

## **The Astros' Sign-Stealing Scandal**

Major League Baseball (MLB) fosters an extremely competitive environment. Tens of millions of dollars in salary (and endorsements) can hang in the balance, depending on whether a player performs well or poorly. Likewise, hundreds of millions of dollars of value are at stake for the owners as teams vie for World Series glory. Plus, fans, players and owners just want their team to win. And everyone hates to lose!

It is no surprise, then, that the history of big-time baseball is dotted with cheating scandals ranging from the Black Sox scandal of 1919 (“Say it ain’t so, Joe!”), to Gaylord Perry’s spitter, to the corked bats of Albert Belle and Sammy Sosa, to the widespread use of performance enhancing drugs (PEDs) in the 1990s and early 2000s. Now, the Houston Astros have joined this inglorious list.

Catchers signal to pitchers which type of pitch to throw, typically by holding down a certain number of fingers on their non-gloved hand between their legs as they crouch behind the plate. It is typically not as simple as just one finger for a fastball and two for a curve, but not a lot more complicated than that.

In September 2016, an Astros intern named Derek Vigeo gave a PowerPoint presentation to general manager Jeff Luhnow that featured an Excel-based application that was programmed with an algorithm. The algorithm was designed to (and could) decode the pitching signs that opposing teams’ catchers flashed to their pitchers. The Astros called it “Codebreaker.” One Astros employee referred to the sign-stealing system that evolved as the “dark arts.”<sup>1</sup>

MLB rules allowed a runner standing on second base to steal signs and relay them to the batter, but the MLB rules strictly forbade using electronic means to decipher signs. The Astros’ “Codebreaker” blatantly violated these rules.



According to Wall Street Journal writer Jared Diamond:

The way Codebreaker worked was simple: Somebody would watch an in-game live feed and log the catcher’s signals into the spreadsheet, as well as the type of pitch that was actually thrown. With that information, Codebreaker determined how the signs corresponded with different pitches. Once decided, that information would be communicated through intermediaries to a baserunner, who would relay them to the hitter.

Starting around June 2017, the system was embellished by Astros players. They started watching a live game feed on a monitor near the dugout and then would bang on a trash can to communicate the coming pitch to the batter. The “banging scheme” lasted through the 2017 World Series, which the Astros won over the Los Angeles Dodgers.<sup>2</sup>

This all occurred despite the fact that late in the 2017 season, MLB caught the Boston Red Sox relaying signs from their video room to an Apple watch worn by a trainer sitting in the dugout. MLB Commissioner Rob Manfred fined the Red Sox and issued a strong warning to all teams against illegal electronic sign-stealing.<sup>3</sup>

However, the Astros’ scheme lasted into the 2018 season in away games as well as home games, despite the fact that other teams were very suspicious that the Astros were stealing signs. Other teams often changed their own signs several times a game in an attempt to thwart the Astros suspected sign stealing. An executive for an opposing team was quoted as saying “The whole industry knows they’ve been cheating their asses off for three or four years. Everybody knew it.”<sup>4</sup> Indeed, many teams had complained to MLB’s executives about the Astros’ cheating. Some suspect the cheating continued through the 2019 season although others think not, and MLB found no convincing evidence of it.<sup>5</sup>

Sign-stealing might not seem like it would give a big advantage. After all, even if a batter knows that a certain pitch is coming, he still has to hit it. And it is not easy hitting a 100-mph fastball or a major league-caliber slider, even if you know it’s coming. Nonetheless, the advantage is substantial. According to the Washington Nationals’ pitching coach Paul Menhart, “It’s the worst feeling in the world stepping on that mound and having an idea that the hitter knows what’s coming. It’s one of the most unnerving feelings. You feel helpless. You just get ticked off to the point where you lose total focus and confidence.”<sup>6</sup> The Washington Nationals won the 2019 World Series over the favored Astros. They won, at least in part, by assuming that the Astros would be attempting to steal their signs, and putting into place elaborate countermeasures, including multiple sets of signs for each pitcher.<sup>7</sup>

There is no question that many of the Astros players were actively involved in the scheme. The Astros manager, AJ Hinch, clearly knew about it. There is substantial, though perhaps not airtight evidence, that General Manager (GM) Rob Luhnow also knew of the scheme. Carlos Beltran, a Hall-of-Fame caliber player near the end of his 20-year playing career was a leader in the scheme. And bench coach Alex Cora was a primary instigator. Owner Jim Crane appears not to have known of the dark arts being practiced by his club.<sup>8</sup>

