

BEFORE THE HORSE RACING BOARD

STATE OF CALIFORNIA

In the Matter of the Accusation Against:

RYAN HANSON
CHRB License #290070
Respondent

CHRB Case #14LA0275

DECISION

The attached Proposed Decision is adopted by the California Horse Racing Board as its Decision in the above-entitled matter.

The Decision is hereby remanded to the Board of Stewards to issue a ruling and order for payment of the three thousand dollar (\$3000.00) fine and setting the sixty (60) day suspension with thirty (30) days stayed, the stay to become permanent upon successful completion of one (1) year probation without a further Class I, II or III violation in California or an equivalent violation in any other North American Racing Jurisdiction.

IT IS SO ORDERED ON December 19, 2014.

CALIFORNIA HORSE RACING BOARD
Chuck Winner, Chairman



Rick Baedeker
Executive Director

**BEFORE THE
CALIFORNIA HORSE RACING BOARD
STATE OF CALIFORNIA**

In The Matter of the Accusation

Filed Against:

CHRB Case No 13LA0275

RYAN HANSON

Trainer

CHRB License #290070

PROPOSED DECISION

This case was heard by Steffan Imhoff, an Appellate Judge/Hearing Officer designated under Horse Racing Law Section 19517.5(A) by the California Horse Racing Board (CHRB). Hearings were held at the Del Mar Race Track on July 25, 2014 in the Executive Conference Room and on November 14, 2014 in the Downstairs Conference Room. The following parties were present at the penalty hearing held on November 14, 2014.

Robert D. Petersen, Deputy Attorney General representing CHRB.

Robin Dunn, attorney representing Ryan Hanson.

Ryan Hanson, respondent, also present, Mrs. Ryan Hanson.

Michelle Derieg, hearing reporter, recorded the proceedings.

BACKGROUND

ACCUSATION: On March 26, 2014 an Accusation was filed by the California Horse Racing Board (CHRB) against Trainer Ryan Hanson (Lic. No. 290070). The Accusation was signed by Complainant Rick Baedeker Executive Director for the Board. The Accusation alleged that on December 6, 2013 Hanson ran his horse *Dashers Jessie* in the 6th race at Los Alamitos race track. *Dashers Jessie* finished first. On the date of the race, December 6, 2013 a urine sample (#LA24848) was taken from *Dashers Jessie* and sent to the Maddy Lab in Davis. On December 17, 2014 Dr. Stanley, head of the Lab reported that sample "LA24848" contained an excessive amount (705 pico gram /ml) (1 pico gram = 1 trillionth of a gram) of Clenbuteroal. Hanson was informed of the accusation. The Accusation asserts that these proceedings be guided by the Rules and the Laws of Racing including Rule 1887. Trainer to Insure Condition of Horse, Rule 1843. Medication Drug and Other Substances, Rule 1843.1 Prohibited Drug Substances. Rule 1844.1 Suspension of Authorized Rule 1859.5 Disqualification Positive Test.

ASSIGNMENT OF HEARING OFFICER: The Board, under the authority of California Code of Regulations, Title 4, Section 19517.5 (Horse Racing Law) appointed Hearing Officer Daniel Schiffer to preside over this case.

MOTION TO DISQUALIFY: On June 27, 2014 Mr. Dunn filed a Motion and supporting memorandum to disqualify Hearing Officer Schiffer. Mr Petersen filed an opposition to the Motion to Disqualify. Hearing Officer Schiffer filed his Ruling on the Motion on June 30, 2014. He held that there were insufficient grounds for disqualification. However, he also ruled that because there was a perception of bias by Ryan Hanson, he would recused himself from the case and ORDERED that the case be returned to the CHRB for reassignment.

APPOINTMENT OF NEW HEARING OFFICER: Acting under the authority of Section 19517.5 the Board appointed Hearing Officer Steffan Imhoff to take over the Ryan Hanson's case.

MOTION TO DISMISS: The Respondent raised his principal defense to the Accusation through a Motion to Dismiss filed on July 7, 2014. DAG Petersen filed a Motion Opposing Hanson's Motion to Dismiss on July 14, 2014. Oral Argument on the Motion to Dismiss was held on July 25, 2014 at the Del Mar Race Track, upstairs Executive Office Building. The Board was represented by DAG Robert Petersen. Mr Hanson was represented by attorney Carlos Fisco substituting for Mr Dunn. Hearing Officer Steffan Imhoff presided and the proceedings were reported by Michelle Derieg. Following written and oral argument the matter was submitted.

