

MEETING
STATE OF CALIFORNIA
HORSE RACING BOARD

In the Matter of:)
)
Regular Meeting)
_____)

TELECONFERENCE

WEDNESDAY, APRIL 22, 2020

9:30 A.M.

Reported by:
Martha Nelson

APPEARANCES

BOARD MEMBERS

Gregory L. Ferraro, Chairman
Oscar Gonzalez, Vice Chairman
Alex Solis, Commissioner
Wendy Mitchell, Commissioner
Dennis Alfieri, Commissioner
Damascus Castellanos, Commissioner

STAFF

Scott Chaney, Executive Director
Cynthia Alameda, Assistant Executive Director
Robert Brodnik, General Counsel
Amanda Drummond, Policy and Regulations Manager
Mike Marten, Associate Analyst
Rick Arthur, Equine Medical Director

ALSO PRESENT

Larry Swartzlander, California Authority of Racing Fairs
Jerome Hoban, Alameda County Fair
Alan Balch, CTT
Aiden Butler, Golden Gate Fields
Orlando Gutierrez, Los Alamitos
Jack Liebau, Los Alamitos
Christopher Schick, Watch and Wager Harness

APPEARANCES

PUBLIC COMMENT

Bonnie Croker

Ellen Ericksen

Martha Sullivan

Greg Avioli, Thoroughbred Owners of California

Denise Bolbol

Liz Jacobelly

Lynn Freudenberg

Wayne Johnson

Jane Cartmill

Ashley

Amanda Lundberg

Patricia

Pat CuvIELLO

Nancy Mitchell

Nick Casado

Scott Nance

Cliff Goodrich

Oscar de la Torre, Horse Racing Worker Advocate

Elvia Sedano

Christine Sanchez

Patty Shenker

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| 10. | Discussion and action by the Board regarding the proposed amendment to CHRB Rule 1560, Duties of the Official Veterinarian, and Rule 1561, Duties of the Racing Veterinarian, to stipulate that the racing veterinarian is under the direct supervision of the official veterinarian. | 95 |
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| 12. | Public Comment: Communications, reports, requests for future actions of the Board.

Note: During the public comment period, a total of thirty minutes will be allowed for public comments via the teleconference line. After thirty minutes, no further comments will be accepted. Each person will be limited to two minutes. | 102 |

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13. Closed Session: For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code. 124
- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).

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- C. The Board may convene a Closed Session for the purposes of considering personnel matters as authorized by Government Code section 11126(a).

1
2 P R O C E E D I N G S

3 9:31 A.M.

4 TELECONFERENCE

5 WEDNESDAY, APRIL 22, 2020

6 CHAIR FERRARO: -- 2020 via teleconference. This
7 is in accordance with Executive Order N-29-20, so as to
8 minimize the spread of COVID-19-19 and reduce the risk of
9 infection during the current state of emergency.

10 Participating in today's meeting are: myself,
11 Chairman; Mr. Oscar Gonzales, Vice Chairman; Mr. Dennis
12 Alfieri, Commissioner; Mr. Damascus Castellanos,
13 Commissioner; Ms. Wendy Mitchell, Commission; and Alex
14 Solis, Commissioner.

15 We are also joined by our new Executive Director,
16 Mr. Scott Chaney, our Assistant Executive Director, Ms.
17 Cynthia Alameda, our Equine Medical Director, Dr. Rick
18 Arthur, our Chief Counsel, Mr. Robert Brodnik, our Staff
19 Attorney, Ms. Amanda Brown, and the Manager of Policy and
20 Regulations, Ms. Amanda Drummond.

21 Before we go on to the business of the meeting, I
22 need to make a few comments. The Board invites public
23 comment on the matters appearing on the meeting agenda.
24 The Board also invites comments on matters not appearing on
25 the agenda during a public comment period, which is item

1 number 12 on this agenda, if the matter concerns horse
2 racing in California.

3 Procedurally, the board will hear from those
4 directly involved in any agenda item, after which the Chair
5 will invite public comment. Those wishing to speak must
6 follow directions of the Operator and have their individual
7 phone lines open for comments.

8 In order to ensure all individuals have an
9 opportunity to speak and the meeting proceeds in a timely
10 fashion, I will strictly enforce a two-minute time limit
11 for each unsolicited speaker. We will insist that all
12 speakers stay strictly on the topic for each agenda items 1
13 through 11. If a speaker strays off topic, I will ask the
14 Operator to move to the next caller.

15 If a speaker repeats himself or herself, I will
16 also ask if the speaker has any new comments to make. If
17 there are none, the speaker will be asked to let others
18 make comments to the Board.

19 During all public comments, and after the first
20 minute-and-a-half, we will give a 30-second warning so that
21 speakers can provide any closing remarks.

22 The Board may ask questions of individuals who
23 speak which may extend their two-minute time limit.

24 For agenda item number 12 only, a total of 30
25 minutes will be allowed for public comments. IF you are

1 not able to speak during that 30-minute period, the Board
2 does accept written comments.

3 With that, we will move on to opening our
4 meeting.

5 The first item on our agenda is approval of the
6 minutes of March 26th, 2020.

7 Do I have a motion to approve?

8 COMMISSIONER MITCHELL: Commissioner Mitchell
9 moves.

10 COMMISSIONER ALFIERI: Yeah. Second --

11 CHAIR FERRARO: Second?

12 COMMISSIONER ALFIERI: -- by Alfieri.

13 CHAIR FERRARO: Commissioner Solis?

14 COMMISSIONER SOLIS: Yes.

15 CHAIR FERRARO: Commissioner Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 CHAIR FERRARO: Commissioner Gonzales?

18 VICE CHAIR GONZALES: Yes.

19 CHAIR FERRARO: Commissioner Alfieri?

20 COMMISSIONER ALFIERI: Yes.

21 CHAIR FERRARO: Commissioner Mitchell?

22 COMMISSIONER MITCHELL: I would defer to
23 unanimous consent, yes.

24 CHAIR FERRARO: And a yes from the Chairman.

25 Next item on the agenda is Executive Director's

1 Report.

2 I'd like to welcome Mr. Scott Chaney as our new
3 Executive director. We look forward to working with him
4 over the months and years to come.

5 Scott?

6 EXECUTIVE DIRECTOR CHANEY: Thank you, Chairman
7 Ferraro. And thank you to the entire Board for the
8 confidence you have placed in me through my appointment. I
9 knew this would be challenging. When I accepted in a job
10 in the last six weeks, it has, obviously, become even more
11 so. I will do my best to validate your trust.

12 Although today marks my sixth day on the job, I
13 can offer a few observations in terms of an Executive
14 Directors Report.

15 First, the staff of the CHRB has made my
16 transition as painless as possible. And my first
17 impression is that they are dedicated and conscientious.
18 Most are working from home, with a few positions going to
19 headquarters each day. I am working from home, as well,
20 until it is responsible and legal to head up to Sacramento.

21 Licensing offices remain closed, although
22 renewals can take place over the phone, online, or by mail.

23 Obviously, Los Alamitos is the only track racing
24 at the moment. But a Safety Steward is assigned to each of
25 the three tracks that remain open for training.

1 California Business, Consumer Services and
2 Housing Agency, the entity that oversees the CHRB, has
3 made -- has been -- they've been very welcoming and
4 accommodating in my first week on the job.

5 Also, since the last Board meeting, Rob Brodnik,
6 after serving as Acting General Counsel for the Board is no
7 longer acting and playing the role in earnest. He has
8 assumed the role of General Counsel.

9 Lastly, on the financial side of the ledger,
10 which is typically part of this report, overall handle for
11 the daytime racing was down for the month of March as
12 compared to 2019 by 9.65 percent on 11 fewer programs.
13 Nighttime handle was down 4.71 percent on eight fewer
14 programs for an aggregate decrease of 8.93 percent.
15 Obviously, this reflects the beginning of the Health
16 Department's cessation of racing due to COVID-19. And,
17 unfortunately, the expectation is that next month will be a
18 good deal worse in terms of handle.

19 And that, Chairman Ferraro, is my report.

20 CHAIR FERRARO: Any comments from the Board?

21 COMMISSIONER ALFIERI: No.

22 VICE CHAIR GONZALES: Welcome aboard, Scott.

23 EXECUTIVE DIRECTOR CHANEY: Thanks so much.

24 CHAIR FERRARO: Do we have a queue, Operator?

25 OPERATOR: All right. Yes, sir.

1 If you would like to ask a question or make a
2 comment, please press star one on your telephone keypad.
3 You'll hear an audible prompt, letting you know your line
4 is live and open. Please make sure to announce your name
5 and title before asking your question.

6 All right. Here comes the first question.

7 MS. CROKER: Good morning. I'm Bonnie Croker,
8 concerned citizen.

9 My first concern is that the Los Alamitos Race
10 Track in Cypress is brining in a new COVID-19 vector into
11 Orange County from Los Angeles County which has the highest
12 death and case count in California.

13 From the *San Gabriel Valley Tribune* on 04/16/20,
14 I quote,

15 "Los Alamitos, the only track in California that is
16 still racing, has stepped up and been helpful. The
17 Racing Department wrote five 870-yard races that are
18 open to thoroughbred and Quarter Horses last Saturday
19 nigh and there are more to come this weekend. Lerner
20 has five horses lined up to race at Los Alamitos the
21 next three days," end quote.

22 The second concern, despite that the Santa Anita
23 Race Track owner, The Stronach Group, contends, their
24 racetrack is not a closed ecosystem, as recently reported
25 by the *Pasadena Star News*. I quote,

1 "Jayro Lopez started working at Santa Anita as a
2 teenager during his summer breaks, a trend that
3 continues now as he attends Cal State Long Beach. His
4 father, Dagoberto Lopez, has worked in the industry
5 for 35 years. It is the only job he's had since
6 migrating from Mexico. 'Workers with families must
7 live offsite,' the younger Lopez said, so his father
8 commutes to Santa Anita from the South Bay daily," end
9 quote.

10 Third concern, while the coronavirus began in the
11 Bay Area, Los Angeles County now represents a quarter of
12 California's population but it's been the site of almost
13 half of the deaths due to COVID-19. The five-county
14 Southern California region accounts for roughly 60 percent
15 of the deaths in California due to the coronavirus, even
16 though it makes up just 48 percent of California's
17 population.

18 L.A. County officials have said that while strict
19 stay-at-home orders have showed the -- slowed the spread of
20 coronavirus, they still remain worried about more
21 outbreaks. The forecast last week was that up to 30
22 percent of the county's 10 million residents could be
23 infected by mid summer without more behavioral changes.

24 While racetracks, like Santa Anita, protest
25 there's no positives on their premises, our Governor admits

1 we have very low testing. California is, actually, the
2 second lowest state in the U.S. Showing no positive means
3 very little.

4 Thank you.

5 CHAIR FERRARO: Next in line, Operator.

6 OPERATOR: All right. Thank you. Here comes our
7 next question.

8 MR. MARTEN: Can I interject? We didn't state
9 this at the start but, you know, there's a two-minute time
10 limit on public comment. And you'll hear a bell at 90
11 seconds, which is a warning. And then at the conclusion of
12 the two minutes, you'll hear the same bell again.

13 CHAIR FERRARO: Do we have another person on the
14 queue, Operator?

15 OPERATOR: Yes, sir.

16 Ms. Ericksen?

17 MS. ERICKSEN: Good morning, Board Members.
18 Ellen Ericksen, San Diego, concerned citizen/activist. I
19 want to speak about the COVID-19.

20 Racing horses requires significant personnel.
21 Backstretch workers --

22 CHAIR FERRARO: Ellen, this is the Executive
23 Director's Report. We're not talking about COVID-19 or any
24 of these things.

25 Do you have comments on the Executive Director's

1 Report? If not, we'll move on to the next speaker.

2 MS. ERICKSEN: Well, I want to talk about the
3 races that are still going on and what's going to happen at
4 Del Mar, and I think it is significant, and it is part of
5 the --

6 CHAIR FERRARO: It's not related --

7 MS. ERICKSEN: -- Executive Director's Report.

8 CHAIR FERRARO: -- to the Executive Director's
9 Report.

10 Can we have the next speaker please, Operator?

11 OPERATOR: All right. Yes, sir. There are no
12 more questions in the queue at this time.

13 CHAIR FERRARO: Okay. Item number three is
14 Equine Medical Director's Report.

15 Dr. Arthur?

16 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. Good
17 morning, Commissioners. This is Dr. Rick Arthur, the
18 Equine Medical Director.

19 The last month or so has been rather unusual for
20 horse racing, as it has been in -- for everyone. During
21 March, we raced at Santa Anita, Golden Gate Fields, Los
22 Alamitos, and Cal Expos before racing was discontinued at
23 most of our racetracks. Nevertheless, training has gone on
24 at all those tracks, as well as at San Luis Rey Downs. I
25 estimate there were roughly 4,500 horses at CHRB at

1 facilities at any one time during March, and that would be
2 close to what we have today at our facilities, maybe
3 slightly less.

4 You can't turn horses on and off, like machines
5 or a computer. They need constant care and attention which
6 requires trainers, grooms, veterinarians, exercise riders,
7 horseshoers, and others to ensure the horses health and
8 safety.

9 CHRB is maintaining Safety Steward and Official
10 Vet presence at our racetracks during the pandemic, albeit
11 on an abbreviated schedule.

12 Every trainer is a small business people
13 employing from the few to many individuals that have to be
14 there to take care of the horses. The same is true of
15 veterinarians, feed suppliers, and others. The level of
16 care for racehorses in California is and has always been of
17 the highest quality horse care.

18 Just as people, horses' physical well-being is
19 dependent on their economic well-being, really, the
20 economic well-being of their connections. There's a
21 fallacy that horse racing is just for rich people. Anyone
22 who knows anything about horse racing knows that most
23 people in racing are struggling financially, even when
24 everything is normal, and everything is not normal. We, as
25 the Board, have to recognize that financial hardship can

1 jeopardize horse welfare.

2 Racing Association's horsemen have been very
3 conscientious during the pandemic to minimize the COVID-19
4 risk. They should be commended for their adherence to
5 social distancing, mask requirements, and other biosecurity
6 efforts, both when racing and during training. California
7 is fortunate Governor Newsom moved so quickly to flatten
8 the curve and all of us have benefitted from those efforts.

9 While the COVID-19 virus will have the last word,
10 I would hope we can be back operating early May with the
11 same strict procedures the tracks have already imposed
12 before racing was suspended. As before, there will be no
13 fans, and for that matter, no owners, at least in the near
14 term. Only the minimum personnel required to conduct
15 racing will be involved, as was the case previously. And
16 as I said last month, CHRB has modified our usual
17 procedures during prerace examinations in the test barns to
18 minimum human-to-human contact.

19 I would like to point out that both Dr. Grande,
20 our Official Veterinarian at Santa Anita, and Dr. Beck, our
21 Official Veterinarian at Los Angeles, are not only
22 veterinarians but both hold master's degrees in public
23 health.

24 Furthermore, horse racing, especially here in
25 California, has been well-versed and competent to follow

1 security procedures developed to deal with equine
2 infectious diseases during equine influenza and EHV-1
3 outbreaks. Our horsemen have a reasonably good
4 understanding of infectious disease medications from a
5 horse's health management perspective. And those who are
6 familiar with EHV-1 management strategies would recognize
7 the similarities between EHV-1 and COVID-19 with social
8 distancing concepts and simple biosecurity procedures, such
9 as hand washing, avoidance of (indiscernible) transmission
10 risk, and other vulnerabilities.

11 Horse racing is better positioned to staff than
12 most industries to operate in these times, especially with
13 their non-public, well-controlled enclosed properties, and
14 our restricted, closed, and licensed workforce.

15 There were five necropsy submissions in March,
16 three racing, one training, and one non-exercise. Through
17 the first three quarters of the fiscal year, we are on
18 track for over a 25 percent reduction in fatalities from
19 the previous fiscal year, a reduction and training
20 fatalities accounting or all that decrease. Non exercise-
21 related fatalities, those are the colics, pneumonias,
22 neurological diseases, et cetera, look to be about the same
23 as last year. This fiscal year will have the lowest
24 number of fatalities since the CHRB started keeping
25 reliable fatality statistics around 1990, so that's 30

1 years ago.

2 We served five positive test notices in March,
3 three were post race, two were post work for our official
4 veterinarian under our Veterinarian's List protocol. Four
5 of those were Class 4 therapeutic medications, and one was
6 a Class 3, clenbuterol.

7 I'll repeat what I said previously. These
8 violations do not represent drug misuse as much as they do
9 how strictly California regulates drugs and other
10 substances. For of the five cases, including the Class 3
11 clenbuterol, would not be a violation in most any other
12 state.

13 On an upbeat note, earlier this week the Grayson-
14 Jockey Club Research Foundation announced Dr. Heather
15 Kynch, our Equine Veterinary Pharmacologist at UC Davis
16 Maddy Laboratory, was awarded a research grant to develop a
17 novel approach to identify bisphosphonate administration
18 using prior targeted transcript (phonetic) enscriptomico
19 (phonetic) analysis in equine biological samples. This was
20 especially funded Grayson-Jockey Club Research Foundation
21 projects from a gift from the Biola Foundation. Dr. Kerry
22 Feno (phonetic), Chairman Ferraro's successor at the Center
23 for Equine Health, and a world authority in equine genetics
24 is a co-investor (indiscernible), along with myself.

25 I'd like to say, there are 40 million people in

1 California but we hear from the same half a dozen or so
2 persons saying the same thing at every meeting. Nearly a
3 quarter of a million attended races at Santa Anita through
4 March, and that included a number of days when no fans were
5 allowed to attend. Put that up against the same handful of
6 anti-racing people we hear from at every meeting.

7 This Board regulates racing on behalf of the 40
8 million citizens in this state. Racing will continue and
9 unless and until a majority of the 40 million people in
10 California say otherwise. It not up to this Board to
11 decide whether racing continues in California or not, so
12 let's stop that nonsense.

13 I, for one, am proud of the job this Board does,
14 and especially the CHRB's attention to horse health,
15 safety, and welfare during the 13 years I've been Equine
16 Medical Director.