The scandal became public on November 12, 2019, when former Astros’ pitcher Mike Fiers blew the whistle in an interview published in “The Athletic.”<sup>9</sup> Although some current MLB players praised Fiers for coming forward about the scandal, other players criticized him for violating baseball’s presumed “code of silence,” also called the “clubhouse code.”<sup>10</sup> MLB then launched an investigation that granted the Astros players immunity in return for their fessing up. Commissioner Rob Manfred soon issued a nine-page report that found that most of the Astros players knew of the scheme and many participated in it. The report said that manager

Hinch knew of the scheme and that GM Luhnow should have prevented it.<sup>11</sup> Commissioner Manfred suspended both Hinch and Luhnow, who were quickly fired by Astros' owner Crane. MLB fined the Astros \$5 million, and stripped the club of its first- and second-round draft picks in both 2020 and 2021.<sup>12</sup>

There was other fall-out, too. Beltran, who had just been hired as manager of the New York Mets, was fired. Cora, who had subsequently become the manager of the Boston Red Sox, was also fired. In late April 2020, Manfred found that the Red Sox had done some illicit sign-stealing in the 2018 season. Surprisingly, though, he concluded that manager Cora and most of the Red Sox players did not know about it. Manfred imposed a modest punishment on the Red Sox organization in the form of a lost draft pick. But again, none of the players who participated in the scheme were penalized.<sup>13</sup>

Manfred's decision not to punish players was harshly criticized by many. He claimed that granting immunity in exchange for information was the best way to quickly discover the truth. This approach was praised by some,<sup>14</sup> but other observers were unconvinced.<sup>15</sup> He also argued that it was difficult to determine how much advantage the cheating scandal had given the Astros. However, many major league players – including the game's best player, Mike Trout – suggested that they would love to know what pitch was coming.<sup>16</sup> Manfred also claimed that with so many players involved to different degrees, it would be difficult to apportion blame appropriately. Additionally, MLB had stated in its 2017 warning about sign-stealing that it would hold management responsible for violations.<sup>17</sup>

Some suggested that Manfred was simply trying to minimize damage to MLB's image. The game got a black eye from the PED scandal, which is brought back into the spotlight every year as Barry Bonds, Roger Clemens, and others are refused entry to the baseball Hall of Fame by sportswriters who insist on punishing their cheating in ways that MLB never did. And Astros players such as Carlos Correa, Jose Altuve, and Justin Verlander will probably have a better chance to enter the Hall of Fame than if they had been suspended for cheating.<sup>18</sup>

The damage done by the Astros is significant. Former major leaguer Doug Glanville said the Astros' "selfish act makes everyone question the validity of the future and the truth of the past," concluding that MLB now faces an "existential crisis."<sup>19</sup> Veteran catcher Stephen Vogt said, "The integrity of our game is what we have, and now that's been broken."<sup>20</sup>

The impact on the Astros and its players, beyond a new manager and general manager, is as yet unknown. The Astros worry that opposing pitchers will feel some degree of freedom to throw at Astros hitters. A former major league pitcher, Mike Bolsinger, sued the Astros. He claimed that a particularly bad outing he had was caused by the Astros' cheating, and that it effectively ended his MLB career.<sup>21</sup> The effect of their cheating ways can be seen in non-professional baseball, too, with some little leagues banning the use of "Astros" as a team name.<sup>22</sup> Regardless of league level, gaming the system to advantage one's own team is not the kind of play that, in the long run, makes for good sport.

**Discussion Questions**

1. Why do you think the Astros began using the “Dark Arts”?

[See videos on the self-serving bias (<https://ethicsunwrapped.utexas.edu/video/self-serving-bias>) and framing. (<https://ethicsunwrapped.utexas.edu/video/framing>)]

2. Shortly before the Astros began their sign-stealing scheme, the team’s database was hacked by Chris Correa, the rival St. Louis Cardinals’ scouting director. He was later sentenced to 46 months in prison.<sup>23</sup>
  - a. How might this transgression by Correa have helped motivate the Astros’ decision to cheat?
  - b. Could it have given the Astros a rationalization for their own cheating? What do you think that rationalization would be?

[See video on rationalizations.