This issue was exhaustively debated in written and oral arguments before this

court. The court adopts the ruling denying the motion to dismiss as the ruling in this proposed decision and designates that ruling as part of the administrative record.

RULING ON THE MOTION TO DISMISS

INTRODUCTION: Ryan Hanson, thru his attorney Robin Dunn has filed a motion to dismiss the CHRB accusation against him. In that accusation it is asserted that *Dashers Jessie* a quarter horse trained by Hanson had an overage of the medication Clenbuterol while winning a race at Los Alamitos on December 6, 2013. Hanson argues that the Board's action in suspending the regulation, which would have allowed Clenbuterol on that date, was invalid and therefore the accusation must be dismissed. Deputy Attorney General (DAG) Robert Peterson opposes the dismissal. Hanson has filed an exhibit in support of his motion (Exhibit 1). There being no objection the exhibit is admitted.

The court is now prepared to rule on Hanson's motion to dismiss.

Procedural Background:

i) Medication

Up until 2011 Clenbuterol was a legal medication, an effective bronchial dilator in common use in equine medicine. Under Rule 1844 (e)(9) Clenbuterol could appear in a competing horse's urine test sample as long as it didn't exceed 5 ng/ml. In addition the only "brand" of Clenbuterol that is allowed by the CHRB is the FDA approved Ventipulnin syrup. Any other form of Clenbuterol is prohibited.

1) In 2010 the CHRB began to get troubling reports concerning Clenbuterol. Of the 40,400 post race blood and urine tests run at the Maddy Lab in one year, 19

samples showed an actionable level of class I, II, or III drugs. Nine of the 19 were Clenbuterol positives taken from quarter horses racing at Los Alamitos Race Track in Orange County. This constituted an unusually high percentage of a particular drug overage coming from one racetrack and one breed of horse.

2) The Board was determined to stop the use of Clenbuterol while they investigated the problem. One way to accomplish this goal was to suspend Rule 1844 (e)(9), which allows the use of Clenbuterol as a race day medication. This would temporarily return Clenbuterol to the status of an unlawful drug whose presence in post race urine samples (except in the most minute amounts) would be a class III violation.

Rule 1844.1 Suspension of Authorized Medication

1. The Board passed a new rule that gave them the authority to suspend the use of any authorized medication. The rule (1844.1) which went into effect on July 21, 2011 provides:

(a) After a public meeting that has been noticed in accordance with Government Code section 11125(a), the Board may for any cause temporarily suspend the authorized administration to a horse entered to race of any drug, substance or medication that is otherwise permitted under Rule 1844, Authorized Medication.

(b) The temporary suspension of the authorized administration of a drug, substance or medication may be for a race, breed, or race meeting, provided all horses in the same race compete under the same conditions. (c) The Board shall notify in writing the racing association and the trainer's organization of any temporary suspension of authorization to administer a drug, substance or

medication to a horse entered to race. The written notification shall at minimum: (1) State the authorized medication whose use is temporarily suspended, (2) The period of time for which the use of the authorized medication is temporarily suspended, and (3) Whether the temporary suspension is for a specific breed or a race meeting. (d) A suspension of authorization to administer a drug, substance or medication to a horse entered to race **shall not exceed 12 months**. NOTE: Authority: Sections 19440, 19562, 19580 and 19581, Business and Professions Code. Reference: Sections 19440, 19580 and 19581, Business and Professions Code. HISTORY: New rule filed 7-21-11; effective 7-21-11.3)

ii) Time Line

Rule 1844.1 – Suspension of authorized medication was adopted on April 28, 2011.

The 1st temporary suspension for the Quarter Horses went into effect on October 14, 2011.

The 2nd temporary suspension for all Quarter Horses running in all California tracks became effective on April 26, 2012.

The 3rd temporary suspension was passed on June 20th, 2013 and prohibited the use of Clenbuterol on all tracks and all breeds. It became effective on July 18, 2014.

The race in question in this case took place on December 6, 2013 following the 3rd temporary suspension. There is no dispute that the alleged Clenbuterol overage occurred after the first temporary suspension was expired.

The Board adopted Rule 1844.1 after a public meeting that had been noticed in

accordance with Government Code section 11125(a). The rule went into effect on July 21, 2011. On April 26, 2012 the Board voted to immediately suspend the use of Clenbuterol for Quarter Horses. This suspension expired on April 25, 2013. The suspension of Clenbuterol for all breeds was passed on July 17, 2013 and expired on July 16, 2014. That suspension has also been renewed. Since the race in question was run on December 6, 2013 it occurred during the 3rd Clenbuterol suspension granted by the Board.