17 Horses are why I became a veterinarian in the
18 first place. And as a veterinarian with extensive hands-on
19 track experience, I support horse racing.

20 That's my report, Mr. Chairman, and I'm happy to
21 answer any questions from Commissioners.

22 CHAIR FERRARO: Any questions from the Board?

23 I would just reiterate one point that Dr. Arthur
24 made. Myself and the rest of this Board was appointed by
25 the Governor to reform racing, not to eliminate it. So

1 those of you that are lobbying this Board to cease racing
2 in California are making your arguments in the wrong arena.

3 Any comments from the Board?

4 Do we have a queue, Operator?

5 OPERATOR: Yes, sir. Here comes our first
6 question.

7 MS. CROKER: Yes, Bonnie Croker again, concerned
8 citizen.

9 Sadly, no amount of medical or technological
10 intervention can eliminate injuries and deaths associated
11 with horse racing. The culprit is not chronic bad luck but
12 your culprit is horse racing itself.

13 On January 19th, 2020, Tikkun Olam was killed
14 while training at Santa Anita. He collided head-on with
15 another horse on the track. He suffered a complete
16 transection of his spinal cord which resulted in
17 paraplegia. Additional, he suffered a left front open
18 elbow (phonetic) fracture. He was found to have
19 preexisting conditions, as well, such as a bilateral palmar
20 osteochondral disease, and (indiscernible) of the fetlock
21 joint. Tikkun Olam was, apparently, being forced to train
22 and run with painful preexisting conditions. This is the
23 greed, the money mongering, and the heartlessness that
24 characterizes the horse racing culprit.

25 (Indiscernible) Tikkun Olam, according to

1 (indiscernible) that improves the world, brining it closer
2 to the harmonious state for which it was created. In horse
3 racing, there is nothing harmonious or in keeping with the
4 concept of improving the world. Horse racing isn't
5 (indiscernible) the physical and emotional well-being of
6 horses. It breeds, disharmony, greed, and hate in our
7 people. Horse racing is not Tikkun Olam.

8 Thirty-seven horses have died in California horse
9 racing track since Santa Anita opened its winter meet in
10 late December of 2019, yet the horse racing community keeps
11 professing its love for the horses.

12 These are the names of the 37 who were, in
13 quotes, "loved to death."

14 Truest Reward. Ruby Roundhouse. Golden
15 Birthday. Elegant Sundown. Jest Famous. Bucktsopper Kit.
16 Eyell Be Back. Harliss. Super Beauty. Uncontainable.
17 Katies Easy Moves. Tikkun Olam. It is over. Cowboy
18 Coffee. Data Hawk. Double Touch. Miss Romania.
19 Unveiled. Radio Tim. Street Machine. A Lonna At the Top.
20 Thousand Oaks. Keck. Chosen Vessel. Chickititas
21 Favorite. Get Like Me. Battalion Won. Flokie. The
22 Cullinan Dream. Royal Callan Rocks. Smiling Ali.
23 Enchanting Eva. Chromie. La Dorada Czech.

24 CHAIR FERRARO: You've got 30 seconds.

25 MS. CROKER: M C Hamster. She's Our Dasher.

1 Isla's Toy.

2 Run free at last, sweet souls. You died for
3 nothing again.

4 OPERATOR: All right. Thank you.

5 CHAIR FERRARO: Next. Next person.

6 MS. SULLIVAN: Good morning. This is Martha
7 Sullivan from San Diego County.

8 I would like to point out that the -- as the CHRB
9 has reported in its own annual report, the number of horse
10 racing starts, the number of horses who have raced, has
11 decreased 39 percent over the last 11 years. So the
12 decline in fatalities, which according to your own data is
13 about 55 percent during that time, in reality, the reforms
14 that you've done have only resulted in a 15 percent
15 decrease at the most.

16 The contrast is very clear that the most
17 effective way to reduce the number of horses killed is to
18 not race.

19 OPERATOR: All right. Thank you.

20 CHAIR FERRARO: Next. Next in line.

21 MS. ERICKSEN: Good morning. Ellen Ericksen, San
22 Diego.

23 First, I'd like to address Dr. Arthur insinuating
24 that people that are concerned about horse racing and
25 stopping this cruel business is insulting. I want to say

1 what is insulting is that the California Horse Racing Board
2 is a Board that is supposed to protect horses, and workers
3 at the track, which is clearly not happening.

4 Racehorses require significant personnel.
5 Backstretch workers may be confined to the track but others
6 do come and go. This is in violation of Governor Newsom's
7 Executive Order N-25-20, as horse racing is a nonessential
8 business.

9 People are violating the CDC guidelines. Watch
10 the live videos as recently as last week at Los Alamitos
11 and you will see that people at the track that are working
12 at the track are not wearing masks, gloves or any PPE, and
13 are not practicing social distancing.

14 The Governor and the California Horse Racing
15 Board needs to stop gambling with the lives of humans that
16 will come in contact after being exposed to these workers
17 that are not in a closed -- enclosed setting due to the
18 coming and goings of other workers at the track.

19 The same needs to happen in California, like the
20 New York Racing Association has suspended horse racing due
21 to whether that has tested positive --

22 MR. MARTEN: Thirty seconds.

23 MS. ERICKSEN: -- for COVID-19.

24 Do not bring a large COVID vector into San Diego
25 from Los Angeles. We do not want horse racing opened here

1 in San Diego. A rumor is flying around about opening Del
2 Mar earlier, since the fair has been canceled. Please do
3 the right thing, Board Members, and cancel horse racing.
4 It is a global threat to the well-being and to the local
5 people of San Diego, Los Angeles, and Cypress, California.

6 CHAIR FERRARO: Thank you.

7 Next.

8 MR. AVIOLI: This is Greg Avioli from
9 Thoroughbred Owners of California. I'm calling in response
10 to Dr. Arthur's report.

11 I note, and I believe the Board is aware, any
12 comment on an item needs to be on that item. So the last
13 three items that did not reference Dr. Arthur's report were
14 inappropriate.

15 On behalf of the Thoroughbred Owners of
16 California and our 7,000 members, I am speaking to support
17 Dr. Arthur's report that the dozen or so protestors that
18 have disrupted the business of this industry for 13 months
19 must be checked by the California Horse Racing Board.

20 Public comment is one of thousands of things that
21 this Board must oversee. However, in the -- since February
22 of last year the CHRB meetings have become untenable and
23 unworkable because they are dominated by inane, wrong, and
24 generally hateful comments by a small group of people.

25 The TOC requests the Chairman of the CHRB and the

1 General Counsel to review very closely every rule and
2 regulation that would allow this organization to get back
3 to doing business. There are rules in place that would not
4 allow a protestor, such as Ms. Martha Sullivan, to comment
5 on 17 different items on an agenda, saying the same point
6 every time. I think we can all stipulate that the people
7 who are protesting, they hate horse racing, they want it to
8 go away.

9 We have looked at the transcripts of the last 16
10 CHRB meetings. And we can show you that less than one
11 percent of the comments were directly on point to the item
12 that they were commenting on. Whether this means the CHRB
13 must take extraordinary measures to limit any comments
14 until the end of the meeting is up to the CHRB and its
15 Counsel. But you cannot continue to allow a small group of
16 people to disrupt a multi-billion industry.

17 Thank you.

18 CHAIR FERRARO: Any comments from the Board?

19 Do we have anybody else in the queue?

20 MS. BOLBOL: Yes. Hi. This is Denise Bolbol.

21 I'm a concerned California resident.

22 And isn't it rich, the horse racing industry
23 fellow who just spoke didn't address the vet report at all.
24 Instead, he sat there and bashed another California
25 citizen, name calling --

1 CHAIR FERRARO: Are you going to --

2 MS. BOLBOL: -- calling her --

3 CHAIR FERRARO: -- are you going to address
4 the --

5 MS. BOLBOL: Yeah. Oh.

6 CHAIR FERRARO: -- Medical Director's Report?

7 MS. BOLBOL: But you didn't interrupt him, did
8 you? Yes, I have to address Dr. Arthur's report, yes, and
9 don't cut me off.

10 CHAIR FERRARO: Then do so.

11 MS. BOLBOL: You didn't cut -- you didn't cut off
12 the horse racing guy.

13 So Dr. Arthur said this is not a rich person's
14 industry. And I want to address what the doctor said.

15 First of all, it's inappropriate for a
16 veterinarian to be making so many personal comments in his
17 report. This is -- the majority of tracks are owned by --
18 the private tracks are owned by very, very wealthy people,
19 if not billionaires.

20 Number two, for him to suggest that 40 million
21 people in California and that half a dozen, he said, or a
22 dozen, as the industry guy said because, apparently, he
23 reads the transcripts, are insignificant is the wrong
24 message to be telling you. And if you're listening to
25 people saying, oh, we don't care about California citizens

1 because the same ones who are educating the public about
2 this industry's ill conduct is really inappropriate.

3 And, lastly, I think you need to reprimand the
4 veterinarian and tell him to confine his comments to the
5 veterinarian report, providing data to the Board. The
6 Board needs to get the information about all these horses
7 who are suffering and dying under your oversight. And it's
8 inappropriate for this paid veterinarian, who is supposed
9 to be serving the public interest and helping to ensure
10 the well-being of the horses, is sitting there and bashing
11 California citizens who are concerned about the welfare of
12 these poor horses.

13 And you said that we should not talk to you about
14 eliminating horse racing in California because the Governor
15 appointed you to reform it, well, you know what, one day,
16 you're going to have to answer to why you guys don't
17 address all the drugs that you're allowing these horses to
18 be given. Because even though you can sit there and say,
19 oh, these two drugs are allowed in other states, you are
20 still allowing --

21 CHAIR FERRARO: You're veering.

22 MS. BOLBOL: -- this horrible --

23 CHAIR FERRARO: You're veering off the report
24 now.

25 MS. BOLBOL: No.

1 CHAIR FERRARO: Next.

2 MS. BOLBOL: This is about the report.

3 CHAIR FERRARO: Next speaker please. Next
4 speaker please. Is that it, Operator?

5 MS. ERICKSEN: No. Ellen Ericksen, San Diego.

6 I just want to make a comment that the California
7 Horse Racing Board --

8 CHAIR FERRARO: This is the second time you've
9 been up, Ellen.

10 MS. ERICKSEN: I'm sorry.

11 CHAIR FERRARO: This is the second time you've
12 been up.

13 MS. ERICKSEN: I'm sorry that I'm going to keep
14 coming up because it's my right as a citizen of this
15 country and the resident of the state of California to make
16 public comments on a Board that was appointed by a
17 Governor. I just want to --

18 CHAIR FERRARO: You're not addressing the Equine
19 Medical Director.

20 Next, Operator.

21 OPERATOR: There are no more questions in the
22 queue at this time.

23 CHAIR FERRARO: Okay.

24 We'll move on to agenda item number four,
25 discussion and action by the Board on the request from

1 Watch and Wager LLC at Cal Expo to approve the carryover of
2 funds into a mandatory payout upon reopening.

3 Do we have an industry representative to speak to
4 that?

5 MR. BRODNIK: Good morning, Chairman. Robert
6 Brodnik, California Horse Racing Board.

7 Perhaps I can give just a brief preamble. And
8 then, I believe, Chris Schick from Watch and Wager, or one
9 of the representatives from Watch and Wager, will be
10 available to speak to the Board.

11 Board Members, item number four addresses a
12 request from Watch and Wager regarding wagering money that
13 they have in their carryover account. This request from
14 Watch and Wager is to carry over these amounts to the next
15 race meet.

16 Sticking to the rules governing this request, the
17 Board must approve the request to designate a mandatory
18 payout date. And, additional, the Board must also approve
19 the interest-bearing account which will hold the funds
20 until the mandatory payout date.

21 With that, I would turn it over to a
22 representative from Watch and Wager, such as Chris Schick,
23 to provide the Board with more details about when that
24 mandatory payout date and where the funds will be held
25 until that time.

1 Thank you.

2 CHAIR FERRARO: Mr. Brodnik, do we have to have a
3 specific date for that?

4 MR. BRODNIK: Yes, you do.

5 CHAIR FERRARO: Okay. All right.

6 Mr. Schick?

7 OPERATOR: Mr. Schick, if your line is muted and
8 you're a participant, can you please press star zero and I
9 can un-mute your line.

10 CHAIR FERRARO: Have we lost him, Operator?

11 OPERATOR: All right. His line is open.

12 CHAIR FERRARO: Go ahead, please. Go ahead,
13 please. We're not hearing you.

14 Operator, do we have a technical glitch or what's
15 the problem?

16 OPERATOR: Again, Mr. Schick, please press star
17 zero for your line. Okay. Well, he's not pressing star
18 zero, so I'm not sure if he is connected.

19 CHAIR FERRARO: Well, let's move on to the next
20 agenda item. We can come back to it when we -- if you can
21 get him in line, we'll come back to him.

22 OPERATOR: Yes, sir.

23 CHAIR FERRARO: Okay. So item number five is
24 discussion and action by the Board on the Application to
25 Conduct a Horse Racing Meeting of the Alameda County Fair

1 at Pleasanton, commencing June 17, 2020 through July 14,
2 2020, inclusive.

3 I think we have an industry representative who
4 wants to speak to that.

5 MS. DRUMMOND: Yes. So before we get into that,
6 Dr. Ferraro, this is Amanda Drummond. Good morning,
7 Commissioners. So Amanda Drummond, Policy and Regulations
8 Manager with the CHRB. I'm just going to touch base real
9 quickly on the application we received.

10 So the application we received, this would be for
11 a race meeting at the Alameda County Fair, and it would
12 commence June 17th and run through July 14th, running 15
13 days.

14 So the application is missing a few items to be
15 considered complete. Those items are the 2020 ADW
16 agreements for BetAmerica, TVG Network, TwinSpires, Watch
17 and Wager, and Xpressbet. We are also missing the approval
18 of the ADW agreements from the Arabian Racing Association
19 of California.

20 And something to note, we did receive approval
21 letters from the Pacific Coast Quarter Horse Racing
22 Association and the American Mule Racing Association but
23 they don't include Watch and Wager, which was listed on the
24 application. So Watch and Wager is not allowed to accept
25 wagers on Quarter Horse or mule races conducted by CARF

1 unless a revised letter is provided.

2 Also needed for the application to be considered
3 complete, we would need 2020 race meet agreements with the
4 California Thoroughbred Trainers, the Thoroughbred Owners
5 of California, and Arabian Racing Association of
6 California, a Lasix agreement, and Workers Compensation
7 coverage. It's currently good through July 1st, so it
8 would just need to be renewed to cover the entire meet.

9 And that's all I have for my update.

10 CHAIR FERRARO: Thank you, Amanda.

11 MS. DRUMMOND: No problem.

12 CHAIR FERRARO: Larry?

13 Do we have Larry Swartzlander in the queue?

14 MS. SWARTZLANDER: Yeah. This is Larry
15 Swartzlander, Executive Director of California Fairs. Can
16 everybody hear me?

17 CHAIR FERRARO: Yes. Go ahead.

18 MS. SWARTZLANDER: Okay. Yeah. Good morning,
19 Chairman and Commissioners.

20 I'll tell you again, on behalf of the California
21 Authority of Racing Fairs, I'd like to welcome Scott
22 Chaney.

23 So welcome aboard, Scott, and we'll be working
24 with you very closely.

25 MS. SWARTZLANDER: I will, basically --

1 EXECUTIVE DIRECTOR CHANEY: Thanks so much.

2 MS. SWARTZLANDER: -- I will, basically, cover
3 three areas this morning, and then conclude with a proposed
4 change to our license application.

5 Earlier this month, I had approached the CHRB
6 Staff to allow the discussion on the agenda item to include
7 the possibility of altering the date for the Alameda County
8 Fair in light of the current COVID-19 pandemic situation.
9 Rob Brodnik coordinated with Chairman Ferraro and they said
10 it was okay to go ahead.

11 I would like to address, first, three areas.
12 First, I'd just briefly address the license as currently
13 submitted, I guess the items that have been not submitted
14 at this point and the status, and then conclude with a
15 consideration of a potential change to the dates on the
16 proposed license.

17 The Alameda County Fair license, we're
18 currently -- there is no changes from last year. We give
19 out, basically, \$2.4 million in purses. We have three
20 stakes' races, the incentive program. We have \$500 for
21 trainers who run five to nine starts, \$1,000 to trainers
22 who run ten starts or more. And for out-of-state trainers,
23 an out-of-state trainer being somebody more than 600 miles
24 from Sacramento, will receive a \$100 bonus for first start,
25 \$200 for the second start, and \$300 for the third start.

1 The program has been effective. If you've been
2 watching the internet and the things going on, the impacts
3 on racing on the fairs, obviously, Golden Gate is still not
4 racing, and that's a major void in the consideration.
5 Arizona is in total turmoil as to what they're going to do,
6 and Washington, the same situation, but that's currently
7 what we're proposing.

8 Also, the marketing plan -- Angel, are you on the
9 line?

10 I'd like Angel just to give you a brief
11 description of the marketing plan for the Alameda County
12 Fair.

13 CHAIR FERRARO: Operator, can you queue that
14 person in please?

15 OPERATOR: Okay. Yes. And we do have Mr. Schick
16 on the line as well.

17 CHAIR FERRARO: Okay. We'll come back to him in
18 a minute.

19 OPERATOR: Okay. Taking the next question.

20 CHAIR FERRARO: Who is it? Yeah, go ahead.

21 MS. FREUDENBERG: Hi. My name is Lynne
22 Freudenberg. I'm calling in regards to having the fairs
23 during this outbreak. (Indiscernible) --

24 CHAIR FERRARO: Wait a minute. You're going to
25 have to wait. We're not through with it.

1 MS. FREUDENBERG: -- running during this deadly
2 virus (indiscernible).

3 CHAIR FERRARO: Operator, drop that one off.

4 Larry, who is it that you want on the line?

5 Larry, you still there? Can we get --

6 OPERATOR: Joining Jerome.

7 CHAIR FERRARO: -- Mr. Swartzlander back?

8 MR. MARTEN: Can I interject. I'm not seeing
9 Jerome Hoban --

10 OPERATOR: I just opened --

11 MR. MARTEN: -- as logged in.

12 OPERATOR: -- his line.

13 MR. HOBAN: This is Jerome Hoban, Alameda County
14 Fair. And I also have Angel Moore, Marketing Vice
15 President, with me. Can you hear me?

