Calculating NIL Damages: How Emotional Abuse in Sports Creates Measurable Losses

By Katherine Starr

Introduction: NIL Damages and Emotional Abuse in Sports

For decades, emotional abuse in sports was dismissed as an unprovable harm. Courts asked: where are the receipts? At best, damages were tied to lost scholarships or medical bills, numbers too narrow to reflect the real cost of an athlete's interrupted career. The rise of Name, Image, and Likeness (NIL) has changed the landscape. NIL created a market for athletic identity one that translates performance, influence, and visibility into measurable financial value[1].

That value does not begin in college. It begins the moment talent is recognized and a trajectory starts to form when athletic growth is paired with growing influence and visibility. For some, that trajectory leads through college. For others, it bypasses college entirely and turns professional earlier. NIL provides the framework to measure damages in both scenarios. It is the minimum proof that abuse has financial consequence, and for pro-level athletes, it sets the floor upon which higher earnings are measured.

When abuse disrupts that trajectory whether by sidelining a player, silencing their presence, or forcing them out it creates an interruption in NIL value. That interruption is economic injury.

This article moves beyond proving liability to showing lawyers how to quantify damages. It explains why old models fail, how NIL creates a new benchmark, and how emotional abuse can be tied directly to lost earnings. In short: NIL turns emotional abuse from "soft harm" into hard damages and gives litigators a model to prove it.

Why Old Damages Models Fail in Athlete Abuse Cases

Until NIL, damages in athlete abuse cases were framed through outdated lenses. Courts looked for concrete losses and defaulted to three categories: scholarships, medical bills, and generalized pain and suffering. Each fell short.

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Scholarships. The scholarship model only works for athletes who happen to secure a college roster spot. It ignores those who turn professional earlier, as well as the many athletes whose abuse disrupted their path before a scholarship was ever offered. Talent and opportunity exist before college; damages should too.

Medical bills. Emotional abuse rarely leaves the kind of medical paper trail courts want. Athletes may not seek therapy, or they may power through until the damage is irreparable. By the time a medical record exists, the trajectory has already been altered and the real injury, economic opportunity lost, is nowhere in the file.

Pain and suffering. Historically, emotional abuse claims collapsed under this category. Courts treated them as subjective, unquantifiable, and too easily contested by institutions pointing to "successful" peers who thrived under the same coach or program. The result: systemic harms were dismissed as personal weakness[2].

In my prior article (*Emotional Abuse in Sports: Proving Institutional Misconduct in the NIL Era*), I defined emotional abuse in sport as an environmental inequity[3] an institutional misconduct issue, not merely individual hurt feelings. That established liability. This article builds on that foundation to address the next legal hurdle: damages. Old models ignored the economic arc of an athlete's career, which begins when talent and visibility emerge, not when a tuition bill arrives. NIL is the first framework to fill that gap, turning emotional abuse from an intangible harm into a calculable disruption of financial trajectory.

NIL as a Measurable Value for Athlete Abuse Damages

NIL has created something courts never had before: a financial yardstick for athletic opportunity[4]. It is no longer necessary to speculate about what an athlete "might" have earned there are contracts, deals, and valuations that prove it. NIL democratizes athlete value.

Superstars are obvious earners, but they are not the only ones. Bench players, role players, and even walk-ons can generate NIL income through local sponsorships, social media presence, and community influence. In today's market, simply wearing the jersey and being part of a roster creates economic potential. NIL confirms that every athlete, not just the most decorated, carries measurable value.

And that value starts early. A 13-year-old setting state records is already on a trajectory with financial consequences. If that athlete is abused, falls into depression, and leaves the sport, the loss is not abstract. NIL provides the benchmark for what was interrupted by the sponsorships, the visibility, and the influence that would have compounded with development.

For those who never enter college, NIL still provides the baseline. It sets the floor for professional athletes who turn pro early, establishing a minimum against which lost earnings can be calculated. NIL proves that athletic identity has market value from the moment a trajectory begins. That proof transforms emotional abuse from an intangible grievance into a quantifiable economic disruption.

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How Emotional Abuse in Sports Derails NIL Trajectories and Athlete Earnings

Every NIL trajectory is built on momentum. Performance drives visibility, visibility drives influence, and influence drives opportunity. When that chain is interrupted, the economic impact is real.