Issue Under Rule 1844.1

The participants agree that under rule 1844.1 if there is a valid suspension order of rule 1844(e)(9) then there is a valid positive. Conversely both sides understand that if there is no valid suspension of rule 1844(e)(9) then there is no Clenbuterol overage. Furthermore, Hanson and the DAG agree that the issue under this rule will be resolved by determining the proprietary of the extensions allowed by the board. If this motion was decided by the court under 1844.1 it would turn solely on interpreting the meaning of rule 1844.1(d) which provides: A suspension of authorization to administer a drug, substance or medication to a horse entered to race shall not exceed 12 months.

The meaning of the 12 month deadline could turn on such factors as the mandatory language of the regulation, the intent of the rule makers or even the use of the pluperfect tense (See *Matus v PERS* (2009) 99Cal.Rptr.3rd).

However, the court, upon due consideration finds it unnecessary at this time to resolve the issue of the meaning of 1844.1(d). Instead we turn to an analysis of Rule 1406 as it was applied.

Rule 1406 Suspending Clenbuterol Rule:

Rule 1406 Suspension of Rule: It provides "For good cause, with or without a hearing, the Board may temporarily suspend the application of any of its rules upon any conditions it may impose. Every application for such action and any such action by the Board shall insofar as possible, be in writing. If not in writing, it shall be confirmed in writing as soon thereafter as possible."

Several Commissioners, including Professor Choper, a renowned constitutional scholar, queried whether this rule could be used to suspend Rule 1844 (e)(9) and thus reverse Clenbuterol's legal status. The staff gave the commissioners the following answer; the rule might not be constitutionally defensible primarily because there was no provision for a public hearing.

In each instance that the court is aware of this "staff opinion" it fails to make the distinction between a regulation unconstitutional on its face and the constitutionality of a regulation "as applied". On its face there are obvious deficiencies in Rule 1406 including the lack of a provision for a hearing. However an administrative rule must be evaluated as it is applied, *Citizen United v Federal Election Commission* 558 US 310 (2008) and we shall do so.

We recognize that we have previously had argument and briefing on rule 1844.1 No less an authority then the United States Supreme Court is known to have changed direction after argument and briefing. See *Ill v Gates* 462 US 213 (1983), where the court orders briefing, including dozens of *amicus curia*, and argument, on a good faith exception to the 4th amendment warrant requirement.

The court then decided the case on a different issue. The good faith issue had to wait for another day *US v Leon* 468 US 897 (1984).

Turning to an "as applied" analysis of rule 1406 it is obvious that when all the Clenbuterol hearings are considered collectively any issues concerning compliance with APA or creating an underground regulation or complying with the time constraints are easily put to rest. The court finds the following:

1) We have already established, and we find that each meeting was properly noticed in compliance with Government Code section 11125 (a).

2) We further find that the proper parties were noticed including members of the public and all representatives of interested groups and organizations.

3) In addition, we find that all interested parties were given adequate time to comment in person or in writing.

4) Furthermore, we find that in the absence of a specific regulation no time requirements were violated nor was there any violation of Hanson's due process rights. Yes, there would come a point at some time in the future where a time delay begins to intrude on due process rights but the court rejects the notion that we have reached that point here.

5) In addition we find that good cause exists and existed for invoking rule 1406. That includes evidence of a foreign outlaw brand of Clenbuterol that was being used with high doses to obtain a steroidal effect in California racehorses. The clear conclusion is that this medication was being abused and it was up to the Board to stop this abuse. Business & Professional code 19420.

Conclusion on motion to dismiss:

Hanson has failed to show in his motion to dismiss his due process rights or his statutory rights were violated and therefore his motion to dismiss is DENIED.

{The court is aware that on November 25th 2014 this issue was addressed in the Board decision in Jose De La Torre (Case. No. SAC 14-0064). That opinion, upholding the boards action under rule 1844.1 and 1844.1(d) is perfectly consistent with this court upholding the Board's authority to suspend the Clenbutrol rule under 1406}.

ADMISSION OF ACCUSATION: On October 14, 2014 Ryan Hanson, thru his attorney Robin Dunn filed a written Admission of the Accusation. In that document he asserted that his admission was prompted by the court's denial of his Motion to Dismiss and that he was not waiving any Appellate rights by this admission.

Abbreviated version of the relevant portion of the accusation follows.