16 CHAIR FERRARO: Yes.

17 MR. HOBAN: Great. So --

18 CHAIR FERRARO: Go ahead.

19 MR. HOBAN: -- I'm not sure that we have Larry at
20 the same time. But did you have questions for us?

21 OPERATOR: I believe --

22 CHAIR FERRARO: Any questions from the Board?

23 Is Larry still on the line, Operator?

24 OPERATOR: Yes. I've opened Larry's line as
25 well.

1 CHAIR FERRARO: Okay.

2 Larry, do you have any other comments?

3 MS. SWARTZLANDER: Yes, I do.

4 If there's no more comments, I would like for the
5 marketing -- I just want to address, briefly, the omitted
6 items.

7 The TOC and CTT agreements, the area of dispute
8 is stabling, obviously. Both the TOC and the CTT would
9 prefer that CARF and The Stronach Group reached an
10 agreement which keeps Golden Gate open during the summer
11 for stabling. The Stronach Group has not accepted our two
12 percent proposal. And their last position was that they
13 would close unless we could reach an agreement. That's the
14 main reason for the non submission. So everything else is
15 agreed to.

16 Just restating, too, the Board approved a motion
17 I December of last year that the dates presented by CARF
18 would include no overlap at Humboldt. The fairs would be
19 responsible for all vanning and stabling. So, basically,
20 the position of CARF at this point is still that we can
21 handle our own stabling and we would continue to move on.

22 The other item, the Arabian license and
23 agreement, the ADW, have been signed and will be submitted
24 today. The ADW documented they submitted a letter to the
25 CHRFB Staff stating that they are in progress, there are no

1 concerns. The racing agreement has been signed. The
2 Workman Compliance will be renewed.

3 And I closing, CARF would like to propose the
4 following changes as it applies to our license of the fair.

5 Approve the Alameda County Fair license
6 contingent on received the outstanding documents listed by
7 CHRB Staff, and approve the dates being moved from 17 June
8 2020 to July 14th, 2020, the dates meeting at the Fresno
9 Fair, October 21st, 2020 to November 13, 2020, three weeks.

10 Based on a potential removal of the California
11 State Fair, these dates could be renegotiated, move the
12 current Alameda dates four weeks and the California Fair
13 dates July 15th through August 4th, three weeks, a total of
14 seven weeks for a five- to five-week period after the
15 Fresno Fair, October 21st through November 24th.

16 That concludes my comments, Chairman.

17 CHAIR FERRARO: Commissioner Gonzales, do you
18 have any comments on this proposal?

19 VICE CHAIR GONZALES: I do. I do.

20 My question -- well, first of all, Mr. Chairman,
21 thank you for naming me Chair of the Racing Dates Committee
22 a couple months ago. We have not had a committee meeting
23 and I don't intend to have a committee meeting, just simply
24 because the cost that would be associated. And I look
25 forward to working with Commissioner Mitchell on the Racing

1 Dates Committee.

2 Larry, in the interest -- so is there anything
3 that needs action today or can we push this agenda item off
4 until next month? I would be willing to offer my time to
5 facilitate meetings amongst the parties. I know last
6 summer there was a similar meeting before I got on. So I
7 just wanted to ask you, Larry, what needs attention today
8 and what can be put off until next month?

9 And then, also, if I can also -- if Alan Balch is
10 close by, if he could share any thoughts as to the items
11 that will need to be addressed?

12 So, Larry, first, you.

13 MS. SWARTZLANDER: Yeah. The main intent here is
14 to make it clear to the Board that, you know, we have
15 concerns, as does every organization at this point, as to
16 dates. There's been no --

17 VICE CHAIR GONZALES: Right.

18 MS. SWARTZLANDER: -- direct decisions made at
19 this point. But we wanted to make it clear to the Board
20 that, you know, the two major challenges that the fairs
21 face right now is that, you know, closing, canceling or
22 moving of Alameda, and probably the California State Fair.

23 And an opportunity, and I've discussed this with
24 the TOC, that there's an option that we would like to look
25 at about exchanging dates for -- with Golden Gate the seven

1 weeks prior to Santa Rosa, and even Santa Rosa is a
2 question, too, we all know that, and then return with the
3 dates, move our dates to after Fresno. Of course, the big
4 question here is, is Golden Gate going to reopen? I firmly
5 believe they will.

6 And we just want to make it clear that we're
7 willing to negotiate it and be prepared to -- you know,
8 we're like to really discuss with The Stronach Group that,
9 hey, here's a proposal, if you'd like to, you know, talk
10 dates, keep racing whole, and move on. To table it and
11 defer it, yeah, there's a lot of unknowns at this point,
12 that I'm not going to sit here and die on my sword, but,
13 yeah, I, for one, I would like your approval, I will leave
14 it up to whatever the Board prefers.

15 VICE CHAIR GONZALES: Well, thank you again.
16 This is Oscar Gonzales, the Commissioner.

17 Any other comments on this item before I propose
18 an idea?

19 MR. HOBAN: I do.

20 MR. BRODNIK: Robert Brodник, General Counsel.
21 Robert Brodник, General Counsel.

22 Vice Chairman Gonzales, thank you. If I could
23 just make one quick, brief comment that, maybe, could help
24 clarify the situation a little bit more?

25 The agenda item currently on the Board's agenda

1 is only for the approval of the application and as it is
2 today. So any discussion about changing race dates would
3 need to be re-noticed.

4 So, to that end, I think your proposal, should
5 you choose to do it, of tabling this matter and addressing
6 all of these outstanding items, would probably be the best
7 because the Board will need to take up a new race date
8 calendar before approval of an application.

9 VICE CHAIR GONZALES: Understood. Well, okay.

10 COMMISSIONER SOLIS: Yeah. This is --

11 CHAIR FERRARO: Anyone else?

12 COMMISSIONER SOLIS: -- Alex Solis.

13 I just wanted -- I want to ask a question, if
14 Larry has any health protocols that they're going to have?
15 I would just like to inquire how Oaklawn and Gulfstream
16 Park have done it because they have been racing
17 successfully. So if we can get some feedback from them,
18 and Los Alamitos, too, for getting us prepared for when
19 Golden Gate opens. You have to (indiscernible).

20 MS. SWARTZLANDER: Yeah, Commissioner, I've
21 already got protocols from Golden Gate and Los Alamitos,
22 and I've got some from Santa Anita, too, that the fairs
23 will certainly implement all the protocols that are at
24 least being done at Golden Gate as part of the license.

25 COMMISSIONER SOLIS: Yeah. And, I mean, like

1 I'll say again, I feel very confident. Like I said,
2 Oaklawn Park has been racing very successfully at Oaklawn
3 Park (indiscernible). I mean, every coordination we can
4 get to, you know, to be ahead of (indiscernible).

5 MS. SWARTZLANDER: Yeah. That would certainly --
6 I pay attention to Gulfstream and Oaklawn on the weekends.
7 And I certainly, I know people in both places. I could
8 certainly contact them and make sure that -- compare it to
9 what we're going out here and what's working back there.

10 CHAIR FERRARO: Robert Brodnik, I have a question
11 for you. Since it looks quite apparent that we're going to
12 have to postpone item number five to a later date, would
13 that also apply to item six? Are they related or can we
14 take up one without the other?

15 MR. BRODNIK: Thank you, Chairman. Robert
16 Brodnik.

17 I'm just looking at the agreement now. I believe
18 the agreement was for a certain period of time, so you may
19 be able to take it up now, or you could table it. Either
20 way is fine. Let me just take one second to look at the
21 agreement.

22 MR. MARTEN: Aiden Butler and Alan Balch are in
23 queue to speak on this.

24 VICE CHAIR GONZALES: Thank you.

25 CHAIR FERRARO: Let's have Alan speak while Rob

1 is looking at the regulation.

2 Can you we queue in Mr. Balch please?

3 MR. BRODNIK: And, Chairman, while they're
4 queuing up Mr. Balch, I'll just -- I did have a chance to
5 read the agreement.

6 Under agenda item number six, I think the Board
7 could approve it. The agreement covers all of CARF's
8 summer race meetings through the 2020 summer race schedule
9 and shall expire on the last day a thoroughbred race is
10 permitted to be in a CARF facility or inclosure.

11 So I think any further issues that are discussed
12 down the line, this agreement would still cover that, so
13 you could take this up today if you chose to.

14 CHAIR FERRARO: Okay. Mr. Balch?

15 MR. BALCH: This is Alan Balch.

16 CHAIR FERRARO: Mr. Balch?

17 MR. BALCH: Yeah, I'm here. It took me a minute.

18 CHAIR FERRARO: Okay.

19 MR. BALCH: I just wanted to respond to
20 Commissioner Gonzales since he asked, I think, that I pipe
21 in on this. It looks like this will be deferred if I'm
22 reading it right.

23 And I certainly applaud Commissioner Gonzales for
24 his willingness to hold a meeting because, again, some of
25 these things that have been discussed and proposed, we all

1 know, would have a lot of ramifications, that it would be
2 great if we could have an informal meeting of the parties
3 to discuss all this, and that includes the TOC, obviously,
4 CTT, CARF, The Stronach Group, for starters, because all of
5 these dates or any question about changing dates or all
6 that, we all know those ramifications are very elaborate.

7 So if we could have an informal meeting or
8 meetings, I think it would be very helpful because then we
9 could address all these stabilizing matters and the other
10 things that would be impacted by that.

11 Thank you for considering that.

12 CHAIR FERRARO: Thank you.

13 VICE CHAIR GONZALES: Thank you.

14 CHAIR FERRARO: Mr. Butler?

15 MR. BUTLER: Hi Commissioners. Thank you for
16 taking the time. I just wanted to make a quick comment
17 regarding Larry's proposal that he seemed to gloss over
18 quite quickly.

19 Changing the dates, as most of you will remember,
20 was a real bear last time. In the end, through the Board's
21 decision, CARF was granted specific dates, as we all were,
22 and CARF, as well as some of the independent fairs, were,
23 you know, given what they got. And where at the time we
24 weren't very happy about it, we looked at it, obviously,
25 from an industry standpoint and we made our arguments about

1 the financial ramifications, but it was what it was.

2 It seems, because of this awful pandemic, Larry
3 and CARF want to now, on a whim, change dates that have
4 been already set. And it's a little -- I would be amusing,
5 if it wasn't such serious circumstances but similar, took
6 such a lot of effort and work to get done last time is
7 going to be, tried to be, jammed through at a CHRB meeting
8 because they think it's a good idea for the fairs.

9 Just a statement to echo, I believe, what Dr.
10 Arthur had said, and Greg said, but with the context of
11 this conversation, horse racing in California needs to be
12 looked after by the people who do it. The financial
13 ramifications of one small aspect of horse racing in
14 California, knocking on and damaging things like preplanned
15 dates, it would be a ludicrous thing to attempt. So I
16 applaud Commissioner Oscar for looking into this.

17 But on behalf of The Stronach Group, this is a
18 nonstarter. This would be the equivalent of us saying,
19 speaking of the coronavirus, Del Mar, are you okay with us
20 taking a week out of the middle of your meet? It doesn't
21 work like that and it won't work like that.

22 Thanks for your time.

23 CHAIR FERRARO: Thank you.

24 So, comments from the Board?

25 COMMISSIONER ALFIERI: Dennis Alfieri.

1 VICE CHAIR GONZALES: Commissioner Ferraro, Oscar
2 Gonzales here.

3 CHAIR FERRARO: Yeah.

4 VICE CHAIR GONZALES: Since I'm understanding
5 this, there's two items. One is about Alameda County's
6 existing application. I'm inclined to defer that to the
7 next meeting, pending all of the necessary documents to
8 complete that application. The second, and I do appreciate
9 all of the comments, is if my service, my time, could be
10 spent keeping the groups. I mean, things will continue to
11 change. We don't know when the different counties will be
12 allowing for racing to be resumed. But I think we just
13 have to have a regular line of communication so that when
14 things do become more clear, we can make any adjustments,
15 if needed. So I would be willing, again, just to extend
16 myself.

17 So if I could, unless there's any other comments,
18 I will be making a motion to hold off on the Alameda County
19 application, but I'll allow for other --

20 CHAIR FERRARO: Let's see --

21 VICE CHAIR GONZALES: -- Commissioners to --

22 CHAIR FERRARO: -- let's see if we have anybody
23 else in the queue.

24 Operator, do we have other people in the queue
25 here?

1 OPERATOR: Yes, sir.

2 And, Mr. Balch, your line is still live if you
3 have any more comments?

4 MR. BALCH: Nope, I'm good. Thank you.

5 OPERATOR: Okay. Thank you.

6 Here comes out next one.

7 MS. CROKER: Bonnie Croker again. Thank you for
8 your thoughtful consideration regarding specific race
9 dates. I would like to evaluate on this subject --
10 elaborate. Excuse me.

11 At this point, during the COVID-19 pandemic,
12 there should be no permits granted for horse racing meets
13 in the near future. Horse racing is not an essential
14 business. It cannot be conducted in accordance with state
15 mandated social distancing guidelines. It is an
16 indisputable human health hazard.

17 Racetrack owners and spokespersons have recently
18 stated in news media that their facilities and protocols
19 have been redesigned to combat the spread of the COVID-19
20 virus. They further claim that their facilities are unique
21 ecosystems and self-contained communities.

22 However, these same people continuously
23 contradict themselves and one another. For example, the
24 concept of self-containment was contradicted on television
25 and in the Pasadena Star News recently when it was revealed

1 that a father who has worked in the horse racing industry
2 for 35 years must commute daily from the South Bay to Santa
3 Anita. It was further revealed that workers and families
4 must live offsite and commute to Santa Anita.

5 This is not containment. This is a blatant
6 disregard for the scientific facts that relate to the
7 spread of --

8 EQUINE MEDICAL DIRECTOR ARTHUR: Repetitive.

9 MS. CROKER: -- the virus and they know it.
10 Public access videos taken at Los Alamitos, the only track
11 still racing in California, further substantiate the lack
12 of social distancing, yet I have not heard one track
13 official or CHRB Member, for that matter, refer to the
14 obvious necessity of having all backstretch workers, staff
15 members, and jockeys submit to COVID-19 testing before live
16 racing is permitted to resume.

17 The humanitarian crisis, the racetrack officials
18 say, must be averted by opening up tracks to live racing
19 again is simply a diversion. The true crisis was created
20 by the racetrack owners and officials who built their
21 industry on the backs of workers and horses, substandard
22 pay, living conditions, and no health insurance benefits
23 set the workers up for catastrophic consequences should the
24 exploited and abused horses be unable to bring in money.

25 Horse racing is, literally, a house of cards.

1 The COVID-19 virus may prove to be the final cause severe
2 that brings the house down.

3 Thank you.

4 CHAIR FERRARO: Next, please, Operator.

5 OPERATOR: Yes, sir.

6 MR. AVIOLI: It's Greg Avioli from the TOC.

7 I want to reiterate support for moving this
8 agenda item to the future so that we have the ability to
9 discuss it at committee level in full.

10 There is one issue that has not been discussed so
11 far, which is the impact of stabling of horses in Northern
12 California. Aiden Butler touched on the reality that this
13 Board awarded a certain calendar, including the dates that
14 CARF was requesting. And what that did was leave the issue
15 of stabling in Northern California in limbo. And as of
16 yesterday, there has been no agreement, so that if but for
17 the virus, we would essentially be closing Golden Gate
18 after its current meet ends, with the horses being stabled
19 at other facilities because you need an agreement with CARF
20 and Golden Gate to stable there and isn't one.

21 So on the positive side, if we are -- if the
22 Alameda County agrees to allow Golden Gate to reopen
23 sometime in the next month or two months, then this could
24 have the ability to solve the stabling issue for the
25 summer, which would be in everyone's best interest. If

1 racing, along the line of CARF's proposal, would continue
2 at Golden Gate, then, obviously, the horses would continue
3 to stable there. So there is the opportunity for something
4 good to come out of it but it's not going to happen today.

5 So I urge the Board to delay this matter until
6 the next meeting or until, at least, we can have another
7 meeting of the Race Dates Committee.

8 Thank you.

9 CHAIR FERRARO: Thank you.

10 Do we have anybody else, Operator?

11 OPERATOR: Yes, sir. Okay. That person is on
12 the line.

13 MS. JACOBELLY: Hi. Hi. Is this me? Liz
14 Jacobelly?

15 OPERATOR: Yes, ma'am.

16 MS. JACOBELLY: Is this agenda number five?

17 CHAIR FERRARO: Yes, it is.

18 MS. JACOBELLY: Oh, okay. Thank you. I just see
19 that you're talking about doing the horse racing meeting at
20 Alameda County Fair this summer from June to July. And I'm
21 going to read something from *The Week in Review* from April
22 5th, 2020, Can Virtual Horse Racing Fill the Void for
23 Horseplayers.

24 "Cruelty-free alternatives to live horse racing,
25 wagering on virtual horse races, is now being offered

1 by three ADWS, and more are expected to come onboard
2 soon. The contestants are computer generated horses,
3 or greyhounds, that dart across the screen in real
4 time, battling it out against one another to see who
5 gets to the wire first.