<https://ethicsunwrapped.utexas.edu/glossary/rationalizations>)]

3. How much responsibility would you place on the players? On the manager? On the general manager? On the owner? Explain your reasoning.
4. One writer asked: “Given an open road, a sports car and the assurance no law enforcement would be present, how fast would you drive?”<sup>24</sup> He then noted the relative lack of enforcement by MLB, despite widespread rumors and complaints about the Astros’ (and perhaps some other clubs’) illegal sign-stealing. Would more surveillance, of the type MLB used in the 2018 and 2019 playoffs when watchdogs were placed in baseball clubhouses during the games, have made a difference? Why or why not?
5. Although some MLB players applauded Mike Fiers for coming forward about the scandal, others criticized him for violating baseball’s supposed “code of silence.”<sup>25</sup>
  - a. Is that code common in professions or organizations other than MLB (and the Mafia)? Support your answer with examples.
  - b. Is it part of the problem? Why or why not?
  - c. How might it be reformed or even ended?

[See videos on the conformity bias <https://ethicsunwrapped.utexas.edu/video/conformity-bias> <https://ethicsunwrapped.utexas.edu/glossary/conformity-bias> and In-group/outgroup. <https://ethicsunwrapped.utexas.edu/glossary/in-groupout-group>]

6. In 2017 “The Athletic” reported that small groups of Astros players expressed misgivings about the cheating. One player approached Carlos Beltran, who was a ring-leader in the scheme and a 20-year veteran with a Hall of Fame-caliber career behind him. Beltran “disregarded [the appeal] and steamrolled everybody.” “Where do you go if you’re a young, impressionable player with the Astros and this guy says, ‘We’re going to do this.’ What do

you do?”<sup>26</sup> What does this revelation tell us about obedience to authority? [See videos on obedience to authority. <https://ethicsunwrapped.utexas.edu/video/obedience-to-authority>; <https://ethicsunwrapped.utexas.edu/glossary/obedience-to-authority>]

7. On the other hand, Astros shortstop Carlos Correa said: “We didn’t feel scared of Beltran; we didn’t feel intimidated. He was the nicest guy we could ever have. He was the best teammate we could ever have. Beltran was obviously a leader of the clubhouse, but we all had a say in everything we were doing in there.”<sup>27</sup> How does this affect your conclusions on the previous question?
8. In a press conference, Astros’ owner Jim Crane said: “Our players should not be punished for these actions. These are a great group of guys who did not receive proper guidance from their leaders.”<sup>28</sup> It does appear that GM Luhnow did know generally of the scheme, that field manager Hinch definitely knew about it (and did not like it) but did little or nothing to stop it, and that bench coach Alex Cora and team elder Carlos Beltran were active leaders of the scheme. Does that absolve the other players? Why or why not?
9. Former Astro J.D. Davis later explained: “I was a rookie, and I was going up and down the system, and I was fighting for my life. ... As a 24-year-old at the time, I was pretty star-struck at the time being around some of the veteran guys and being around the big-league clubhouse and everything. I had never been part of a major-league clubhouse. Maybe what they did was the norm, I have no idea. I had never been in another big-league clubhouse.”<sup>29</sup> Does this sound like the conformity bias in action, or just another excuse? Explain your reasoning.
10. There were clearly Astros players who were uncomfortable with the cheating. Why didn’t they speak out? What about the Astros players, other than Fiers, who left the club knowing of the scheme, but never reported it? Why didn’t they speak out?  
[See videos on moral muteness <https://ethicsunwrapped.utexas.edu/video/moral-muteness> and the Giving Voice to Values video series. <https://ethicsunwrapped.utexas.edu/series/giving-voice-to-values>]
11. It is perfectly legal to watch the opposing teams’ pitcher and catcher with the naked eye, even when you’re a runner standing on second base with a primo view of the catchers’ signals. And it’s legal to try to detect those signals and send them to your teammate in the batter’s box in an attempt to give him an edge. Is the use of electronic means to do the detecting so close to the traditional means that it doesn’t seem so bad? Explain.
  - a. How might this line of reasoning be influenced by the slippery slope?  
[See videos on incrementalism. <https://ethicsunwrapped.utexas.edu/video/incrementalism> <https://ethicsunwrapped.utexas.edu/glossary/incrementalism>]
12. Why didn’t MLB punish the players who were involved?