Complainant Rick Baedeker, for cause of discipline against Respondent, Ryan Hanson, alleges as follows:

- I) Complainant makes and files this accusation in his official capacity as the executive director of the California Horse Racing Board (hereinafter "the board"), and not otherwise.
- II) At all times mentioned herein Respondent was the holder of a trainer's license issued by the Board. His license is 290070.
- III) Official urine sample #LA24848, taken on December 6, 2013 at Los Alamitos from horse ***Dashers Jessie***, contained Clenbuterol, a class 3 prohibited drug substance,

penalty class B. The horse ***Dashers Jessie***, ran in the 6th race finishing 1st. The horse's trainer of record, at all relevant times, was Respondent Ryan Hanson.

IV) On or about December 17, 2013, Scott D. Stanley, Ph.D. of U.C Davis Laboratories reported to the Board that the official urine sample #LA24848 contained Clenbuteroal (705 pg/ml).

V) On or about December 19, 2013, T. Blake and K. Kitashima, investigators for the Board, notified Respondent of the positive test.

VI) At all times mentioned herein, Business and Professions Code sections 19461, 19581, and 19582 provided, in relevant part, that every license granted by the Board is subject to suspension, revocation, or monetary penalty by the Board in any case where the Board has reason to believe that any condition regarding the license has not been complied with or that any law or any rule or regulation of the Board affecting the license has been broken or violated.

VII) At all times mentioned herein, California Code of Regulations, Title 4, Division 4, sections 1887, 1843, 1843.1, 1844.1 and 1859.5, provided.

Conclusion on Ryan Hanson's culpability:

1) Findings of facts: The court finds that on December 6th 2013, the horse ***Dashers Jessie*** ran and won the 6th race at Los Alamitos race track. The court further finds that at all relevant times the horse was trained by Ryan Hanson and was found to have Clenbutarol in his urine in the amount of 705 pg/ml.

2) Conclusion of law: Because of his admission to the accusation no further factual findings are necessary. We find that his culpability has been conclusively established

and we therefore turn to the question of penalty.

PENALTY

Authority of CHRB to Impose a Suspension or Fine on Respondent

It is undisputed that having admitted that the Complaint is true the CHRB has the authority to impose a fine or suspension on Ryan Hanson. The granting of these powers, including the power of the CHRB to adopt Rules and Regulation concerning punishment can be found in Business and Professions Code Sections 19420, 19440, and 19461.

In addition Rule 1405 specifically empowers the CHRB to suspend or fine any licensee for any violation of the Rules;

Violation of any provision of this Division, whether or not a penalty is fixed therein, is punishable in the discretion of the Board by revocation or suspension of any license, by fine or by exclusion from all racing inclosures under the jurisdiction of the Board, or by any combination of these penalties. The Board may independently punish any misconduct of any person connected with racing. (Rule 1405)

Rule 1887 authorizes the CHRB to suspend or fine a trainer when a prohibited level of a drug turn up in his/her horse's urine:

...If the chemical...analysis of urine...prove positive showing the presence of any prohibited drug substance defined in Rule 1843.1 of the division, the trainer of the horse may be fined, his/her license suspended or revoked, or be ruled off. (Rule 1887)

Rule 1843.1(a) defines prohibited drug substances to include "any drug, substance, medication or chemical". Clenbuterol at the time of the race in question was an unauthorized drug. We have previously found that *Dashers Jessie* post-race urine sample contained 705 pg/ml of Clenbuterol. This result was confirmed by the results from the spit sample. Therefore, Respondent, as a trainer, is subject to the appropriate penalty for a Clenbuterol positive.

Determining Range of Penalties:

A. Under Rules 1843.2 and 1843.3

In determining what penalties Respondent is subject to in this case we first turn to Rule 1843.2. Classification of Drug Substances. Under this Rule the CHRB is directed to consider the classification chart, which divides each Class 1, 2, 3, and 4 drug into A, B, C, and D penalty categories. Clenbuterol is officially listed as a Class 3 drug with a Class B penalty rating.

We then turn to the charts attached to Rule 1843.3 where the range of penalties are divided by letter (A-D), owner or trainer and prior record. Because Respondent has no prior violations of Sec. 19581 or Rule 1887 the relevant penalties are listed in the Horse Racing Rules under Trainer 1st Offence.