6 "Virtual wagering was launched in the U.K. in 2001" --

7 CHAIR FERRARO: Ma'am --

8 MS. JACOBELLY: -- "and has grown" --

9 CHAIR FERRARO: -- this has nothing to do --

10 MS. JACOBELLY: -- "in (indiscernible)."

11 CHAIR FERRARO: -- with item number five. This
12 has nothing to do --

13 MS. JACOBELLY: Yes, it does --

14 CHAIR FERRARO: -- with item number five.

15 MS. JACOBELLY: -- because you -- yes, it does,
16 because instead of doing live racing and using horses, real
17 horses, you can go to this to find out about this virtual
18 racing and use it instead. It is already --

19 CHAIR FERRARO: That's --

20 MS. JACOBELLY: -- being done.

21 CHAIR FERRARO: -- that's a big extension.

22 Let's go on to the next speaker, Operator. Is
23 that it?

24 OPERATOR: Okay. That person must be muted.

25 Here comes the last one in queue.

1 CHAIR FERRARO: Okay.

2 MS. FREUDENBERG: Hi. My name is Lynne
3 Freudenberg. I'm just a concerned citizen from North
4 Hollywood, California.

5 And I'm just not understanding why, why during
6 this deadly outbreak, we're having racing, and even
7 discussing it? I mean, right now, I get that there's
8 nobody in the stands, but you have the horses racing. And
9 they're on video not practicing social distancing. They're
10 not wearing face masks.

11 And, also, two, every race is the same. A horse
12 is ponied up to the starting get via pony horse. There's
13 two --

14 CHAIR FERRARO: Ma'am --

15 MS. FREUDENBERG: -- (indiscernible) horses --

16 CHAIR FERRARO: -- this is not --

17 MS. FREUDENBERG: -- (indiscernible).

18 CHAIR FERRARO: -- you're not addressing --
19 you're not addressing the subject here, which is the
20 application for the meeting and/or its possible delay. Do
21 you have comments about that?

22 MS. FREUDENBERG: Yeah, it is, because you're
23 doing this during a time that you can -- there's not even a
24 vaccine for this virus and you're already planning large
25 mass meetings which, under Governor Newsom, is at this

1 time --

2 CHAIR FERRARO: Thank you very much.

3 MS. FREUDENBERG: -- not --

4 CHAIR FERRARO: That's it, Operator.

5 MS. FREUDENBERG: May I -- may I --

6 CHAIR FERRARO: All right, Oscar, do you want to
7 make your motion?

8 VICE CHAIR GONZALES: Yes, Mr. Chairman, Oscar
9 here.

10 I move to make a motion to move this item to the
11 next meeting. And, again, I will make myself available to
12 meet with the groups to try to reach some consensus. But
13 that's the nature of my motion.

14 CHAIR FERRARO: Do I have a second?

15 COMMISSIONER MITCHELL: Commissioner Mitchell.
16 Second.

17 COMMISSIONER CASTELLANOS: Damascus seconds.

18 COMMISSIONER ALFIERI: Second.

19 CHAIR FERRARO: That was Damascus seconding the
20 motion; is that correct?

21 COMMISSIONER CASTELLANOS: Yes.

22 CHAIR FERRARO: Okay.

23 Commissioner Gonzales?

24 VICE CHAIR GONZALES: Yes.

25 CHAIR FERRARO: Your vote?

1 Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIR FERRARO: Commissioner Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: Commissioner Mitchell?

6 COMMISSIONER MITCHELL: Yes.

7 CHAIR FERRARO: Commissioner Solis?

8 COMMISSIONER SOLIS: Yes.

9 CHAIR FERRARO: Commissioner -- Chairman Ferraro
10 votes yes, as well. The motion is approved.

11 The next item, number six, discussion and action
12 by the Board regarding approval of an agreement, pursuant
13 to CHRB Rule 1581, Racing Secretary to Establish
14 Conditions, between the California Authority of Racing
15 Fairs and the Thoroughbred Owners of California regarding
16 entry conditions and specified drug substances or
17 medications to be implemented by CARF at the California
18 Exposition and State Fair.

19 Mr. Brodnik, do you want to comment on this?

20 MR. BRODNIK: Yes. Thank you, Chairman. Robert
21 Brodnik, Counsel for the California Horse Racing Board.

22 Item number six is an item that frequently comes
23 up. Rule 1581 allows the Racing Secretary to establish the
24 conditions for any race run during the race meeting. In
25 instances where the Racing Secretary wishes to set a

1 condition based on a participating horse's use or non use
2 of a drug substance or medication the association must
3 first obtain the approval of the Thoroughbred Owners of
4 California and the Board.

5 Alameda County Fair desires to condition all
6 races at the fair to be run with reduced levels of
7 furosemide for three-year-olds and up, no Lasix or
8 furosemide for two-year-olds, a 14-day intra-articular
9 injection stand down for all joints, and a 30-day intra-
10 articular injection stand down for the metacarpophalangeal
11 joint. This was agreed to, both in their Lasix agreement
12 and in a separate agreement and is up for the Board's
13 approval.

14 EQUINE MEDICAL DIRECTOR ARTHUR: Mr. Chairman,
15 this is Dr. Arthur.

16 The 30-day intra-articular stand down for the
17 metacarpophalangeal joint addresses only those intra-
18 articular injections where cortisone is injected into the
19 joint space. Otherwise, there's no -- there's a 14-day
20 stand down if a non-corticosteroid therapy is administered.

21 CHAIR FERRARO: Correct. That's correct.

22 Comments from the Board?

23 Do we have a comment from TOC on this? Is TOC in
24 the queue?

25 OPERATOR: We have Larry Swartzlander.

1 CHAIR FERRARO: Yeah. Go ahead.
2 Go ahead, Larry.
3 MS. SWARTZLANDER: I have no comment.
4 OPERATOR: Okay.
5 CHAIR FERRARO: You're all right --
6 OPERATOR: And then --
7 CHAIR FERRARO: -- with it?
8 MS. SWARTZLANDER: Yeah. I have no comment.
9 OPERATOR: All right. Next we have --
10 CHAIR FERRARO: Okay.
11 OPERATOR: -- Greg Avioli.
12 CHAIR FERRARO: Yeah.
13 MR. AVIOLI: Yeah. This --
14 CHAIR FERRARO: Go ahead, Greg.
15 MR. AVIOLI: Yeah. This is substantially the
16 same document that we have signed with all the live racing
17 associations dating back to last March. It's just been
18 modified to reflect the more recent regulations adopted by
19 the CHRB. So TOC supports this agreement.
20 CHAIR FERRARO: All right.
21 EQUINE MEDICAL DIRECTOR ARTHUR: Dr. Ferraro --
22 CHAIR FERRARO: (Indiscernible.)
23 EQUINE MEDICAL DIRECTOR ARTHUR: -- I have to add
24 one more thing. I said metacarpophalangeal joint. But we
25 also need to include the metatarsophalangeal joint. We're

1 talking about both front and hind fetlocks. So we're
2 talking about the 30-day stand down is for the
3 metatarsophalangeal joint and the metacarpophalangeal
4 joint, so just to be technically correct, both -- all four
5 fetlock joints.

6 CHAIR FERRARO: Okay.

7 Any other comments from the Board at this point?

8 Do we have a queue, Operator?

9 OPERATOR: Yes, sir.

10 CHAIR FERRARO: We must. Go ahead.

11 UNIDENTIFIED FEMALE 1: Why are we giving Lasix
12 to horses? Why? I mean, drug testing on -- this is
13 insane. It's ridiculous.

14 These are -- horses don't care about winning
15 these races, you do. There's no need to inject a horse
16 with drugs just to get him to race even faster.

17 It's known that Lasix makes their lungs bleed,
18 forces animals to run until the lung's bleed unspeakably
19 full. The problem is not the Lasix, it's the industry.

20 Horse racing deaths now are becoming the norm on
21 the nightly news, yet no strict guidelines are being
22 enforced. This is a huge problem that needs to be
23 addressed. Where are these preventative measures and why
24 aren't -- why is not the horse racing staff not
25 accountable?

1 No horsey -- no healthy horse should receive
2 Lasix or any other drug. Why is the California Horse
3 Racing Board not holding racetrack staff accountable for
4 deaths? Dying horses are only being replaced by the next
5 one forced to run.

6 Yes, I hear from trainers that horses love to
7 run. This might be true. But horses have a natural
8 mechanism to slow down when they're exhausted. When you
9 start to drug them, and you're whipping them and forcing
10 them into submission, they have to ignore all their natural
11 instincts and run.

12 I've owned horses for 28 years. Not once have I
13 ever drugged a horse to perform.

14 Please stop this cruelty. It is unspeakable.
15 And you guys need to enforce these rules.

16 Thank you.

17 OPERATOR: All right. The next --

18 CHAIR FERRARO: Next, Operator. Anybody else?

19 DR. JOHNSON: Dr. Wayne Johnson in Santa Monica,
20 California, asking you for -- what is the scientific
21 evidence to make a distinction between a two-year-old
22 receiving no Lasix and a three-year-old receiving Lasix?

23 CHAIR FERRARO: Do you have anything to say?
24 We're not engaging in questions and answers here.

25 DR. JOHNSON: All I have to say is that the

1 answer to that rhetorical question is there's no scientific
2 evidence that it's safe to give a three-year-old Lasix and
3 a two-year-old no Lasix.

4 CHAIR FERRARO: Thank you, Operator. Let's go on
5 to the next one.

6 OPERATOR: All right. There are no more in the
7 queue at this time.

8 CHAIR FERRARO: Okay.

9 So do I have a motion from the Board to approve?

10 COMMISSIONER SOLIS: Alex Solis.

11 MR. BRODNIK: Commissioner Ferraro, Robert
12 Brodник.

13 Just to clear up what Dr. Arthur said, just in
14 reviewing this, the secondary joint that he mentioned, just
15 want to ensure that that's agreed upon by both parties.

16 CHAIR FERRARO: Yeah, it is, because it's been in
17 all the other agreements.

18 So motion to approve?

19 MR. MARTEN: Larry Swartzlander is in queue.

20 CHAIR FERRARO: Go ahead, Larry.

21 MS. SWARTZLANDER: I wanted to say, I approve.

22 CHAIR FERRARO: Okay. Thank you.

23 Again, a motion --

24 COMMISSIONER SOLIS: Alex Solis.

25 CHAIR FERRARO: -- a motion to approve?

1 COMMISSIONER SOLIS: Alex Solis. Move.

2 CHAIR FERRARO: Who?

3 COMMISSIONER ALFIERI: Dennis Alfieri. I'll make
4 a second.

5 CHAIR FERRARO: Who was the motion made by?

6 COMMISSIONER SOLIS: Alex.

7 COMMISSIONER ALFIERI: Alex.

8 COMMISSIONER SOLIS: By me, Alex Solis.

9 CHAIR FERRARO: Okay. All right. Motion on the
10 floor.

11 Mr. Gonzales?

12 VICE CHAIR GONZALES: Yes.

13 CHAIR FERRARO: Mr. Alfieri?

14 COMMISSIONER ALFIERI: Yes.

15 CHAIR FERRARO: Mr. Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 CHAIR FERRARO: Ms. Mitchell?

18 COMMISSIONER MITCHELL: Yes.

19 CHAIR FERRARO: Mr. Solis?

20 COMMISSIONER SOLIS: Yes.

21 CHAIR FERRARO: And the Chair votes yes. The
22 motion is approved.

23 All right, in regard to items number seven and
24 eight, they're linked together. And I think that I want to
25 reverse the order and take up eight first, before we take

1 up seven, because I think that seven is dependent upon
2 eight.

3 So number eight is discussion and action by the
4 Board regarding approval of an agreement, pursuant to CHRB
5 Rule 1581, Racing Secretary to Establish Conditions,
6 between the Los Alamitos Horse Racing Association and the
7 Thoroughbred Owners of California regarding entry
8 conditions and specified drug substances or medications to
9 be implemented by the Los Alamitos Racing Association at
10 the Los Alamitos Racetrack.

11 MR. BRODNIK: Good morning, Commissioners.
12 Robert Brodник --

13 CHAIR FERRARO: Yes.

14 MR. BRODNIK: -- California Horse Racing Board.

15 Commissioners, this agenda item is similar to the
16 agenda item that was just discussed previously. Yesterday,
17 we received an agreement from both Los Alamitos and the TOC
18 indicating similar restrictions for two-year-olds. There
19 would be no Lasix for two-year-olds. For three-year-olds
20 and up, it would be half of the permitted amount of Lasix.
21 And then, similarly, there would be a 14-day stand down for
22 intra-articular joints and a 30-day stand down for the
23 metacarpophalangeal joint.

24 Again, this agreement, similarly, was silent to
25 the other joint that Dr. Arthur just agreed -- just

1 mentioned in the previous agenda item. So if that second
2 separate second joint is also agreed to, then this
3 agreement is for the Board's discussion and action.

4 Thank you.

5 CHAIR FERRARO: Dr. Arthur?

6 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. We need to
7 include the -- this is Dr. Arthur, Equine Medical Director.

8 We're talking about all four fetlocks, so we're
9 talking about the metacarpophalangeal joint and the
10 metatarsophalangeal joints, so those are all four ankles of
11 the horses, no intra-articular injections with
12 corticosteroids within 30 days in those joints.

13 (Background conversation.)

14 CHAIR FERRARO: Operator, do we have Mr. Avioli
15 or a representative from Los Alamitos in queue? Can we
16 hear from them?

17 OPERATOR: Yes, sir. Here comes Mr. Avioli.

18 MR. AVIOLI: The TOC approves that. Greg Avioli,
19 TOC.

20 CHAIR FERRARO: Okay.

21 MR. AVIOLI: We approved that letter. We've
22 signed it.

23 CHAIR FERRARO: All right. Thank you.

24 A representative from Los Al? Do we have one in
25 queue?

1 MR. MARTEN: No. There's no Los Al on queue.

2 CHAIR FERRARO: Okay.

3 Any comments from the Board at this point?

4 OPERATOR: We do have Mr. Avioli back in queue.

5 (Background conversation.)

6 MR. AVIOLI: I concur for Los Al. It's Greg
7 Avioli, TOC.

8 I confirm that Los Al does approve this and has
9 executed the agreement as well.

10 CHAIR FERRARO: All right. Thank you very much.

11 Do we have anybody else in the queue, Operator?

12 OPERATOR: Yes, sir. Here comes our next
13 question.

14 UNIDENTIFIED MALE 1: Yes. My name is
15 (indiscernible). I would like to, first of all, address
16 the concern of these ladies regarding cruelty to horses in
17 horse racing.

18 I wonder, if they're so concerned, why don't they
19 talk about so many millions of animals --

20 (Background conversation.)

21 UNIDENTIFIED MALE 1: -- that leads to
22 slaughters.

23 CHAIR FERRARO: Sir, this doesn't apply to rule
24 [sic] number eight.

25 UNIDENTIFIED MALE 1: All right.

1 CHAIR FERRARO: So you can come -- you can speak
2 at the end if you'd like.

3 Next. Next, Operator.

4 DR. JOHNSON: This is Dr. Johnson in Santa
5 Monica.

6 Specifically in regard to rule [sic] eight, I
7 urge this Board not to approve rule eight.

8 Los Alamitos, this year, is responsible for the
9 death of Jest Famous on January 7th, Eyell Be Back, a two-
10 year-old gelding that died on the watch of Los Alamitos.
11 Los Alamitos dead on January 19th, a horse named Katies
12 Easy Moves. Los Alamitos (indiscernible).

13 CHAIR FERRARO: Sir, we have all the horses. We
14 know who they are.

15 DR. JOHNSON: Yes. Then --

16 (Background conversation.)

17 COMMISSIONER MITCHELL: Chairman? Chairman?
18 Chairman, it's Commissioner Mitchell. Can you ask people
19 to mute their phones? I cannot hear.

20 CHAIR FERRARO: Operator, cut these people off.

21 OPERATOR: Yes, sir.

22 Some of the speakers need to mute their lines
23 when they're not speaking.

24 COMMISSIONER MITCHELL: Yeah. Except
25 Commissioners.

1 CHAIR FERRARO: Silence all these people please.

2 This is not allowed. Chaos is not allowed. We
3 have one speaker at a time. The rest of you, mute your
4 phones, and do not interrupt. Otherwise, we'll stop
5 comments altogether.

6 Now let's go on to the next person, Operator.

7 OPERATOR: Yes, sir.

8 MS. SULLIVAN: This is Martha Sullivan. I'm
9 actually going to pass for the next item.

10 CHAIR FERRARO: Okay. Thank you, Martha.

11 Do we have anybody else Operator?

12 UNIDENTIFIED MALE 1: Yes. This is
13 (indiscernible). I had a discussion with Dr. Arthur
14 regarding the drug policy on the racehorses. And I tried
15 to show him the example of racing in Sweden where they
16 don't use any injectable anti-inflammatory drugs into the
17 joints or pre-race butes. And they show that the result is
18 very, very good at that rate. They have a much less death
19 rates. Like the last year, they had only four deaths in
20 700 or 800 races.

21 So all this way of running the races with drugs
22 is wrong. And there's no wonder why people don't like the
23 way racing is run in California or in the U.S. generally.

24 So you should try to --

25 CHAIR FERRARO: Okay.

1 UNIDENTIFIED MALE 1: -- stay away --

2 CHAIR FERRARO: Thank you.

3 UNIDENTIFIED MALE 1: -- from using drugs.

4 CHAIR FERRARO: Operator, let's go on to the next
5 person.

6 DR. JOHNSON: Dr. Ferraro, with all due respect,
7 this is Dr. Johnson, I was interrupted and not given any
8 time.

9 My point, to summarize, is that several horses
10 have been killed at Los Alamitos. There's no reason to
11 make another agreement when so many horses are dying at
12 that track.

13 Thank you.

14 CHAIR FERRARO: Next person, Operator.

15 OPERATOR: There are no more in the queue at this
16 time.

17 CHAIR FERRARO: Okay.

18 Do we have a motion from the Board on this?

19 COMMISSIONER ALFIERI: Commissioner Ferraro,
20 Alfieri here. I just have a comment.

21 I would have thought that in this application
22 they would also address protocols for the COVID-19 issues.
23 So nowhere in here does it talk about it at all. And I was
24 hoping someone would be on the line from Los Al to discuss,
25 you know, what are their protocols moving forward if we

1 have, you know, one, we have no spectators, two, we have
2 very limited staff on track? You know, what are they
3 doing? Are they going to be stabling, also, housing all of
4 the jockeys? Are they going to -- what are their protocols
5 since this is coming up in June?