- a. Should the players have been punished as well as the manager and general manager? Why or why not?
  - b. Why do you think the managers were allowed to keep their share of the World Series prize money (\$400,000 each)? Is this fair? Why or why not?
13. Did Rob Manfred take a deontological or a utilitarian approach to investigating and punishing the Astros? Was it the best approach? Explain your reasoning.  
[See videos on deontology <https://ethicsunwrapped.utexas.edu/glossary/deontology> and utilitarianism. <https://ethicsunwrapped.utexas.edu/glossary/utilitarianism>]
14. In the wake of the scandal, Pete Rose – who is one of the best players in history and was banned from the game because he gambled on baseball – asked for reinstatement.<sup>30</sup> Does the failure to punish the Astros’ players provide grounds for mercy toward Rose? Why or why not?
15. Commissioner Manfred refused to strip the Astros of their championship, saying: “Once you go down that road of changing what happens on the field, I just don’t know how you decide where you stop.”<sup>31</sup> Do you think the Astros should be stripped of their championship? Explain your reasoning.

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**End Notes:**

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<sup>1</sup> Jared Diamond, ‘Dark Arts’ and ‘Codebreaker’: *The Origins of the Houston Astros Cheating Scheme*, *Wall Street Journal*, Feb. 7, 2020, at <https://www.wsj.com/articles/houston-astros-cheating-scheme-dark-arts-codebreaker-11581112994>.

<sup>2</sup> *Id.*

<sup>3</sup> Tom Verducci, *Why MLB Issued Historic Punishment to Astros for Sign Stealing*, *Sports Illustrated*, Jan. 13, 2020, at <https://www.si.com/mlb/2020/01/13/houston-astros-cheating-punishment>.

<sup>4</sup> Barry Svrluga & Dave Sheinin, *The World Just Learned of the Astros’ Cheating. Inside Baseball, It was an Open Secret*, *Washington Post*, Feb. 11, 2020, at [https://www.washingtonpost.com/sports/mlb/astros-cheating-open-secret/2020/02/11/1830154c-4c41-11ea-9b5c-eac5b16dafa\\_story.html](https://www.washingtonpost.com/sports/mlb/astros-cheating-open-secret/2020/02/11/1830154c-4c41-11ea-9b5c-eac5b16dafa_story.html).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Nick Moykin, *Nationals Reportedly Knew of Astros Sign-Stealing Scandal During the World Series*, WUSA, Feb. 12, 2020, at <https://www.wusa9.com/article/sports/nationals-knew-astros-were-stealing-signs-during-world-series/65-b3ae89ef-58c3-4374-be49-ee591c38384c>.

<sup>8</sup> Rob Manfred, *Statement of the Commissioner*, Jan. 13, 2020, at <https://www.crawfishboxes.com/2020/1/13/21064270/mlb-commissioner-rob-manfreds-full-statement-on-the-houston-astros-sign-stealing-investigation>.

<sup>9</sup> Ken Rosenthal & Evan Drellich, *The Astros Stole Signs Electronically in 2017—Part of a Much Broader Issue for Major League Baseball*, The Athletic, Nov. 12, 2019, at <https://theathletic.com/1363451/2019/11/12/the-astros-stole-signs-electronically-in-2017-part-of-a-much-broader-issue-for-major-league-baseball/>.

<sup>10</sup> Susan Slusser, *A's Mike Fiers Says He's Received Death Threats, Plans to Keep Astros Ring*, San Francisco Chronicle, Feb. 20, 2020, at <https://www.sfchronicle.com/athletics/article/A-s-Mike-Fiers-I-ve-dealt-with-death-15071066.php>.

<sup>11</sup> Manfred, *supra* note 8.

<sup>12</sup> Erik Boland, “Yankees Won’t Be Returning to the Scene of Astros’ Crime,” Newsday, May 14, 2020, at <https://www.newsday.com/sports/baseball/yankees/astros-yankees-sign-stealing-scandal-minute-maid-park-1.44641481>.

<sup>13</sup> Boston Herald Staff, “Calling Foul over MLB Report on Sox Sign-stealing Scandal,” Boston Herald, April 26, 2020, at <https://www.bostonherald.com/2020/04/26/calling-foul-over-mlb-report-on-sox-sign-stealing-scandal/>.

<sup>14</sup> Thomas Fox, *The Astros Cheating Scandal and Compliance—Part 5: The Whistleblower and the Amnesty*, Thomas Fox’s FCPA Compliance & Ethics Updates, Jan. 21, 2020, at <https://www.jdsupra.com/legalnews/the-astros-cheating-scandal-and-55519/>.