Under this section Respondent is subject to a "(m)inimum 30 day suspension absent mitigating circumstances. The presence of **aggravating factors could be used to impose a maximum of a 60 day suspension.**" As to a potential fine a "(m)inimum fine of \$500 absent mitigation circumstances. The presence of **aggravating factors could be used to impose a maximum fine of \$10,000.**

B. Under Business and Professions Code Sec. 19581 and 19582(a)(3)(A).

The Court has considered whether Respondent is not only subject to the penalties under Rules 1843.2 and 1843.3 but is also subject to dramatic increase in potential penalties under Business & Professions Code Sections 19581 and 19582(a)(3)(A). Section 19582(a)(3)(A) states, in part that (t)he Board may provide for the **suspension of a license for not more than three years---**, or a **monetary penalty of not more than one hundred thousand dollars (\$100,000)**, or both, and disqualification from purses, for a violation of Section 19581 (emphasis added).

Section 19581 states, in part, that "(n)o substance of any kind shall be administered by any means to a horse **after it has been entered into a race**, unless the Board has, by regulation, specifically authorized the use of the substance and the quantity and composition thereof"(emphasis added).

It is true that in this case Dr. Arthur speculated that there was a possible withdrawal time of 2 1/2 to 4 1/2 days but even that would not put the administration within 48 hours.

Since no evidence has been presented that the Clenbuterol was administered to **Dashers Jesse** within 48 hours of the race we will not seek to impose those enhanced penalties at this time.

C. Assessing Aggravating and Mitigating Circumstances:

Rule 1843.3 is the Penalty for Medication Violations Rule. It provides instruction in determining the proper penalty in medication violation cases. We start with the basic penalty chart that is part of the rule. As previously determined that chart before adjustments for aggravation and mitigation has a suspension range between 30 and 60 days and a fine of between \$500 and \$10,000. Then we assess aggravation and mitigation as to the eleven specific factors listed in the rule. These factors are mandatory and must be considered.

We also are instructed to assess aggravation and mitigation for any other relevant factors for this particular case. It is important to recognize that in looking at aggravation and mitigation it is not just a question of adding up the factors on each side of the ledger. Rather it is the overall strength of the factors that leads to a conclusion of whether a deviation from the norm is required. Just one compelling aggravating or mitigating finding can outweigh everything on the other side. *People v. Grant* (1988) 45 Cal.3d 829,857, fn.5. Finally, the findings on aggravation and mitigation are applied to the potential penalties in Rule 1843.3 and Section 19582(a)(3)(A).

D. The Mandatory Factors and Circumstances:

1) The past record of the licensee regarding violations of Business and Professions Code section 19581:

It is the Court's position that the lack of a prior record is not mitigation because the chart for no priors already takes that fact into consideration. Both sides agree. **The Court therefore finds this factor neutral.**

2) The potential of the drug(s) to influence a horse's racing performance:

In Dr. Rick Arthur's declaration he stated that Clenbuterol could be used to produce steroid type effects such as lean muscle mass. The evidence suggests that Clenbuterol probably does improve performance. It certainly, at least, has the potential to improve performance. A medication that can be used to improve performance is a more serious problem than one that does not. **Therefore, we find that this is an aggravating factor.**

3) The legal availability of the drug:

This factor is aimed at unlawful drugs and drugs that have not been approved for equine veterinary use. Clenbuterol does not come under this category. Clenbuterol is available from a veterinarian by prescription and in the case Ryan Hanson had a prescription for the medication as a bronchodilator for use in treating a lung infection. **This is a mitigating circumstance.**

4) Whether there is a reason to believe the responsible party knew of the administration of the drug or intentionally administered the drug:

This section is designed to assign additional culpability to a trainer who is directly involved in the administration of an illegal drug. It is not meant to apply to the treatment of a legal medication. This is a neutral factor.

5) The steps taken by the trainer to safeguard the horse:

This factor finds Peterson arguing it's aggravating and Dunn arguing it's mitigating. The Court disagree with both parties Hanson's security arrangements do not constitute mitigating circumstances or aggravating factors. **This is a neutral factor.**

6) **The steps taken by an owner to safeguard against subsequent medication violations including, but not limited to, the transfer of the horse(s) to an unaffiliated trainer:**

This factor is not applicable.