6 I know that Del Mar, I've heard and understand,
7 that they've got a whole series of protocols that they're
8 looking at. We're not quite sure when we're able to get
9 back to normalcy; right?

10 So I'm just wondering, is there anyone from Los
11 Al that would like to address this at all or at least make
12 a comment? Are they thinking about their protocols?

13 CHAIR FERRARO: Can we take this up under seven
14 because that's the licensing application?

15 COMMISSIONER ALFIERI: Okay. That's fine.

16 CHAIR FERRARO: So we could --

17 COMMISSIONER ALFIERI: That's fine.

18 CHAIR FERRARO: We can ask them to bring it up
19 then.

20 COMMISSIONER ALFIERI: Yeah. That's fine.

21 CHAIR FERRARO: Okay.

22 Do I have a motion from the Board regarding
23 this --

24 COMMISSIONER CASTELLANOS: This is Damascus.

25 CHAIR FERRARO: -- item number eight?

1 COMMISSIONER CASTELLANOS: I'll make a motion on
2 number eight.

3 CHAIR FERRARO: Chairman seconds.

4 COMMISSIONER SOLIS: I'll second. Alex Solis.

5 CHAIR FERRARO: Oscar Gonzales?

6 VICE CHAIR GONZALES: Yes.

7 CHAIR FERRARO: Dennis Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR FERRARO: Damascus Castellanos?

10 COMMISSIONER CASTELLANOS: Yes.

11 CHAIR FERRARO: Wendy Mitchell?

12 COMMISSIONER MITCHELL: Yes.

13 CHAIR FERRARO: Alex Solis?

14 COMMISSIONER SOLIS: Yes.

15 CHAIR FERRARO: The Chairman, yes.

16 All right, now we go back to item number seven
17 and we can take up your concerns there, Dennis.

18 Discussion and action by the Board on the
19 Application for License to Conduct a Horse
20 Racing Meeting of Los Alamitos Horse Racing Association at
21 Los Alamitos Race Course, commencing June 24, 2020 through
22 July 7, 2020, inclusive.

23 Again, Amanda Drummond, do you want to speak to
24 this?

25 MS. DRUMMOND: Yeah, I can do that. So Amanda

1 Drummond again, Policy and Regulations Manager.

2 So the Los Alamitos race meet will commence June
3 24th and run through July 7th for six days. The
4 application is missing the following items to be considered
5 complete, audited financials, the 2020 ADW agreements with
6 Xpressbet, TVG, and NYRA Bets. The Pari Mutuel Employees
7 Guild Local 280 negotiation is in progress as the current
8 agreement expires June 23rd. We do still need a Lasix
9 agreement for race day. And we do need an updated bond as
10 the current one expires on July 1st.

11 And that's all I have.

12 CHAIR FERRARO: Do we have a representative from
13 Los Al on this?

14 OPERATOR: Okay. Yes, sir. It looks here, we
15 have Orlando Gutierrez from Los Al.

16 CHAIR FERRARO: Okay.

17 Go ahead, please.

18 MR. GUTIERREZ: Good morning, Commissioners.
19 Orlando Gutierrez, Marketing Director at Los Alamitos Race
20 Course.

21 We don't have Jack on the line, it seems like, so
22 those documents, we will discuss with Jack and make sure
23 that they get submitted.

24 CHAIR FERRARO: As Commissioner Alfieri brought
25 up, we'd like to know your protocols for COVID containment.

1 Have you got -- can you describe what you're currently
2 doing or what you intend to do?

3 MR. GUTIERREZ: Yeah. We have very thorough
4 guidelines that we're racing under. Every -- we have
5 limited gatherings that are being strongly enforced, that
6 includes in the receiving barn, saddling paddock, jockeys'
7 room, grandstand, and track kitchens. We are closed to new
8 out-of-state personnel. As far as horses are concerned,
9 only those personnel, very essential personnel who are
10 running that day are allowed on the track for night racing.

11 (Background conversation.)

12 CHAIR FERRARO: Quiet.

13 MR. GUTIERREZ: We will limit exposure. No
14 owners will be allowed, media or fans, will be allowed on
15 the track, if those are the guidelines that need to be
16 enforced. Of course, this could change, as we have a
17 couple of months prior to the meet. And again, we will be
18 following all of the guidelines set forth as we're going to
19 work with the Orange County Health Commission. And again,
20 the walking ring will be closed to everyone, other than the
21 personnel required to accompany each horse to and from the
22 saddling barn and the racetrack. Jockeys will get on their
23 horses in the saddling barn. There would be no walking
24 ring. They will be -- they would proceed directly to the
25 racetrack for the post parade and warmup.

1 In a nutshell, it would be similar to what we're
2 doing very successfully at night. And again, this would
3 all be pending, you know, any new developments with the
4 COVID-19 situation as it progresses. And again, we have a
5 few -- a couple of months to work on that.

6 CHAIR FERRARO: How about masks and gloves for
7 gate crew --

8 MR. GUTIERREZ: Absolutely.

9 CHAIR FERRARO: -- pony boys --

10 MR. GUTIERREZ: Absolutely. The gate gets
11 sanitized after -- before every race. Everybody, the
12 assistant starter, the starter, as well, they will be
13 wearing masks and gloves. All of our riders here are
14 wearing masks and gloves as well.

15 CHAIR FERRARO: And in the morning --

16 MR. GUTIERREZ: Absolutely.

17 CHAIR FERRARO: -- (indiscernible) procedures --

18 MR. GUTIERREZ: In the morning --

19 CHAIR FERRARO: -- in the morning?

20 MR. GUTIERREZ: -- in the morning, all of the
21 exercise riders, anybody that's on the racetrack in the
22 mornings is wearing masks and gloves.

23 COMMISSIONER SOLIS: I know that (indiscernible).
24 Alex Solis here.

25 CHAIR FERRARO: Go ahead. Go ahead, Alex.

1 COMMISSIONER SOLIS: Yeah. Another thing that
2 I'd -- another thing that I'd like to bring up, have in
3 mind that this meeting and this meet is going to be
4 (indiscernible). It would be a good idea to check all
5 those, the grooms or whoever, is going to train the horses,
6 check their temperature and make sure that they go
7 (indiscernible) and make sure that they're going through
8 the protocols. But it's very important because there are
9 going to be horses (indiscernible). Just keep that in
10 mind, please.

11 MR. GUTIERREZ: Thank you, Commissioner Solis.

12 Just to make a point, as well, we have hand-
13 washing stations located throughout the entire facility,
14 including the paddock area. And we are adding various
15 additional protocol, pretty much on a weekly basis, as
16 well, temperature checks --

17 CHAIR FERRARO: Do you --

18 MR. GUTIERREZ: -- in several locations.

19 CHAIR FERRARO: Oscar, are you (indiscernible)?

20 Would you send your protocols in writing to the
21 Board please?

22 MR. GUTIERREZ: Most definitely.

23 CHAIR FERRARO: Any other questions from the
24 Board?

25 VICE CHAIR GONZALES: Okay. I'm assuming we have

1 Jack? I'm sorry. This is Commissioner Gonzales. I
2 believe we have Jack from Los Al on.

3 Jack, can you hear us now?

4 MR. LIEBAU: Yes, I can. I apologize but I've
5 been trying to get in and --

6 VICE CHAIR GONZALES: Understood. Please
7 proceed. Your colleague from Los Al did a good job of
8 laying out --

9 MR. LIEBAU: Right.

10 VICE CHAIR GONZALES: -- the protocols. I don't
11 know if you want to add anything, Jack.

12 MR. LIEBAU: Well, just to add that, you know, we
13 consider ourselves to be in strict compliance with the
14 restrictions that have been imposed by the governmental
15 authorities, including Orange County and the State of
16 California, as well as recommendations of the CDC.

17 I think that Orlando probably went over the fact
18 that, you know, our facility is not open to the public. We
19 don't allow owner or vendors in. And in order for the
20 workers or trainers to get on the backside, you know, their
21 temperature is taken and, if it's normal, then they get in.

22 So -- and I think Orlando added that all of those
23 on the -- in the facility are required to wear masks and
24 gloves. And the requirement for their wearing the mask and
25 gloves extends to those working horses, and the gate crew,

1 and everything else. And the night racing, the jockeys
2 wear masks and gloves. And so we're doing everything we
3 can.

4 I think that I'm a little bit surprised. I heard
5 a person, I think it was Mrs. Ericksen, was saying that
6 nobody was wearing masks and all. And I don't know when
7 she's ever been there before. I'm sure that the CHRB
8 investigators could speak to that if you were asked. And I
9 do know that the Cypress Police Department was on the
10 premises, either this morning or last night, and, you know,
11 made sure that all our procedures were being followed.

12 These practices will be kept in place, you know,
13 assuming that conditions are the same, at our meet as they
14 are. And if their best practices come to light, we'll
15 employ those practices as well. And if things change, then
16 we'll adapt accordingly to take care of the problems.

17 I'm sorry that we were sort of discombobulated
18 here but I never got through.

19 Thank you.

20 VICE CHAIR GONZALES: Understood, Jack. Why
21 don't you sit tight, Jack, in case there's any questions?

22 MR. LIEBAU: I will.

23 CHAIR FERRARO: Any questions from the Board for
24 Jack?

25 Do we have a queue, Operator?

1 OPERATOR: Yes, sir. Here comes the next queue.

2 CHAIR FERRARO: All right.

3 MS. CROKER: This is Bonnie Croker. I sure
4 appreciate the opportunity to speak this morning. As I
5 stated earlier in my comment relating to agenda item number
6 five, there should be no permits granted for horse racing
7 in the new future. This is, of course, because of the
8 spread of the COVID-19 virus which is proliferated by large
9 gatherings of people.

10 Horse racing requires the presence of
11 substantially more people than basic horse care and
12 training does. Los Alamitos is the only track in
13 California that has not suspended racing during this
14 pandemic.

15 I believe all California tracks should be
16 required by the CHRB to submit all staff for COVID-19
17 testing immediately.

18 CHRB should also exercise its power to suspend
19 horse racing at Los Alamitos.

20 I appreciate the CHRB advisory released on March
21 27th, 2020 in which you stated, "Regardless of the status
22 of racing, the CHRB's top priority is the health of horses
23 and onsite personnel."

24 I'm asking you to back up that statement through
25 decisive action. Instead of devising and designing ways to

1 protect their future income, horse track owners should be
2 mandated to use their current millions of dollars in assets
3 to properly take care of their employees and horses,
4 perhaps to retraining workers for future job placement,
5 perhaps for guidance on how they might apply for government
6 assistance should they lose their jobs.

7 Consideration for evaluation and safe placement
8 of horses should start now. Don't wait until the horse
9 racing house of cards is blown down and then blame people
10 and circumstances for your failure to plan ahead. Plan to
11 rescue and rehabilitate your people and horses. Stop your
12 nonsensical rearranging of buildings and protocols in a
13 useless (indiscernible) to fight an invisible disease.
14 Fight your own relentless narcissism and greed. Therein
15 lies the greatest challenge the horse racing industry will
16 ever face.

17 Thank you.

18 OPERATOR: Thank you.

19 CHAIR FERRARO: Next. Next, Operator.

20 MS. SULLIVAN: Good morning again. This is
21 Martha Sullivan. I'd like to point out that research has
22 repeatedly shown that fully asymptomatic people who show no
23 symptoms whatsoever, including fever, have been
24 demonstrated to be carriers of COVID-19. So taking
25 people's temperatures doesn't mean anything. And saying

1 that there's no positives at the racetrack doesn't mean
2 anything because there's very little testing.

3 So if racing is to continue, you do need to
4 commit to testing all the workers that you're going to
5 expose with potential infections. And I'm concerned at Los
6 Alamitos because the owner has -- is well documented as
7 having shown little concern for the mostly Hispanic workers
8 who are there. And I quote from the *San Diego Union*
9 *Tribune*,

10 "Population control is too important to be stopped by
11 some right wing pro-life types. Take the new influx
12 of Hispanics and immigrants. Their lack of respect
13 for democracy and social (indiscernible) is
14 frightening. I hope I can do something to stem that
15 type. I'd set up a clinic in Mexico for free if I
16 could, maybe one in Calexico would help. The survival
17 of society could be at stake."

18 This is Dr. Ed Allred, the billionaire owner of
19 Los Alamitos Race Track, who made his billions off of a
20 chain of abortion clinics. And this is who we're going to
21 trust with the health and lives of the mostly Hispanic
22 workers at his track?

23 CHAIR FERRARO: Thank you, Martha.

24 Next.

25 MS. CARTMILL: Jane Cartmill, concerned citizen.

1 COVID-19 protocols notwithstanding, I believe
2 there have already been 15 horses killed at Los Alamitos.
3 Isn't that enough?

4 I would urge the Board to deny the application
5 and, instead, endorse and support a move toward virtual
6 horse racing, such as they have in New Jersey. Gambling
7 enthusiasts there are presently able to enjoy it. It is
8 designed to mimic actually horse racing as close as
9 possible with pre-race odds, this whole lineup of betting
10 options, and streaming video, complete with racing
11 commentary. And with modern technology, virtual horse
12 racing feels very much like the real thing. It also -- the
13 graphics create a very lifelike experience. Bets are paid
14 out at the end of each race. And the next one begins a
15 minute or two later.

16 Betting sites automate the process to provide 24-
17 hour action. And that is one of the biggest draws of
18 virtual racing, is that the races are never canceled due to
19 weather or a pandemic. It's pretty crazy --

20 CHAIR FERRARO: All right.

21 MS. CARTMILL: -- that people can bet --

22 CHAIR FERRARO: Thank you.

23 Next, Operator.

24 MR. AVIOLI: Yeah. This is Greg Avioli from the
25 TOC.

1 I feel compelled again to note to my earlier
2 comments. We have now heard over 20 minutes on this call
3 from one Martha Sullivan.

4 I urge the Board to look into restricting
5 speakers so that this Board can conduct its business. We
6 have a person who is not licensed by the CHRB, who does not
7 work in any aspect of this industry, who has now had 20
8 minutes of comments. And I think it's completely and
9 totally unacceptable.

10 Thank you.

11 CHAIR FERRARO: Anybody else, Operator?

12 OPERATOR: Yes, sir.

13 ASHLEY: Hi. My name is Ashley and this is my
14 first time attending a CHRB meeting. I'm here as a
15 concerned citizen to speak against the continued planning
16 of nonessential horse racing at Los Alamitos.

17 Despite the guidelines discussed by the gentleman
18 from Los Alamitos, I've repeatedly watched failure to
19 properly social distance during broadcasts. We note that
20 various individuals can be asymptomatic, including lack of
21 fever, so temperature checks are futile.

22 Earlier in this call the new Executive Director
23 said he's working from home in Southern California until
24 it's responsible and legal to relocate.

25 Executive Director, if you're adhering to stay-

1 at-home guidelines, presumably to protect your family and
2 our community, how can you allow Los Alamitos to continue
3 to have nonessential workers come and go for profit until
4 it's responsible and legal to do so?

5 Thank you for your time.

6 CHAIR FERRARO: Anybody else, Operator?

7 OPERATOR: Yes, sir.

8 CHAIR FERRARO: Go ahead, please.

9 DR. JOHNSON: This is Dr. J. in Santa Monica.
10 Apparently, one of your members wants to limit democracy.
11 Don't do it, Mr. Ferraro. Don't do it, Dr. Ferraro. This
12 is a public Board meeting and the public has a right to
13 speak here, including on issue eight, and number seven.

14 Deny that permit for Los Alamitos. Neither Mr.
15 Gutierrez, nor Jack, in any way detailed how they were
16 going to prevent the death or more horses, including
17 Chromie on April 11th.

18 Thank you.

19 CHAIR FERRARO: Next, Operator.

20 MS. ERICKSEN: Good morning. Ellen Ericksen
21 again. I am speaking in regards to number seven.

22 COVID-19 does not discriminate, as we all know.
23 These racetracks are breeding grounds for disease, even
24 without COVID-19. The filthy living conditions for the
25 backstretch workers are conducive for disease. Everyone

1 that works and lives at these racetracks are potential
2 spreaders.

3 Since other personnel at Los Alamitos come in
4 constant close contact with these nonessential workers the
5 spread rate to the outside community will be high and
6 dangerous.

7 Oh, and by throwing face masks on jockeys, this
8 will not stop the spread.

9 This racetrack does not deserve special
10 privileges or considerations. And it is criminal keeping
11 these workers there and endangering their life.

12 Oh, and let's not forget --

13 CHAIR FERRARO: All right, Ellen. Thank you.

14 MS. ERICKSEN: -- about horses.

15 CHAIR FERRARO: Next, Operator.

16 MS. LUNDBERG: Amanda Lundberg here.

17 The person that was speaking about Martha
18 speaking too often, we have the right, due to the Bagley-
19 Keene Act, to speak. So do not take away our rights.

20 CHAIR FERRARO: Are you going to --

21 MS. LUNDBERG: Now --

22 CHAIR FERRARO: -- speak to item number seven?

23 MS. LUNDBERG: Yes, I am. Yes, I am.

24 It's clear that, when watching live racing, that
25 social distancing and wearing of masks is not being

1 respected by every single person at the track.

2 Also, as Martha said, taking temperature does not
3 address the fact that you can be -- you can still be a
4 carrier and spread this virus to other people.

5 Racing horses is not essential to exercising and
6 taking care of them. You do not need to be racing horses.
7 Stop racing horses and putting their lives in danger and
8 abusing them. And now, stop putting our lives in danger as
9 California residents. Stop putting our lives in danger.
10 Stop being greedy.

11 Thank you.

12 CHAIR FERRARO: Thank you.

13 Next, Operator.

14 MS. FREUDENBERG: Hi. My name is Lynn
15 Freudenberg. I'm calling again, just in regards to item
16 number seven.

17 I agree with what everybody is saying. You have
18 no right to tell us that we can't speak up on something
19 that concerns us directly. We live in the area where I'm
20 just -- I just don't understand how Los Alamitos can ignore
21 executive orders from our Governor. Why? I mean, I find
22 that highly irresponsible that you're putting so many
23 people at risk here.

