

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

In the Matter of:

FITNESS FOR LICENSURE

**ANTONIO JOSE CORDERO**  
Applicant

Case No. SAC 09-0032

**DECISION**

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

The Decision shall become effective on June 8, 2009.

IT IS SO ORDERED ON June 5, 2009.

CALIFORNIA HORSE RACING BOARD  
John C. Harris, Chairman



Kirk E. Breed  
Executive Director

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In the Matter of:

Fitness for Licensure

Case No. SAC 09-0032

ANTONIO JOSE CORDERO,  
Applicant

**PROPOSED DECISION**

This matter came for hearing in the offices of the California Horse Racing Board (Board) at Hollywood Park, Inglewood, California on April 23, 2009. Assistant Executive Director Richard Bon Smith acted as Referee for the Board pursuant to Section 1414, Title 4, California Code of Regulations.

Applicant Antonio Jose Cordero (Cordero) appeared and was not otherwise represented by Counsel. Cordero brought no witnesses or other documentary evidence. The proceedings were tape recorded; court reporter Barbara Weinstein transcribed the proceedings.

Senior Special Investigator Frank Fink (Fink) appeared and presented evidence on behalf of the Board.

At the hearing the parties were afforded the opportunity to present evidence and respond to questions. Relevant documentation (Cordero's application package) was introduced as an exhibit (Exhibit A) to the matter and subjected to discussion, along with testimony from the applicant. Upon receipt of the testimonial and documentary evidence, and concluding the discussion, the record was closed and the matter deemed submitted.

**BACKGROUND**

Anthony Cordero was licensed as an exercise rider (Board License #258002) at the age of 19 in June 2000. He has a criminal record and history dating at least to December 2002 when he was convicted of attempted robbery and DUI. His prison term and subsequent parole was to have ended February 2006. He was re-licensed March 2005, but was arrested on a parole violation in October 2005 and remanded to prison to serve another 16 months. His license was suspended in January 2006 for failure to appear (he was incarcerated at the time.)

In February 2009, Cordero sought reinstatement of his license, but was denied under the terms of Directive 01-09, dated January 6, 2009. This directive sets a five-year period from release for a felony for re-licensure. In March 2009, the Board of Stewards at the Los Angeles Turf Club meeting at Santa Anita Park set aside its January 2006 ruling that suspended Cordero's license and provided that he might reapply. Cordero filed an application for an Exercise Rider's license the day of the stewards' ruling.

## FINDINGS OF FACT

### I.

Antonio Jose Cordero, CHRB license #258002 (suspended 1/06) was convicted of a felony in 2002 and subsequently violated his parole and was arrested for resisting arrest, necessitating that he complete his full prison term. He subsequently was again paroled and received an early discharge, effective September 2, 2008.

### II.

On March 4, 2009, the Board of Stewards at the Los Angeles Turf Club meeting at Santa Anita Park issued ruling LATS #042 stating, "Having appeared before the Board of Stewards, exercise rider Antonio Jose Cordero, is reinstated and LATS Ruling #27 dated January 25, 2006 is set aside. Mr. Cordero is therefore eligible to reapply for licensing." On March 8, 2009, BOS signed the order of disposition of Case Number 05HP0151 (covered by LATS Ruling #27) and stated Cordero was "Eligible to reapply."

### III.

Investigator Fink entered the entire package of documents submitted by Cordero for his application as evidence. This included an application form, the applicable CHRB Investigative documents and BOS rulings, a memo from a parole officer discharging Cordero from parole, and several certificates of completion from Cedar House Rehabilitation Center and Winners Foundation for Courses and attendance at meetings and personal improvement sessions.

### IV.

Cordero expressed his love for the horse and desire to return to the track as a means to continue his contact with positive influences in his life.

## APPLICABLE RULES

California Horse Racing Board Rule #1489 (Grounds for Denial or Refusal of License) states in part:

The Board ... may refuse a license ... to any person:

- (a) Who has been convicted of a crime punishable by imprisonment in a California state prison or a federal prison, or who has been convicted of a crime involving moral turpitude.
- (b) Who has been convicted of a crime in another jurisdiction which if committed in this state would be a felony. ...

CHRB Directive 01-09 "License Refusals and Denials", effective January 6, 2009, added the following:

...A license applicant will not be considered for licensing and will be refused or denied a license based on the following minimum criteria:

- ... b. Felony Convictions ...: A license applicant is not eligible for licensing for a term of (5) years following the termination of the parole and/or probation of the felony conviction.

## DETERMINATION OF ISSUES

Mr. Cordero has served his criminal sentence and expressed a willingness to comply with the terms of a restrictive, permissive conclusion. He acknowledged Directive 01-09, but asked that it be waived in his case as it became effective after his release from parole. He has the support of a trainer, Bob Bean, who has agreed to hire him and of the Winners Foundation who have recognized his efforts to meet and address his personal problems. Ample grounds exist to recommend denial or approval of Cordero's application for re-licensure. The argument in favor bears consideration for a "one more chance" outcome.

## CONCLUSION

It is recommended that Antonio Jose Cordero be allowed to be licensed as a Provisional Exercise Rider in accordance with CHRB Rule # 1504.5 under the following conditions:

- (a) The term of the "Provisional" status of Mr. Cordero's license is extended to six months instead of the 60 days as provided in the rule.
- (b) Mr. Cordero agrees to comply with guidelines set forth by Winners Foundation.
- (c) Mr. Cordero agrees to submit to urine/blood testing at the discretion of a member of a Board of Stewards and/or Enforcement staff member of the CHRB.

May 1, 2009  
Sacramento, California



Richard "Bon" Smith, Hearing Officer

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