7) **The probability of environmental contamination or inadvertent exposure due to human drug use or other factor.**

No evidence was presented on this issue. **This is a neutral factor.**

8) **The purse of the race:**

Here the purse of the race was \$3600. A large purse would be an aggravating factor whereas **the small size of the purse makes this a mitigating factor.**

9) **Whether the drug found to be present in the official test samples was one for which the horse was receiving treatment as determined through the process described in Rule 1842 of this division:**

Rule 1842 describes the Official Veterinarian Report. "Every veterinarian who treats a horse within the inclosure shall in writing on a form prescribed by the Board, report to the official veterinarian in a manner prescribed by him, the name of the horse treated, the name of the trainer of the horse, the time of treatment and any other information requested by the official veterinarian." The purpose of this factor is to give credit to a trainer and his vet when they comply with this rule. In this case there is no evidence whether or not Rule 1842 was complied with. **This is a neutral factor.**

10) **Whether there was any suspicious wagering on the race:**

There was no evidence of any suspicious wagering in any of the wagering pools.

The lack of suspicious wagering is a circumstance in mitigation.

11) Whether the licensed trainer was acting under the advice of a licensed veterinarian:

As previously noted Hanson was acting under the advice of his veterinarian. The Board encourages trainers to make medication decisions in consultation with their veterinarian. **This is a circumstance in mitigation.**

Additional Factors and Circumstances:

12) Penalties in Recent Clenbuterol Cases (See Exhibit A).

It is instructive to consider the penalties imposed in other Clenbuterol cases that occurred around the same time as this case. The chart submitted by Hanson (Ex A) shows fines ranging from zero to \$3,000. Over half of the fines were for \$3,000. Suspensions ranged from either 30 or 60 days with the majority of the cases staying a portion of the suspension.

13) Ryan Hanson's awareness of Clenbuterol:

It is true that Ryan Hanson has no prior record and for this he has been given credit. However, it cannot be said he was unfamiliar with Clenbuterol and the problem at Los Alamitos of Clenbuterol positives in the Quarter Horse World. In fact, Ryan was the assistant trainer when his father James Hanson had two Clenbuterol positives. An assistant trainer "shall be equally responsible with the employing trainer for the condition of the horses in their care" (Rule 1896). In one case Ryan was listed as "co-owner", along with his father, of a horse who

tested positive for Clenbuterol. The horse *Willie Wyatt*, finished 1st in a race at Los Alamitos on February 1, 2013.

CONCLUSION

If we were just adding up the totals for the 11 listed factors the score would read mitigation 4, aggravation 1, Neutral or Not Applicable 6. Of course the determination of penalties is much more nuanced. Mr. Dunn when asked what a fair sentence would be, turned to his chart, Exhibit A. He felt that for a first offence a \$1500 fine and 30 days suspension, 15 days stayed, would be fair. The DAG on the other hand argued that because of Hanson's familiarity with Clenbuterol, he deserves the maximum of 60 days and \$10,000 for a first offense.

Both attorneys were arguing based on Rule 1843.3(b) which allows consideration of any relevant factor. We find that Mr. Petersen was being a bit harsh in arguing for the maximum on a case that was technically a first offense. Nevertheless we do find his argument persuasive. The fact that Ryan Hanson was an assistant trainer in two of his father's Clenbuterol positives and he was co-owner of another horse that was tested a Clenbuterol positive makes this case significantly different from the average 1st offense.

The Court finds that these factors justify a departure from the minimum penalties for first offenders. The Court therefore will propose a 60 day suspension with 30 days imposed and 30 days stayed.

Ryan Hanson will be ordered to serve one year probation on the condition that during that year he does not have a horse in his care test positive for a Class I, II, or III drug. He shall also be ordered to pay a fine of \$3000.

ORDER

Complaint No. 13LA0275 dated March 26, 2014 charged trainer, Ryan Hanson, Lic#290070 with violating CHRB Rules 1887,1843.1, 1844.1 and 1895.5. The fact that ***Dashers Jessie*** a horse trained by Hanson, ran in the 6th race at Los Alamitos on December 6, 2013, with Clenbuterol in his system (705 pico gram /ml) (1 pico gram = 1 trillionth of a gram) has been admitted and therefore is found TRUE.

CHRB ENTERS THE FOLLOWING ORDER:

- 1) Trainer, Ryan Hanson is placed on one year probation. His trainer's license is ordered suspended for 60 days, with 30 days stayed, the stay to become permanent upon successful completion of probation without a further Class I, II, or III violation in California or an equivalent violation in any other North American Racing Jurisdiction.
- 2) Trainer Hanson shall also pay a fine of \$3000
- 3) The timing of the suspension and payment of the fine will be determined by Rick Baedeker, Executive Director.

12/06/2014

Dated



STEFFAN IMHOFF
Designated Appellate Judge

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