24 Before moving forward with racing, I think you
25 really need to investigate this. You can't be putting the

1 public at risk just to make a bit of money off of racing.

2 The Governor also states he doesn't want mass
3 gatherings, so there's really no reason for you guys to
4 move further until we find out what's going on with the
5 unknowns of this disease. There's no vaccine for it.
6 There's not going to be a vaccine for six months. So it's
7 really crazy right now for you guys to just move forward on
8 issues. You have not a clue what's going to be coming
9 forward for you.

10 Please listen to the public. We have a right.
11 We live in the area. We are affected. We are directly
12 affected with anything that happens at Los Alamitos.

13 Thank you. And, please, listen to the public.
14 We do have a right to speak.

15 CHAIR FERRARO: Do we have anybody else,
16 Operator?

17 OPERATOR: Yes, sir.

18 PATRICIA: Yes. My name is Patricia and I am
19 also speaking in response to that person who said we cannot
20 speak. According to Bagley-Keene, we have a right to
21 speak. That includes Martha. That includes all of us.

22 CHAIR FERRARO: Are you going to --

23 PATRICIA: And nobody can cut --

24 CHAIR FERRARO: -- item number seven?

25 PATRICIA: No. Don't cut me off because you did

1 not cut him off. We have a right to speak.

2 CHAIR FERRARO: That's enough, Operator.

3 PATRICIA: And --

4 CHAIR FERRARO: Let's go on to the next person.

5 Anybody else?

6 MS. SULLIVAN: This is Martha. I just want to
7 point out that I've spoken twice today for a total of four
8 minutes. And I waived --

9 CHAIR FERRARO: We're not counting, Martha.

10 MS. SULLIVAN: -- one opportunity.

11 CHAIR FERRARO: Yes. I have you, Martha. Thank
12 you very much.

13 Next.

14 COMMISSIONER MITCHELL: Dr. Ferraro, it's
15 Commissioner Mitchell.

16 Can I just say, quickly, that I appreciate
17 everyone's different opinions on a subject? But as
18 appointees on a Horse Racing Board of a public entity, it
19 is our responsibility to listen to members of the public.
20 And while it may not be convenient or helpful or whatever,
21 everyone can have their own opinion, this is our
22 responsibility.

23 So let's not spend any time going back and forth
24 about this, let's just talk about the agenda item and move
25 on. Because, as a public entity, a governmental entity,

1 it's our responsibility to listen to members of the public,
2 so --

3 MS. BOLBOL: Thank you for saying that. This is
4 Denise Bolbol, and this is my public comment period.

5 And I just want to say, thank you very much for
6 saying that. And I just want to say that the Chairman, the
7 way he is conducting these meetings, cutting people off who
8 he doesn't like and allowing the people he likes to speak
9 off topic, is really, really wrong.

10 COMMISSIONER MITCHELL: This is what I was trying
11 to avoid.

12 MS. BOLBOL: Yes. And I agree with you.

13 COMMISSIONER MITCHELL: Let's just talk about --

14 MS. BOLBOL: That exactly --

15 COMMISSIONER MITCHELL: -- the issues.

16 MS. BOLBOL: That's right. But as long he's
17 going to allow people to speak off topic and then when
18 someone he doesn't like speaks off topic, then he cuts them
19 off, that's a violation of free speech in this state. We
20 have a strong history --

21 CHAIR FERRARO: We're on item --

22 MS. BOLBOL: -- of free speech in this state.

23 CHAIR FERRARO: -- number seven.

24 MS. BOLBOL: And we're -- no.

25 CHAIR FERRARO: We are on --

1 MS. BOLBOL: You never cut --

2 CHAIR FERRARO: -- number seven.

3 MS. BOLBOL: You didn't cut --

4 CHAIR FERRARO: Do you want to speak to that?

5 MS. BOLBOL: -- you didn't cut him off. You are
6 not addressing the issue. You do not cut off people you
7 like.

8 CHAIR FERRARO: That's enough, Operator. Let's
9 go on to the next person.

10 MR. CUVIELLO: Yes.

11 CHAIR FERRARO: Anybody else?

12 MR. CUVIELLO: Yes, it's me. It's Pat CuvIELlo
13 from San Diego County.

14 The Board needs to factor in the recent or the
15 current pandemic virus problem that we're having when they
16 discuss this issue. Because every other place or every
17 other nonessential business around the state is being shut
18 down but horse racing. And it makes no sense because horse
19 racing is clearly not essential.

20 CHAIR FERRARO: Are you finished?

21 Operator, let's go to the next one.

22 MS. ERICKSEN: Hi, Mr. Ferraro. This is Ellen
23 Ericksen. I would like to have the rest of my two minutes
24 of time regarding item number seven and the license --

25 CHAIR FERRARO: Then speak to it.

1 MS. ERICKSEN: -- of Los Alamitos.

2 I just wanted to finish saying, by putting face
3 masks on jockeys, it will not stop the spread. We are
4 urging you to not issue a business license for Los Alamitos
5 for the summer. We are on track in the state of California
6 to have more virus spread in Southern California. We all
7 know that racing horses is not a sport. Horse racing is a
8 profit-driven gambling business. But since everyone on the
9 Board has and continues to state that horse racing is a
10 sport, it should be shut down like every other sporting
11 event. Racing horses is not essential. No one benefits
12 from the races except the owners, trainers, the racetracks,
13 and, clearly, the California Horse Racing Board.

14 I urge you, Mr. Ferraro, to put aside your
15 personal feelings against activists and concerned citizens,
16 uphold the law of this Board, and allow citizens and the
17 public to make public comment. This is our right in the
18 state of California. And it is your job to provide these
19 rights for us. And quit shutting us down.

20 And put your personal feeling aside. We all know
21 that none of us are on the same side here but we do have a
22 right to speak without being insulted and cut off at the
23 whims of your command. That is against the law. And I
24 have no problem bringing in legal counsel because you are
25 infringing on our rights as citizens of the United States

1 of America and the state of California, so I urge you to
2 quite quashing anyone that is making public comment

3 And we are begging you to, please, not issue a
4 business license for Los Alamitos due to the safety and
5 concern of the population of humans that live in Cypress
6 and the adjoining area.

7 Thank you.

8 CHAIR FERRARO: I would remind everyone that we
9 have a public comment at the end of this meeting at which
10 point anyone can say whatever they want. During the
11 conduct of this meeting, as I outlined in the beginning, I
12 expect you, if you want to speak, to confine your comments
13 to the agenda item. If I'm cutting you off it's because
14 you're not sticking to the agenda item.

15 Operator, do we have anybody else?

16 OPERATOR: Yes, sir.

17 Nancy?

18 MS. MITCHELL: Hi. I'd like to address the
19 Board. My name is Nancy Mitchell.

20 And with respect to the gentleman that commented
21 on the COVID-19 (indiscernible), that's commendable. Never
22 mind the fact that everybody else in the state has already
23 had these on the books for at least 30 days, but it's
24 better late than never.

25 However, (indiscernible) the best guidance

1 guidelines for the (indiscernible) mandated by Governor
2 Newsom.

3 The last point on this, all individuals must stay
4 six feet apart and not congregate. Now Jack Liebau at Los
5 Alamitos commented that the Cypress Police Department was
6 at the track. They were following the protocols. This is
7 absolutely not correct. There is documentation, pictures
8 from their races over the weekend where they clearly were
9 not mandating the social distancing of the six feet apart.

10 So there might be a protocol in writing which,
11 apparently, they have addressed. But, again, I want to
12 emphasize, they are not following all the steps on these
13 protocols.

14 Again, (indiscernible) racing is a nonessential
15 business in California. You can train the horse and feed
16 and care for them without racing. That's two separate.
17 But, again, these guidelines are put out, the best practice
18 guidelines for equestrian facilities, and they are under
19 Governor Newsome's executive orders.

20 So again, please review the protocols in writing
21 from Los Alamitos. And it's a two-step process
22 (indiscernible) written protocols in writing, but also the
23 (indiscernible).

24 Thank you.

25 OPERATOR: All right. Thank you.

1 CHAIR FERRARO: Anyone else?

2 OPERATOR: Yes, sir. Here comes the next

3 Okay, Mr. CuvIELlo, your line must be muted.

4 We'll go on to the next one. All right, Nick,

5 make sure your line is not muted.

6 MR. CASADO: No. I don't know what's going on.

7 You want me to ask the question right on --

8 OPERATOR: Yes.

9 MR. CASADO: -- on this? Because it's a general
10 question. It's not pertaining to any specific line item.

11 CHAIR FERRARO: Then you'll have to make your
12 comments at the end of the meeting under public comment --

13 MR. CASADO: Oh, okay.

14 CHAIR FERRARO: -- number 12, if you're not
15 speaking directly to this.

16 OPERATOR: All right.

17 CHAIR FERRARO: Go ahead, Operator.

18 OPERATOR: Mr. Chairman, there are no more
19 questions.

20 CHAIR FERRARO: Okay. Any comments from the
21 Board?

22 COMMISSIONER SOLIS: Yes, I want to make one --

23 COMMISSIONER CASTELLANOS: Mr. Chairman?

24 COMMISSIONER SOLIS: -- Chairman. Alex Solis
25 here.

1 First of all, I'd like to thank Los Alamitos for
2 staying open. And also, you know, it seems to me, since
3 they've been listening to them, they have done a great job
4 following the protocols.

5 Another thing. There's so many lost jobs and
6 business. For them to stay open and make things -- help in
7 the state of California of a well needed (indiscernible) is
8 very important because there are so many (indiscernible)
9 that you get in the morning to help (indiscernible). And I
10 think this is one of the ways the industry is helping and I
11 want to thank Los Alamitos for that.

12 Thanks.

13 CHAIR FERRARO: Any other Commissioners wish to
14 speak?

15 COMMISSIONER CASTELLANOS: Mr. Chairman, this is
16 Damascus Castellanos.

17 I just want to kind of state from facts here is
18 that this racing meet is projected to start in June and go
19 through July. The Board, from what I understand, this
20 Board has to conduct our business as normal. We understand
21 the COVID-19 situation and we are all taking precautions.
22 Many companies are taking precautions, and everybody else
23 is. So when we asked Los Alamitos for their protocol
24 statement due to COVID-19, that is what we're asking for
25 coming June/July. June/July, we may or not may not be in

1 the same situation that we're in.

2 So I understand the concerns of the people that
3 have spoken on this issue and we take those to heart. But
4 we have to conduct our business moving forward as if we are
5 all going to be, hopefully, in a normal situation come
6 June/July.

7 So that is my statement. And with that, I'd like
8 to say that I make a motion to approve these dates.

9 CHAIR FERRARO: Do we have a second?

10 COMMISSIONER SOLIS: I second. Alex Solis.

11 CHAIR FERRARO: Okay. Commissioner Gonzales?

12 VICE CHAIR GONZALES: Yes.

13 CHAIR FERRARO: Commissioner Alfieri?

14 COMMISSIONER ALFIERI: Yes.

15 CHAIR FERRARO: Commissioner Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 CHAIR FERRARO: Commissioner Mitchell?

18 COMMISSIONER MITCHELL: Yes.

19 CHAIR FERRARO: Commissioner Solis?

20 COMMISSIONER SOLIS: Yes.

21 CHAIR FERRARO: And the Chairman is yes.

22 I'd like to take a five-minute break. And then
23 when we recommence, let's go back to item number four,
24 since we missed it at the beginning. So we'll take a five-
25 minute break now and then we'll commence with item number

1 four.

2 (Off the record at 11:22 a.m.)

3 (On the record at 11:26 a.m.)

4 CHAIR FERRARO: We have Oscar Gonzales.

5 And, Mr. Alfieri, are you on?

6 COMMISSIONER ALFIERI: Yes.

7 CHAIR FERRARO: Mr. Castellanos, are you on?

8 COMMISSIONER CASTELLANOS: I'm here.

9 CHAIR FERRARO: Ms. Mitchell, are you on?

10 COMMISSIONER MITCHELL: Never left.

11 CHAIR FERRARO: Mr. Solis?

12 COMMISSIONER SOLIS: Okay.

13 CHAIR FERRARO: Okay. Then we will commence with
14 item number four, which is discussion and action by the
15 Board on the request from Watch and Wager LLC Harness at
16 Cal Expo to approve the carryover of funds into a mandatory
17 payout upon reopening.

18 Mr. Brodnik, you spoke on this initially. Do we
19 have the representative from harness here?

20 MR. BRODNIK: Chairman, Robert Brodnik,
21 California Horse Racing Board.

22 That would be, I believe, Chris Schick, Operator.
23 If you could see if a Chris Schick is available in the
24 queue?

25 OPERATOR: All right. I will open Mr. Schick's

1 line.

2 MR. SCHICK: Chairman Ferraro, Members of the
3 Commission, Christopher Schick, Watch and Wager Harness.

4 When our exemption was lifted by the Sacramento
5 County Health Department and our racing was suspended after
6 our March 31st card, we had two carryover pools that were
7 ongoing. And, currently, that money is being held in
8 Northern California Off-Track Wagering, Inc., known as
9 NOTWINC. And we are making a request to the Board to have
10 that money put in an interest-bearing account, as required
11 under the law, and to be carried over into our next meet,
12 which we anticipate running sometime in November. So that
13 is our request.

14 As far as a mandatory payout date, which is also
15 required, normally we would put that in the license
16 application for the dates that we're applying for.
17 Obviously, that license application will be forthcoming
18 this fall. But we anticipate the day of mandatory payout
19 being Saturday, December 19th, at this point.

20 CHAIR FERRARO: Do you have a named organization
21 that's going to hold the interest-bearing account?

22 MR. SCHICK: Yes. We have made arrangement with
23 NCOTWINC, Northern California Off-Track Wagering, to open
24 that account and put it in an interest-bearing account. I
25 don't have the, per se, the details yet, since we haven't

1 transferred that money yet. It's kind of been held there
2 right now. But I will provide the Board that information
3 as soon as -- if this approval goes through and we transfer
4 the money.

5 CHAIR FERRARO: And just to clarify, your payout
6 date that you're expecting is December 19th?

7 MR. SCHICK: Yes, that would Saturday, December
8 19th, which would be the end of our fall meet.

9 CHAIR FERRARO: And why the end and not the
10 beginning?

11 MR. SCHICK: Well, the one bet is a -- it's a
12 jackpot wager that carries over from day to day. We could
13 have a mandatory payout on our opening day of racing. That
14 would be possible. But normally we'd just have a mandatory
15 payout of all our pools on our closing night.

16 CHAIR FERRARO: Mr. Brodnik, is that permissible
17 under the rule?

18 MR. BRODNIK: Chairman, just reviewing it, I
19 believe the mandatory payout cannot exceed one year from
20 the date the request was submitted. That's under ARCI Rule
21 04-05-G (phonetic). So one year from when this request was
22 submitted would be sometime in April, so December would
23 seem to work.

24 CHAIR FERRARO: Okay.

25 Any comments from the Board?

1 Do we have a queue, Operator?

2 OPERATOR: Yes, sir. Here comes our next
3 comment?

4 MR. NANCE: Yes, sir, Mr. Ferraro. Scott Nance
5 here, a longtime driver, trainer, owner in harness racing,
6 and now gambler.

7 I'd just like to say that concerning this Pick
8 6, this bet was, I believe in the rules, to be given out,
9 mandatorily paid by the end of this meet, the meet that
10 concluded. This Pick 6 was hit on closing night. It was
11 hit by people. No one knew they were going to cancel.

12 Now it's very easily feasible to track down the
13 people that hit this bet on closing night because all
14 wagers were taken online. They know exactly who hit it.
15 They know exactly what it was. The only fair thing to do
16 is to pay the mandatory pool to the people that supported
17 the bets the entire meet.

18 To carry this over to -- nobody even knows if
19 there's going to be another meet, when there's going to be
20 another meet, if there will be. And to use this pool as a
21 marketing ploy to run their next meet and have it carried
22 over and have it just go on and on and on is totally unfair
23 to the people that bet it, supported it the whole meet, and
24 actually hit it on what was closing night.

25 Therefore, I ask you to pay out the pool to the

1 people that actually hit the Pick 6 on what was closing
2 night.

3 Thank you for your time.

4 CHAIR FERRARO: Do you have a rebuttal for that?

5 MR. SCHICK: Yes, I do, Mr. Chairman.

6 I've spoken with Mr. Nance before and I know his
7 position on this. The issue here is that what about all
8 the people that didn't know it was a mandatory payout and
9 didn't play that day who might have had money in the pool.
10 So he kind of claims that, you know, since he hit it that
11 night, he's entitled now to a mandatory payout. But all
12 the other people who played all the other times, who
13 obvious didn't play, maybe, that day, their money would go
14 to these people. So I don't think that would be an
15 equitable solution, quite frankly.

16 CHAIR FERRARO: Thank you.

17 Any comments from the Board?

18 Can we have the next person in the queue please?

19 MR. NANCE: Yes, sir. Scott Nance again, just to
20 reiterate his point.

21 Anyone had a chance to play it closing night. It
22 was open to everybody. Anybody had a chance to play it.
23 The people that played it and hit it should be rewarded
24 with the pool.

25 That's all I have to say.

1 CHAIR FERRARO: All right. Thank you.

2 Anybody else, Operator?

3 OPERATOR: No, sir.

4 CHAIR FERRARO: Discussion by the Board? Do I
5 have a motion?

6 COMMISSIONER ALFIERI: I'll make the motion --
7 Alfieri -- to approve item number four.

8 CHAIR FERRARO: I'll second.

9 Commissioner Gonzales?

10 VICE CHAIR GONZALES: Yeah.

11 CHAIR FERRARO: Commissioner Alfieri?

12 COMMISSIONER ALFIERI: Yes.

13 CHAIR FERRARO: Commissioner Castellanos?

14 COMMISSIONER CASTELLANOS: Yes.

15 CHAIR FERRARO: Commissioner Mitchell?

16 COMMISSIONER MITCHELL: Yes.

17 CHAIR FERRARO: Commissioner Solis?

18 COMMISSIONER SOLIS: Yes.

19 CHAIR FERRARO: And the Chairman is yes. Motion
20 approved.

21 All right, now we move on to item number nine.

22 Item number nine is discussion and action by the Board
23 regarding the proposal to partially suspend the current 45-
24 day requirement under CHRB Rule 1488, Temporary
25 Occupational License, for fingerprints submitted to the

1 Board and extend the requirement to 120 days, that's from 5
2 days, pursuant to CHRB Rule 1406, Suspension of Rule.

3 And this rule would end 60 days after things get
4 back to normal. The reason for this is that because our
5 offices are closed and our license offices are closed,
6 people cannot get their fingerprints done in the 45-day
7 period.