<sup>15</sup> Christopher L. Gasper, *Players Should Be Punished Too in Baseball’s Sign-Stealing Scandal*, MSN.com, Jan. 18, 2020, at <https://www.msn.com/en-us/sports/mlb/players-should-be-punished-too-in-baseball-s-sign-stealing-scandal/ar-BBZ4tCM?fbclid=IwAR0znzAliQdUxJAbpO7v6wMlvL3txqWK6cwIpvmYGSWt3laBhA9hQ-1zI5A>.

<sup>16</sup> Allen Kim, *Angles Star Mike Trout Rips MLB for Astros Cheating Scandal, Said He ‘Lost Respect’ for Players*, CNN, Feb. 17, 2020, at <https://www.cnn.com/2020/02/17/us/houston-astros-mike-trout-spt-trnd/index.html>.

<sup>17</sup> Dalton Johnson, *Rob Manfred Explains Why He Didn’t Strip Astros’ World Series, Punish Players*, NBC Sports, Feb. 16, 2020, at <https://www.nbcsports.com/bayarea/athletics/rob-manfred-explains-why-he-didnt-strip-astros-world-series-punish-players>.

<sup>18</sup> Howard Bryant, “Why the Houston Astros’ Cheating Scandal Could Be Worse for MLB than the Steroid Era,” ESPN, Mar. 8, 2020, at [https://www.espn.com/mlb/story/\\_/id/28841940/why-houston-astros-cheating-scandal-worse-mlb-steroid-era](https://www.espn.com/mlb/story/_/id/28841940/why-houston-astros-cheating-scandal-worse-mlb-steroid-era).

<sup>19</sup> Doug Glanville, *Baseball’s Existential Crisis*, New York Times, Jan. 21, 2020, at <https://www.nytimes.com/2020/01/21/opinion/the-astros-cheating.html>.

<sup>20</sup> Tyler Kepner, *The Rise and Sudden Fall of the Houston Astros*, New York Times, Jan. 18, 2010, at <https://www.nytimes.com/2020/01/18/sports/houston-astros-cheating.html>.

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<sup>22</sup> Tim Daniels, *California Little Leagues Ban Astros as Team Name After Cheating Scandal*, Bleacherreport, Feb. 15, 2020, at <https://bleacherreport.com/articles/2876498-california-little-leagues-ban-astros-as-team-name-after-cheating-scandal>.

<sup>23</sup> Adam Wells, *Chris Correa Sentenced to 46 Months for Hacking Astros' Computer System*, Bleacherreport.com, July 18, 2016, at <https://bleacherreport.com/articles/2652751-chris-correa-sentenced-to-46-months-for-hacking-astros-computer-system>.

<sup>24</sup> Gene Laques, *Injured Parties, Defiant Execs and a Tainted Title: Houston Astros' Sign-stealing Scandal Checks All the Boxes*, USA Today, Jan. 15, 2020, at <https://www.usatoday.com/story/sports/mlb/columnist/gabe-lacques/2020/01/15/houston-astros-cheating-scandal-mlb/4465982002/>.

<sup>25</sup> Susan Slusser, *A's Mike Fiers Says He's Received Death Threats, Plans to Keep Astros Ring*, San Francisco Chronicle, Feb. 20, 2020, at <https://www.sfchronicle.com/athletics/article/A-s-Mike-Fiers-I-ve-dealt-with-death-15071066.php>.

<sup>26</sup> Rosenthal & Drellich, *supra* note \_\_.

<sup>27</sup> James Crabtree-Hannigan, *Carlos Correa Denies Astros Were Intimidated by Carlos Beltran*, Sporting News, Feb. 13, 2020, at <https://www.sportingnews.com/us/mlb/news/carlos-correa-denies-astros-were-intimidated-by-carlos-beltran/1qids459hddeo1k53f8nabl8z6>.

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<sup>30</sup> Randy Miller, *Pete Rose Feels Astros' Cheating Worse Than His Bets, Questions Players Getting Off 'Scot-free'*, NJ.com, <https://www.nj.com/yankees/2020/01/pete-rose-feels-astros-cheating-worse-than-gambling-questions-players-getting-off-scot-free.html>.

<sup>31</sup> John Perrotto, *Rob Manfred Won't Tolerate Retaliation Against Houston Astros*, Feb. 17, 2020, at <https://www.forbes.com/sites/johnperrotto/2020/02/17/rob-manfred-wont-tolerate-retaliation-against-houston-astros/#10a4a13f3b67>.