The problem is that while harassment and misconduct claims have historically been quantifiable, **emotional abuse has been sidelined**. It is acknowledged but rarely given measurable value.

- **Professional soccer.** The Yates Report on U.S. women's soccer confirmed systemic harassment and coercive environments. Harassment and sexual misconduct were met with sanctions, but emotional abuse, intimidation, threats, and verbal degradation were treated as cultural background noise. Careers were shortened, players left the sport, and visibility was lost[5]. *No clear economic damages were attached to the athletes who experienced emotional abuse in this situation; settlements and sanctions focused instead on harassment and sexual misconduct.*
- **College basketball.** Athletes have spoken publicly about coaching cultures of weigh-ins, body shaming, and retaliatory benching. Eating disorders and medical injuries were recognized, but the emotional abuse itself was written off as "hard coaching." NIL shows how those years of humiliation directly reduced sponsorships, visibility, and earning potential[6]. *No economic damages were assigned to athletes whose careers were shaped or curtailed by these environments.*
- **Junior hockey.** Investigations into hazing revealed hostile team cultures where humiliation was routine. Physical incidents were disciplined; the emotional harm that forced players out of the sport was left unmeasured[7]. *No economic damages were attached to the players who left the game as a result of systemic emotional abuse.*
- **College football.** High-profile lawsuits have exposed toxic coaching environments where emotional abuse was widespread[8]. Where cases advanced, it was usually on harassment or discrimination grounds. Emotional abuse was acknowledged, but the economic impact of players quitting, missing game time, and losing recruitment opportunities was never captured[9][10][11]. *No damages models accounted for lost NIL or career opportunities tied to emotional abuse alone.*

Interruption Value™ is the measure of what is lost when abuse breaks an athlete's trajectory. It captures the financial consequence of disrupted growth the missed sponsorships, the stalled visibility, the lost influence that would have compounded over time. NIL provides the baseline; **Interruption Value** translates disruption into damages.

Legal Framework for NIL Damages: Foreseeability, Negligent Supervision, and Retention

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Courts have long recognized that institutions are accountable when foreseeable harms occur in environments they control[12]. In employment law, Title VII cases examine whether discrimination or harassment is "severe or pervasive" enough to alter the conditions of employment. The same reasoning applies in sport. Athletes, increasingly seeking recognition as employees, deserve equal protection when their environments create systemic inequities[13].

This is where foreseeability and negligent supervision, hiring, and retention intersect with NIL. If a program ignores recurring complaints, weigh-ins that consistently humiliate, coaches who single out athletes year after year, and toxic hazing rituals that never stop the harm, it is not only foreseeable, it is inevitable. When institutions continue to hire or retain individuals despite documented red flags, their liability deepens. And when those environments derail athlete trajectories, the losses are now quantifiable through NIL.

Strategically, this reframes the courtroom battle. Instead of relying solely on psychological diagnoses, lawyers can present data:

- NIL contracts of comparable athletes.
- Social media valuations tied to visibility.
- Recruitment opportunities foreclosed by hostile coaching cultures.
- The cumulative earning potential that Interruption Value™ measures.

With this approach, emotional abuse is no longer an intangible grievance. It becomes a matter of institutional misconduct, with damages grounded in objective, market-based evidence.

For lawyers, the path forward is clear: treat emotional abuse claims with the same rigor as harassment or discrimination cases. Prove foreseeability, establish negligent supervision, hiring, and retention, and then let NIL valuations and Interruption Value™ anchor the damages model.

Conclusion: Proving NIL Damages in Athlete Abuse Litigation

The law has always struggled to value emotional abuse in sport. It was acknowledged, often documented, but rarely compensated. With NIL, that era is ending. For the first time, there is a measurable baseline that captures the financial potential of every athlete not just stars, but bench players, walk-ons, and youth prodigies whose trajectories begin long before college.

When emotional abuse derails that trajectory, the injury is no longer abstract. It is economic. The NIL framework, combined with **Interruption Value™**, provides courts with the tools they need to quantify damages that institutions have long dismissed. And when paired with established doctrines negligent supervision, hiring, and retention liability is no longer a question of speculation. It is a matter of institutional misconduct.

The future of athlete abuse litigation will not be built solely on the testimony of psychologists. It will be built on diagnosing environments, tracing inequities, and proving how those inequities disrupt NIL pathways. That is where the law is moving and it is where I stand ready to help.

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Citations and Attributes

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