8 Do we have any comments from the Board on this?

9 Amanda, do you have anything to say about it?

10 MS. DRUMMOND: No. You gave a great summary,
11 Commissioner Ferraro.

12 CHAIR FERRARO: Far from that.

13 And, Operator, do we have a queue?

14 OPERATOR: Yes, sir. Here comes the first
15 comment.

16 CHAIR FERRARO: Go ahead, please.

17 OPERATOR: Mr. (indiscernible) , are you on mute?

18 UNIDENTIFIED MALE 2: Yeah. Yeah. So I have a
19 little suggestion for Mr. Nance. His only way to get --
20 his only remedy is to go through the court or file a
21 complaint and ask a court to file a writ of mandate to get
22 his money or whatever thing is right.

23 Thank you.

24 CHAIR FERRARO: I think you're speaking on the
25 wrong item.

1 Next. Go ahead.

2 OPERATOR: All right. Thank you. Next comment.

3 CHAIR FERRARO: Go ahead, please.

4 Do you have another queue, Operator?

5 OPERATOR: Okay. Yes, sir.

6 CHAIR FERRARO: Go ahead, please.

7 MS. SULLIVAN: Hello. This is Martha Sullivan.

8 I'm, you know, as the daughter of a career-long
9 FBI agent who did a ton of background checks, and he rose
10 to Assistant Director of the L.A. office, you know, given
11 what we know of the sordid history of horse racing, I'm
12 kind of shocked that this Board is talking about delaying,
13 you know, spending the temporary occupational license from
14 45 days to 120 days. You're talking about not vetting
15 these people. You're not able to check their backgrounds
16 and assure that they're who they say they are.

17 We're in the middle of a global pandemic that has
18 shut down virtually everything. And you're going to --
19 it's a temporary occupational license, which is entry onto
20 racetracks and a license to be there w/o fully even vetting
21 these people and confirming who they are and they have
22 the -- you know, a valid reason to be there. I'm really
23 shocked by this.

24 CHAIR FERRARO: Thank you.

25 Next.

1 OPERATOR: No more comments --

2 CHAIR FERRARO: Next.

3 OPERATOR: -- at this time.

4 CHAIR FERRARO: All right, any discussion by the
5 Board? Do I have a motion to approve?

6 COMMISSIONER SOLIS: Alex Solis. Move.

7 CHAIR FERRARO: Second?

8 COMMISSIONER CASTELLANOS: Damascus. Second.

9 CHAIR FERRARO: All right.

10 Commissioner Gonzales?

11 VICE CHAIR GONZALES: Yes.

12 CHAIR FERRARO: Commissioner Alfieri?

13 COMMISSIONER ALFIERI: Yes.

14 CHAIR FERRARO: Commissioner Castellanos?

15 COMMISSIONER CASTELLANOS: Yeah.

16 CHAIR FERRARO: Commissioner Mitchell?

17 COMMISSIONER MITCHELL: Yes.

18 CHAIR FERRARO: Commissioner Solis?

19 COMMISSIONER SOLIS: Yes.

20 CHAIR FERRARO: And Chair is a yes. The motion
21 passes.

22 Item number ten, discussion and action by the
23 Board regarding the proposed amendment to CHRB Rule 1560,
24 Duties of the Official Veterinarian, and Rule 1561, Duties
25 of the Racing Veterinarian, to stipulate that the racing

1 veterinarian is under the direct supervision of the
2 official veterinarian.

3 This item, if passed, would go out for a 45-day
4 comment period.

5 Dr. Arthur, do you want to speak on this?

6 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. This was
7 brought back from the last meeting. This is Dr. Arthur,
8 Equine Medical Director.

9 This was brought back by -- from the last meeting
10 because of some concerns having to do with human resources
11 management at Santa Anita because -- and Golden Gate Fields
12 because the racing veterinarian is actually paid by the --
13 and hired by the racetracks. So we have modified this, so
14 now the racing veterinarians will have reporting
15 responsibilities to the official veterinarian and the Board
16 of Stewards, and that no licensed official, other than
17 employee -- or no licensed official from the association
18 can, basically, instruct the racing veterinarian how to do
19 their work in the exercise of their duties.

20 So the bottom line is that the Racing
21 Veterinarian will be independent in terms of their
22 professional conduct in terms of examining horses and the
23 like, so -- which is what we wanted to accomplish.

24 I do think, long-term, that the examining and
25 racing veterinarians need to be employees or independent

1 contractors for the Racing Board but that is -- would have
2 to be a long-term plan and would have to, certainly, get
3 budget changes to get that accomplished. So in the
4 interim, I think this really satisfies our concern and one
5 of the issues that we identified in the Santa Anita
6 fatality review.

7 So I'm in favor of -- I think this satisfies the
8 needs that we had identified previously.

9 CHAIR FERRARO: Thank you.

10 Amanda Drummond, do you have anything to add?

11 MS. DRUMMOND: No. Dr. Arthur summed it up
12 perfectly, so nothing to add.

13 CHAIR FERRARO: Any questions or comments from
14 the Board at this time?

15 Do we have a queue, Operator?

16 OPERATOR: Yes, sir. Here comes our first
17 comment.

18 DR. JOHNSON: Dr. J in Santa Monica.

19 CHAIR FERRARO: Go ahead.

20 DR. JOHNSON: Of course, Dr. Arthur is right in
21 theory, that these veterinarians should be completely
22 independent. The fact that they are working for another
23 entity, in this case for the track, in this case Santa
24 Anita, is one of the reasons that we do not trust their
25 independence at all. In theory, that's what should be

1 done. But there's no guarantee, if you have an independent
2 veterinarian or a veterinarian appointing -- excuse me,
3 reporting to the main veterinarian or the chief
4 veterinarian, that they're going to be any more solicitous
5 about the health of these horses. If they were, we
6 wouldn't have so many of these deaths at Santa Anita, Los
7 Angeles, and Golden Gate.

8 Thank you, Dr. Ferraro.

9 CHAIR FERRARO: Thank you.

10 Next.

11 OPERATOR: Okay. There are no more comments at
12 this time.

13 CHAIR FERRARO: Any comments or questions from
14 the Board? Can I have a motion to approve?

15 COMMISSIONER SOLIS: Alex Solis. Move.

16 COMMISSIONER CASTELLANOS: Castellanos. Motion.

17 CHAIR FERRARO: Alex, you want to second?

18 COMMISSIONER SOLIS: Yes, sir.

19 CHAIR FERRARO: Commissioner Gonzales?

20 VICE CHAIR GONZALES: Yes.

21 CHAIR FERRARO: Commissioner Alfieri?

22 COMMISSIONER ALFIERI: Yes.

23 CHAIR FERRARO: Commissioner Castellanos?

24 COMMISSIONER CASTELLANOS: Yes.

25 CHAIR FERRARO: Commissioner Mitchell?

1 COMMISSIONER MITCHELL: Yes.

2 CHAIR FERRARO: Commissioner Solis?

3 COMMISSIONER SOLIS: Yes.

4 CHAIR FERRARO: And the Chairman is yes. Motion
5 passes.

6 On to item number ten --

7 COMMISSIONER SOLIS: Eleven.

8 CHAIR FERRARO: -- or 11, excuse me. Public
9 hearing and action by the Board regarding the proposed
10 addition of CHRB Rule 1846.1, Veterinary Records for Horses
11 Shipping into an Inclosure Race, to require
12 trainers to make available to the official veterinarian,
13 the previous 14-day veterinary treatment record.

14 I guess, Dr. Arthur, do you want to speak to
15 that?

16 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. This was
17 originally very similar to the model rule the RCI had
18 adopted that would -- had been recommended by the Racing
19 Medication and Testing Consortium, that horses shipping
20 into a new jurisdiction provide, at that time, a 14-day
21 medical history. We expanded that to 30 days to be
22 consistent with our intra-articular requirements for
23 fetlock joints not be administered any corticosteroids
24 within 30 days. So that was the major change here.

25 What this is, is it allows us -- we have a

1 relatively good history of the medications administered to
2 horses that are entered from within our facilities. This
3 addresses those horses that come in from outside our
4 jurisdiction.

5 So I recommend that the Board approve this as
6 written. And, obviously, when we get some of our
7 electronic records changes and some of the other provisions
8 in place, that we're going to be in a lot better shape than
9 we were previously. This is another recommendation for a
10 proposal that is consistent with the recommendations that
11 were made as part of the Santa Anita fatality review.

12 CHAIR FERRARO: Amanda, do you have anything to
13 say, to add?

14 MS. DRUMMOND: The only comment I have is this
15 came back from 45 days. The comment period closed on April
16 6th and we had no comments. So if the Board does approve
17 this, then it will be finalized and sent off to OAL.

18 CHAIR FERRARO: Any questions or comments from
19 the Board right now?

20 Operator, do we have a queue?

21 OPERATOR: No, sir.

22 CHAIR FERRARO: All right. I'll make a motion to
23 approve.

24 Do I have a second?

25 COMMISSIONER SOLIS: I second.

1 COMMISSIONER CASTELLANOS: Castellanos. Second.

2 CHAIR FERRARO: That Damascus Castellanos; is
3 that correct? Second?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: All right. Commissioner
6 Gonzales?

7 CHAIR FERRARO: Yes.

8 CHAIR FERRARO: Commissioner Alfieri?

9 COMMISSIONER ALFIERI: Yes.

10 CHAIR FERRARO: Commissioner Castellanos?

11 COMMISSIONER CASTELLANOS: Yes.

12 CHAIR FERRARO: Commissioner Mitchell?

13 COMMISSIONER MITCHELL: Yes.

14 CHAIR FERRARO: Commissioner Solis?

15 COMMISSIONER SOLIS: Yes.

16 CHAIR FERRARO: And the Chair is yes. The motion
17 passes.

18 Now it's time for our public. To remind you, you
19 have two minutes. Listen for the bell. And it will be a
20 total of 30 minutes. If you don't get a chance to speak,
21 I'd remind you that the Board accepts written comments.

22 All right, Operator, let's start with the first
23 in the queue.

24 MR. GOODRICH: Mr. Chairman, can you hear me?

25 CHAIR FERRARO: Yes.

1 MR. GOODRICH: This is Cliff Goodrich. And I
2 think you all know I represent the California Thoroughbred
3 Horsemen's Foundation. We look after the healthcare of the
4 workers on the backstretch.

5 And I'd just like to salute the industry through
6 this crisis for the way they're working together during
7 this very difficult time. The industry is clearly focused
8 on not only the horses but, also, the backstretch workers
9 who care for the horses. There's got to be a reasonable
10 balance between the safety of the horses and the welfare of
11 the workers.

12 At our Foundation, we're working behind the
13 scenes right now to help establish food pantries at Santa
14 Anita, Los Alamitos, Golden Gate, and San Luis Rey Downs
15 for the benefit of these struggling workers.

16 Unfortunately, the animal rights activists could
17 care less about these workers. These extremists want to
18 shut down racing in normal conditions, let alone now. They
19 care about horses only and don't seem to care about humans,
20 in this case, the backstretch workers.

21 While racing does not run live, horses are
22 leaving the state and these workers are losing their jobs.
23 As they lose their jobs, they lose their home at the
24 racetrack.

25 I'm glad the tracks are continuing to work with

1 the local health departments. And I hope racing can be
2 resumed in order to keep the workers employed under the
3 strict protocols established by The Stronach Group and Los
4 Alamitos.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next.

8 MR. BALCH: This is Alan Balch. Hello?

9 CHAIR FERRARO: Yes.

10 MR. BALCH: This is Alan Balch.

11 CHAIR FERRARO: Go ahead.

12 MR. BALCH: I'm speaking as a concerned citizen.

13 And I'm a concerned citizen about an exceptionally number
14 of extremists whose very repetitive and closed-minded
15 diatribes to these public meetings and to other government
16 authorities are filled with exaggeration and hostility and
17 misinformation and invective, continue to try to disrupt,
18 and even to destroy the livelihoods of thousands of their
19 fellow Californians.

20 These radicals also ignore the interests and
21 would even oppose the very freedom of the hundreds of
22 thousands of members of the general public to appreciate
23 and support and patronize racing, and whose support
24 provides a multi-billion dollar contribution to the
25 economies of California and the United States.

1 Those of us who disagree with these extremists at
2 these meetings don't impose their own freedom to pursue a
3 vegan lifestyle or to refrain from participating in any
4 particular sport of legal activity that they might oppose.
5 But we should and we do resent their attempts to impose
6 their beliefs and negativity on the rest of us.

7 So to be positive and productive, I want to join
8 Cliff in thanking the volunteer Commissioners and the
9 professional staff of this state agency for your patience
10 and commitment to the best interests and the public
11 interests you serve, despite these continual provocations
12 you have to endure. You have continually worked to improve
13 the sport to attain your goals of always greater fairness
14 and enhanced animal welfare. Those hundreds of thousands
15 of Americans who love this sport applaud you for your
16 efforts.

17 We are grateful beyond words to California's
18 track operators, The Stronach Group, Los Alamitos, Del Mar,
19 and CARF, as well as the owners of the horses who
20 contribute in countless ways, all of whom continue to keep
21 the stables and training facilities open at great expense,
22 all for the welfare of the horses and the future of the
23 sport.

24 Thank you.

25 CHAIR FERRARO: Thank you.

1 Next. Go ahead, please.

2 MS. SULLIVAN: Hello. This is Martha Sullivan.

3 I just want to say that the owners of these
4 tracks, the owners of the racehorses, the trainers, you
5 know, many of the trainers of the racehorses are multi-
6 million dollar, and in the case of the corporations, multi-
7 billion dollar entities. They have access to government
8 programs that have been set out to aid and assist
9 nonessential businesses that have been required to close in
10 order to pass and flatten the rise of infections and,
11 thereby, deaths. There are lots of other businesses, many,
12 many, many, many more employees who have been impacted,
13 just like the nonessential business of horse racing.

14 So your self-absorption, that somehow, you know,
15 these wealthy track owners and horse owners and trainers
16 are entitled to different treatment is just totally
17 representative of their entire attitude, that they're above
18 the law and they don't have to comply with things that the
19 rest of are expected to comply with, including staying on
20 topic during public comments in a public meeting.

21 I also want to point out, just briefly, that the
22 Los Alamitos Track was reported by *New York Times* as
23 hosting a horse owner who was investigated for a murder
24 spree in North Mexico the same week that they won the
25 biggest futurity there at Los Alamitos. This was in 2012,

1 reported by the New York Times.

2 As I mentioned earlier, this is a sordid, sordid
3 industry that goes way back. It continues to be a sordid
4 industry and it shows it's lawlessness current.

5 CHAIR FERRARO: Thank you.

6 Next. Go ahead, please.

7 MR. LIEBAU: Yes. This is Jack Liebau. I just
8 have two things.

9 One, I'd like to make a shoutout for a member of
10 the CHRB staff who was very, very helpful under difficult
11 circumstances, both her working from home and me trying to
12 get an application together from my home, and that would be
13 Nicole Gravely. She was great.

14 The second thought is that the immediate week
15 after Los Alamitos closes, it's a summer meet, there's a
16 simulcast-only week. It seems to me that there should be
17 some consideration given to making that a live race meet.
18 And I want to make it perfectly clear, I'm not suggesting
19 that those dates go to -- live dates go to Los Alamitos.
20 But I would think that it would be in everybody's best
21 interest if Del Mar opened early, so that there would be
22 racing during that, what is now considered to be a dark
23 week.

24 Thank you. Bye.

25 CHAIR FERRARO: Next.

1 OPERATOR: All right. Thank you. All right.

2 Next, I'm going to open up Oscar de la Torre's line.

3 CHAIR FERRARO: Go ahead, please.

4 MR. DE LA TORRE: This is Oscar de la Torre. Can
5 you hear me?

6 CHAIR FERRARO: Yes. Go ahead.

7 OPERATOR: Okay. Well, he just disconnected, so
8 we'll go on to the next comment.

9 CHAIR FERRARO: Okay.

10 Go ahead, please.

11 DR. JOHNSON: Dr. Wayne Johnson in Santa Monica,
12 California.

13 Mr. Goodrich is surprised, apparently, that we're
14 concerned about horses. This is horse racing, Mr.
15 Goodrich. That's why we're concerned about horses.

16 Mr. Balch, of course, wants to marginalize us and
17 call us radicals and call us the few without noting the
18 fact that hundreds of thousands of people in this country
19 are very opposed to horse racing. We're hardly on the
20 margins.

21 It used to be, in this democracy, you could go to
22 a cockfight, Mr. Balch, but no longer in the state of
23 California or the other 49 states can you go to a
24 cockfight.

25 It used to be you could go to greyhound racing in

1 certain states. But the people in this democracy have a
2 say over things about animal cruelty.

3 Since the first day of this year at Santa Anita,
4 Golden Birthday, dead. The first day of the year 2020 at
5 Los Alamitos, Ruby Roundhouse, dead. The fifth day of this
6 year, Elegant Sundown, dead at Golden Gate. Jest Famous on
7 the 7th day of 2020, dead at Los Alamitos. Buckstopper
8 Kit, dead in his stall at Santa Anita, and it goes on and
9 on and on, presided over by the staff at the track,
10 presided over by the administrators at the track, and
11 presided over by the betting public.

