented enough on the field.



Sen. Claire McCaskill (D., Mo.) says team members who had faced serious charges ‘don’t deserve the...hero-worshipping that goes along with being athletes in so many college programs.’ PHOTO: EVAN VUCCI/ASSOCIATED PRESS

“I’m not saying these kids don’t deserve a second chance,” said Sen. Claire McCaskill (D., Mo.), who has advocated for reforming campus sexual-assault adjudication processes to better protect those victimized as well as prevent future crimes. “But they don’t deserve the...hero-worshipping that goes along with being athletes in so many college programs.”

Ms. McCaskill said she isn’t pushing for Congress to intervene in college admissions policies, but she would like to see the National Collegiate Athletic Association “take a hard look at why it is so easy to keep someone from getting a free pair of tennis shoes [as a promotion from a shoe company] but so hard to say if you beat up your girlfriend, there are consequences.”

The NCAA, which governs the billion-dollar industry of major college sports, has left it up to individual conferences and schools to set admissions criteria. But in August it said it is encouraging conference leaders “to consider developing legislation to address college athletes involved in reported incidents of sexual violence,” though not other

criminal behavior.

The NCAA, which has singled out sexual crime as a particular concern, declined to comment on individual cases.

A number of major athletic conferences in the past year established policies barring players who commit serious misconduct, including sexual assault. Yet there is no standard or consistent protocol for running background checks on students and no central database of suspended or convicted ones.

“We don’t do background checks. We don’t have the time or the resources,” said Allen Renville, the Title IX officer and vice president for student services at Butte College, a Division II school in Oroville, Calif.

Brandon Banks, a 23-year-old defensive back, arrived at Butte in the summer of 2014 for preseason football practice. Mr. Renville said administrators didn’t know he was facing five counts of aggravated rape and two counts of aggravated sexual battery from an incident at his former school, Vanderbilt University.

Mr. Banks—who was dismissed by the Vanderbilt football team and suspended from the university soon after the alleged incident—is scheduled to go to trial in June.

After being tipped off about Mr. Banks’s background by a source the college declined to disclose, officials found his case online and asked the young man to leave the team, Mr. Renville said.

The following summer, Mr. Banks enrolled at Lane College in Jackson, Tenn., where he remained on the roster this past fall.

Mr. Banks’s attorney, Mark Scruggs, as well as a representative from Lane, didn’t respond to requests for comment. Multiple attempts to reach someone at a phone number listed for Mr. Banks in his hometown in Maryland went unanswered, and Lane doesn’t list student contact information online.

W. Scott Lewis, a partner at the National Center for Higher Education Risk Management, advises colleges on issues including how to weigh the risks of taking on troubled students. He said a player booted from a school for punching someone might be able to work on anger-management issues and stay out of trouble, but there is more limited success in rehabilitating rapists.

Some schools with the best of intentions still face challenges with athletes to whom they

give a second chance.

“We believe that it’s our calling as a Catholic, Franciscan institution to help an individual who has lost his way rediscover his path,” said Mark Apple, a spokesman for Marian University in Indianapolis.



Antonio Allen watches his Indiana State football teammates practice in August 2015. Before he joined the team he was arrested for weapons possession as well as dealing drugs. In December 2016, while at Marian University, he faced charges including armed robbery and burglary. *PHOTO: JOSEPH C. GARZA/THE TRIBUNE-STAR/ASSOCIATED PRESS*

The school offered a roster spot to defensive back Antonio Allen in 2016. Mr. Allen had been dismissed from the football team at Indiana University in summer 2015 and faced felony charges of weapons possession as well as dealing and possessing methamphetamine and heroin.

Mr. Allen spent a short stint at another school, Indiana State University, and later pleaded guilty to the drug charges. He was sentenced to four years of home detention, followed by probation and community service. The weapons charge wasn’t prosecuted



as part of the plea deal.

Mr. Apple, the Marian spokesman, said troubled transfer athletes are kept on a tight leash, with mandated study periods, random drug tests and even daily meetings with the dean of students for some.

Still, Mr. Allen, now 22, was arrested and charged in December with felony armed robbery, criminal confinement while armed with a deadly weapon, and burglary.

Mr. Apple said Marian placed Mr. Allen on “interim suspension” after the arrest. Mr. Allen’s attorney didn’t respond to a request for comment.

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