12 Dr. Ferraro and Dr. Arthur went to school with
13 certain ideals to become veterinarians to help animals.
14 These veterinarians, independent or not, assisting or not,
15 in charge or not, these veterinarians are presiding over
16 the deaths at these (indiscernible) houses and
17 slaughterhouses that we call sports stadiums, where these
18 animals are dying, as did Super Beauty on the 18th day a
19 Golden Gate, Tikkun Olam on the 20th day at Santa Anita, is
20 it over on the 21st day of Los Alamitos, Data Hawk on the
21 2nd day of February at Golden Gate, Double Touch on the 8th
22 day of February on Santa Anita. These horses wanted to
23 live as much as you and I do and they are dead for the
24 betting public and dead for the profit of the people that
25 own these tracks and race these horses.

1 Radio Tim, dead at Los Alamitos on the 21st.

2 Street Machine --

3 MR. MARTEN: Thirty seconds.

4 DR. JOHNSON: -- dead at Los Alamitos.

5 Thank you, Dr. Ferraro.

6 MR. MARTEN: No. That was two minutes.

7 DR. JOHNSON: Thank you.

8 CHAIR FERRARO: All right. Next.

9 Try to ring that bell a little louder, Mike.

10 MS. SEDANO: Hello. This is Elvia Sedano.

11 I just want to say, you know, it's very
12 disappointing when the CHRB or anyone who supports horse
13 racing feel the need to bash concerned citizens when they
14 voice their concerns while speaking the truth, not belief.
15 These are facts.

16 The Board Members said this morning the Board is
17 only here for reform, not to end horse racing.

18 Bill Dodd and Assemblyman Adam Gray introduced SB
19 499. It's just not working. Our country is in a crisis
20 and the Board only cares about making sure the gambling
21 continues. The Board has a responsibility to the
22 backstretch workers and the public, stopping racing, and
23 stopping racing because of this pandemic.

24 Feeding the horses, giving medical treatment,
25 exercising the horses, of course, is necessary, but not

1 racing them, especially during this time of pandemic.
2 Jockeys are racing so close to each other, backstretch
3 workers are coming and going. Please do not permit racing
4 this -- the racing. This COVID cannot just be taken
5 lightly.

6 It's not appreciated that Santa Anita says that
7 racing is needed because horses need exercises. Give me a
8 break. For five years, I haven't seen horses get exercises
9 running at their own pace without anyone on their back.
10 Exercise does not equal racing.

11 Horse racing is not essential. Stopping COVID-19
12 is essential.

13 Thank you.

14 CHAIR FERRARO: Next.

15 MS. CROKER: Yes. Bonnie Croker, concerned
16 citizen. Again, I appreciate the opportunity to speak
17 today.

18 The final point I wish to address concerns the
19 need for the CHRB to live up to its full potential. That
20 will involve some tough, expensive decisions. You have
21 been given the tools and the rules that will protect the
22 lives of thousands during this pandemic.

23 I urge you to follow the rules and use your
24 tools. Suspend horse racing at all tracks for as long as
25 it takes to protect the lives of the people and horses you

1 are responsible for.

2 I must add a response relating to comments
3 provided by those who fear animal rights activists. We do
4 care about human as well. Most of us who spoke today have
5 a combined total of hundreds of years in the human
6 services. To suggest that animal activists don't care
7 about people is ludicrous.

8 If horse track owners cared about their
9 employees, they would provide health coverage, decent
10 living conditions, and a backup plan for their sustainment
11 when the horses can no longer be exploited. That day will
12 come, not soon enough but that day will come.

13 Thank you.

14 CHAIR FERRARO: Thank you.

15 Next please.

16 MR. CASADO: Yes. This is Nick Casado here. I'd
17 like to thank you, Commissioner Ferraro and the Board, for
18 allowing us all to speak.

19 I've sat back and listened to many of the
20 activists and say how racing should be stopped.
21 Unfortunately, this same group tried stopping horse racing
22 back in March of last year, and February. Now they've used
23 this COVID virus as a means to stop us again.

24 I encourage everyone on the Board to please look
25 at how Los Alamitos has continued in a safe manner, how

1 Oaklawn Park has done the same thing, as well as Gulfstream
2 Park in Florida.

3 Many of the activists that get up and speak are
4 saying that racing is nonessential. And they're very
5 uninformed on how racing operates, how our revenue is
6 generated, how the people on the backside can continue to
7 keep their jobs, and it is by gambling.

8 So we do have a health clinic on the backside.
9 I've heard many activists say that, oh, we don't have
10 healthcare. We do. And the gambling and us racing is
11 instrumental in keeping these things going. There are over
12 60,000 jobs in this state alone that are part of horse
13 racing.

14 We're obviously in a pandemic now, we have a
15 global crisis going on, but we do need to get people back
16 to work. And we have shown that we can continue to race
17 safely with measures put in place, as I alluded to the
18 three tracks that have done it successfully and safely.

19 Thank you very much.

20 CHAIR FERRARO: Thank you.

21 Next please.

22 UNIDENTIFIED MALE 1: Hi.

23 CHAIR FERRARO: Go ahead, please.

24 UNIDENTIFIED MALE 1: This is (indiscernible). I
25 have one concern, which is the treatment of independent

1 agents, as we call the trainer. The track, the
2 association, treats us as independent contractor. And if
3 you see -- if you look at the legal statute of this, it's
4 totally wrong. Racetrack associations should -- has the
5 obligation to look at the (indiscernible) which may class a
6 gig worker as an employees and not as independent
7 contractor. It's their obligation to do it. And by not
8 doing it is a violation, violating the law. So please, I
9 have to say, it's something to look into it and make sure
10 they follow the law.

11 And then another issue. I have very great
12 sympathy for those people who have problems with horse
13 racing. I understand them. And the CHRB, I love horse
14 racing, and I want it to continue but it should continue
15 with the right consequences. They should -- the CHRB
16 should ask those people who reject horse racing, get them
17 together and try to solve and accommodate them and see what
18 we can do in order to please their wishes. Maybe with
19 corporations, horse racing can continue on good terms.

20 Thank you very much.

21 CHAIR FERRARO: Thank you.

22 Next please.

23 MR. MARTEN: Just a note that it's been 20
24 minutes, 10 minutes to go, in this item.

25 Hello?

1 CHAIR FERRARO: All right, Michael.

2 MS. BOLBOL: My name is Denise.

3 CHAIR FERRARO: Go ahead.

4 MS. BOLBOL: Okay. So my name is Denise. And I
5 just want to say that I'm advocating to end horse racing
6 because it's wrong and it's exploitive and it's awful for
7 the horses. But I want to make really clear, I completely
8 support the backstretch workers. And when we end horse
9 racing in America, we need to make sure there's a provision
10 to take care of them and retrain them to get them into
11 different jobs that are better for them and better for the
12 horses.

13 The idea that you provide a health clinic does
14 not excuse the conditions these people are living in or the
15 work conditions they work under or the pay they're
16 receiving. You know, you have a few people making a lot of
17 money off this industry. This is an exploitive industry
18 that first exploits, abuses, and kills these innocent horse
19 who want nothing to do with this industry. Then it goes on
20 to exploiting, often, poor immigrants, the backstretch
21 workers, who are also equally as exploited except,
22 hopefully, they're not being killed.

23 And then lastly, you're exploiting people who
24 have addictions, gambling addictions, and you're taking
25 advantage of them. This industry, there's no -- these are

1 facts. There's now way around this. You can say, yeah,
2 it's everybody's choice. But you know what? At some point
3 society starts saying, this is wrong, this is immoral.
4 There's no way to excuse it anymore. And Americans and
5 Californians are becoming educated about this industry and
6 the immense suffering that is associated with it.

7 And you guys aren't going to do anything and
8 we're going to not shut up because we're not going away.
9 And the more we speak, the more people learn, the more
10 people agree with us. And I encourage you to, if you want
11 to extend the life of your dismal industry, you need to get
12 rid of the drugs because that's a big thing that, you know,
13 we are not going to shut up about. And nobody thinks
14 giving these poor animals drugs and forcing them to run,
15 train, and race is acceptable.

16 I don't even think that just shutting down racing
17 is the answer during this COVID epidemic. I think you need
18 to stop the training and all these horses need to be sent
19 to pasture. You guys need to send all the horses to
20 pasture, get these poor backstretch workers out of their
21 dismal conditions where you're forcing them to live and
22 exploiting them, and get them some job training so they can
23 get other jobs. And, you know, you're going to need --
24 you'll probably make yourself irrelevant because of your
25 inaction.

1 Thank you for listening. Bye-bye.

2 CHAIR FERRARO: Next please.

3 UNIDENTIFIED FEMALE 2: I'm reading a response.

4 CHAIR FERRARO: Go ahead, please.

5 UNIDENTIFIED FEMALE 2: Can you hear me? Okay.

6 CHAIR FERRARO: Yes.

7 UNIDENTIFIED FEMALE 2: I'm reading a response to
8 the absurd claim by Aiden Butler that the backstretch is
9 kind of quarantined. From the perspective of being in and
10 around the area where racetracks exist, dealing with
11 racetracks, and in response to the Santa Anita racetrack
12 being quarantined, as stated in a recent eight-piece story,
13 this is from 40-plus years of being observant in this
14 environment.

15 There is absolutely no way to quarantine,
16 quarantine workers, or safely stay in the backside working
17 area of area where those working at a racetrack can be
18 quarantined, as is being called for local, county, state,
19 and federal governments.

20 People work in very close proximity with each
21 other. They live in close quarters, often in tack rooms,
22 or a stall where horses are kept. The barn areas offer
23 room for the horses, not for the people.

24 The population that primarily works with these
25 horses, those responsible for the care, cleaning, feeding,

1 picking up after, and being close to the horses are a
2 transient population, not transient as you would think of a
3 homeless person, rather, the workers often moved, based on
4 where they can find work or where racing is occurring, be
5 it Santa Anita, Del Mar, Los Alamitos, or any other
6 racetrack in California. They move where work is
7 plentiful.

8 How clean are the conditions where they eat,
9 sleep, congregate, wash up, shower, or simply cleanse their
10 hands for the recommended 20 seconds? Unsure, have to see,
11 because my guess is that your request will be denied. Are
12 cleaning supplies provided by employers? Are employees
13 made aware of best practices during the time of COVID-19?
14 How can an area or place of business be safe or quarantined
15 if these precautions aren't adhered to?

16 Are employees asking about health problems,
17 temperatures checked, asked about coughing or shallowness
18 of breath? If not, how can an area as open as this be safe
19 and referred to as an area that is quarantined. Safe, it
20 cannot be.

21 Is social distancing taking place? How many
22 people are sleeping to a room? A room the size of a horse
23 stall? Smaller? Larger? It's unknown. Each barn will be
24 different and each employer will have a different set of
25 rules on how they interpret the orders coming down from

1 health professionals during this time of crisis.

2 What is essential during this time?

3 CHAIR FERRARO: Thank you.

4 Next please.

5 MR. DE LA TORRE: Yes. Hello. This is Oscar.

6 Can you hear me?

7 CHAIR FERRARO: Yes.

8 MR. DE LA TORRE: Yes. Hello. Oscar de la
9 Torre, worker/advocate.

10 Appreciation hearing everybody's opinions but we
11 need to stick to the facts during this pandemic. And, you
12 know, the facts are that there has been no reporting of any
13 positive, anybody testing positive for COVID-19, no
14 infections at Santa Anita and, from my understanding, no
15 other racetrack that's operating right now.

16 You know, we are in a crisis. And this crisis
17 will only get worse if we don't find a way to get back to
18 resuming live racing. Live racing provides the funding
19 that supports the workers that we all care about, you know?
20 Well, I don't know, you know, some people say they care
21 about the workers, but for those that were protesting out
22 in front of Santa Anita for months, every time I talked to
23 them, they said, "We're not here for the workers, we're
24 here for the horses." Thank you, their concern was not the
25 workers, it was the horses.

1 And now they're saying, well, they care about the
2 workers. I think it's a contradiction. It's a lot of
3 hypocrisy that I'm hearing from my experience. And it's
4 really important, you know, for people to understand that
5 Santa Anita has done a great job in implementing protocols
6 to keep everybody safe. And I think those protocols, you
7 know, require us, you know, require the health department
8 to give a second look and to give us the opportunity to
9 resume live racing, which provides the support for the
10 medical attention that workers receive. Of course they're
11 paid. And, of course, they're housing.

12 We would end up with a bigger problem if we end
13 up having all these people out into the community without
14 the housing, without their jobs, you know, and without the
15 health benefits that they currently receive from this
16 industry. And we're seeing this all over. I mean, you
17 know, a lot of workers throughout the country are feeling
18 the same thing, you know, they're unemployed and they're
19 struggling. And there's going to be a phase two. You
20 know, the government is being responsible. But I think
21 horse racing can lead the way.

22 You know, the NBA just announced that they're
23 going to do spectator lists, you know, sporting events.
24 And I think, you know, because horse racing, you know, we
25 know that the science says that, you know, COVID-19 does

1 not transmit from humans to horses, that horse racing can
2 lead the way to economic recovery, and that's something
3 that's very important for us to keep in mind.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next please.

7 MS. SANCHEZ: This is Christine Sanchez. And I
8 just want (indiscernible). Hi. This is --

9 CHAIR FERRARO: Go ahead, please.

10 MS. SANCHEZ: -- Christine Sanchez. And I just
11 want to take this moment and commend Los Alamitos and all
12 the tracks across the country who have successfully
13 conducted business with below five positive coronavirus
14 testing in comparison to essential businesses and
15 operations. To give you an example, the L.A. County
16 Sheriff Jails, 36 positive cases.

17 So I would hope that the (indiscernible) will
18 reach out to these tracks and seek their advice on the
19 examples that they provide on keeping their workers and
20 everyone involved safe.

21 Thank you.

22 CHAIR FERRARO: Thank you.

23 Next please.

24 Are we close to the end, Michael?

25 (Background conversation.)

1 MS. SHENKER: Good afternoon.

2 CHAIR FERRARO: Go ahead.

3 MS. SHENKER: Good afternoon.

4 CHAIR FERRARO: Go ahead.

5 MS. SHENKER: This is Patty Shenker.

6 CHAIR FERRARO: Somebody needs to --

7 MS. SHENKER: Can you hear me?

8 CHAIR FERRARO: Yeah, I can hear you. Go ahead.

9 MS. SHENKER: Thank you. Patty Shenker.

10 VICE CHAIR GONZALES: Mr. Chairman, this is

11 Oscar. Can we ask folks to mute whoever is on the back

12 line? There's a lot of background noise here. My

13 apologies but I think we should --

14 MR. MARTEN: Can I interject? This will be the

15 end of 30 minutes after this speaker.

16 MS. SHENKER: Okay.

17 VICE CHAIR GONZALES: Okay.

18 MS. SHENKER: It's me; yes? Patty Shenker?

19 CHAIR FERRARO: Yeah. Yes.

20 MS. SHENKER: Thank you.

21 CHAIR FERRARO: Go ahead.

22 MS. SHENKER: I find it very shortsighted and

23 outrageous that you are continuing to have training and

24 races at this time, and still killing horses on a regular

25 basis.

1 Already in 2020, 33 horses have been killed here
2 in California, 12 of them at Santa Anita since December
3 26th, 2019. While I credit you for finally closing Santa
4 Anita, to rush into resuming racing is reckless, dangerous,
5 and insane.

6 On March 29th, the Thoroughbred Owners of
7 California wrote,

8 "Allowing the continuation of live racing does not
9 present a health risk to the thousand-plus workers on
10 the backstretch who live in dormitories at the track
11 and must be at the track every day to support live
12 training of 1,700 horses." And, yet, a backstretch
13 worker in New York has contracted COVID-19.

14 Do you really think it can't happen here?
15 Because it can and it will and it probably already has.
16 I'd bet on that.

17 This is a global health crisis. Even without the
18 public attending, it is reckless and dangerous. You are
19 putting your own people at risk. What is worse is that you
20 are now gambling with all of our lives.

21 Equine Veterinarian Kraig Kulikowski nailed it
22 when he said,

23 "Before the pandemic, and it applies even more now,
24 the question is never what is the right thing to do
25 but, instead, what can they get away with."

1 You should not be allowed to get away with
2 continuing to kill the horses and now endangering human
3 lives.

4 And by the way, with every horse killed, more
5 Californians want horse racing to be banned.

6 Thank you.

7 CHAIR FERRARO: Thank you very much.

8 That's the end of our public comment period.

9 We have -- we'll go now to a closed session. As
10 was explained earlier, we're going to close this
11 teleconference down once we adjourn the meeting, and then
12 we'll go to a different line -- a different telephone
13 conference for the closed session.

14 Michael, you'll have to email us all with the
15 number and sign-in.

16 MR. MARTEN: Okay. I can do that real quick.
17 Yeah.

18 CHAIR FERRARO: All right.

19 Do we have a motion to adjourn?

20 COMMISSIONER ALFIERI: So moved.

21 COMMISSIONER SOLIS: I second.

22 CHAIR FERRARO: A second?

23 COMMISSIONER SOLIS: Alex Solis. Alex Solis.

24 CHAIR FERRARO: All right.

25 COMMISSIONER SOLIS: Second.

1 CHAIR FERRARO: Oscar Gonzales?

2 VICE CHAIR GONZALES: Yes.

3 CHAIR FERRARO: Dennis Alfieri?

4 COMMISSIONER ALFIERI: Yes.

5 CHAIR FERRARO: Damascus Castellanos?

6 COMMISSIONER CASTELLANOS: Yes.

7 CHAIR FERRARO: Wendy Mitchell?

8 COMMISSIONER MITCHELL: Yes.

9 CHAIR FERRARO: Alex Solis?

10 COMMISSIONER SOLIS: Yes.

11 CHAIR FERRARO: And the Commissioner is yes.

12 Thank you all for participating. This meeting is
13 adjourned.

14 (The teleconference regular meeting of the
15 California Horse Racing Board recessed into closed session
16 at 12:19 p.m. and was thereafter adjourned.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 29th day of April, 2020.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

April 29, 2020