

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
Rick Arthur, Equine Medical Director
Cynthia Alameda, Assistant Executive Director
Robert Brodnik, Chief Counsel
Amanda Brown, Staff Counsel
Amanda Drummond, Policy and Regulations Manager
Mike Marten, Associate Analyst

ALSO PRESENT

Ed Allred, Los Alamitos Race Course
Cathy Monji, Los Alamitos Race Course
Becky Fitzgerald, Los Alamitos Veterinarian
Greg Avioli, Thoroughbred Owners of California
Alan Balch, California Thoroughbred Trainers
Vince Genco, Pacific Quarter Horse Racing Association
Aiden Butler, Golden Gate Fields

APPEARANCES

ALSO PRESENT

Cliff Goodrich, California Thoroughbred Horsemen's
Foundation

Dennis Moore, Los Alamitos Race Course

PUBLIC COMMENT

Heather Wilson

Bonnie Croker

Wendy Minovitz

Tony Falcone

Martha Sullivan

Ellen Eriksen

Liz Jacobelly

Wayne Johnson

Joe Kaplan

Maribeth Kalinch

Terri Bingham

Patty Shenker

Andrew Lesser

Janine Sahadi

Eric Najduch

Paige Onorio

George Minier

Jennifer Robles

Nick Hines

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PAGEAction Item:

1. Discussion and action by the Board regarding the Board's action on July 10, 2020 to place on probation the license to conduct a horse race meet for the Los Alamitos Quarter Horse Racing Association (QH) at Los Alamitos Race Course, running December 27, 2019 through December 22, 2020, pending a plan of action from the licensee to reduce fatalities, pursuant to CHRB Rule 1435. 1

Adjourn 62

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

3 9:32 A.M.

4 TELECONFERENCE

5 MONDAY, JULY 20, 2020

6 CHAIR FERRARO: Good morning everyone. This is a
7 noticed meeting of the California Horse Racing Board
8 conducted by teleconference, pursuant to Executive Order N-
9 29-20.

10 Participating in this meeting are: myself,
11 Gregory Ferraro, Chairman; Oscar Gonzales, Vice Chairman;
12 Dennis Alfieri, Commissioner; Damascus Castellanos,
13 Commissioner; Wendy Mitchell, Commissioner; and Alex Solis,
14 Commissioner.

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

21 The Board invites comments on these matters
22 appearing on the meeting agenda. This meeting has just one
23 agenda item, which is discussion and action by the
24 Board regarding the Board's action on July 10th, 2020 to
25 place on probation the license to conduct a horse race meet

1 for the Los Alamitos Quarter Horse Racing Association at
2 Los Alamitos Race Course, running December 27th, 2019
3 through December 2020, pending a plan of action from the
4 licensee to reduce fatalities, pursuant to the CHRB
5 request.

6 The Board will only allow public comments
7 specifically relating to this agenda item. Procedurally,
8 the Board will first hear from those directly involved in
9 the agenda item, after which I will invite public comment
10 on the agenda item. Those wishing to speak must follow the
11 directions of the operator to have their individual phone
12 lines opened for comment.

13 There will be a 30-minute time limit for public
14 comment. In order to allow as many individuals to speak as
15 possible within that half-hour, I will strictly enforce a
16 two-minute time limit for each unsolicited speaker. If a
17 speaker strays off topic, I will ask the operator to move
18 on to the next caller. I repeat, if a speaker strays off
19 topic, I will ask the operator to move on to the next
20 caller. If a speaker repeats himself or herself, I will
21 ask the speaker if the speaker has any new comments to
22 make. If there are none, the speaker will be asked to let
23 others Commission members to the Board.

24 During all public comments a bell will be rung
25 after the first 90 seconds, meaning the speaker will have

1 30 seconds remaining to conclude his or her remarks. We
2 will demonstrate the closing sound and the bell in a
3 minute.

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

6 Mr. Marten, can you demonstrate your bell and
7 your closing?

8 MR. MARTEN: Okay. At 90 seconds, hit the bell
9 (a chime sounds). And then at two minutes, it's this
10 warning (a buzzer sounds three times). I'll only do it
11 once but that's the sound.

12 CHAIR FERRARO: All right, now we'll proceed.

13 Mr. Chaney, do you have comments regarding this
14 matter (indiscernible)?

15 EXECUTIVE OFFICER CHANEY: Yes. Yes. Thank you,
16 Mr. Chairman. Just some quick introductory ones.

17 I filed a petition, pursuant to the new CHRB
18 Regulation 1435, ten days ago, asking the Board to examine
19 a potential spike in catastrophic breakdowns at Los
20 Alamitos over the last 6 months, and specifically over the
21 last 45 days. The CHRB held that emergency meeting ten
22 days ago, voted to put Los Alamitos on probation and ask
23 for a plan in order to combat the spike in fatalities and,
24 at the same time, noticed this meeting today for the
25 receipt of that plan.

1 Staff, most notably me and the Equine Medical
2 Director, have been working closely with Los Alamitos
3 management in terms of commenting on their potential plan.
4 I think they've submitted three. And just to be frank with
5 the Board, they have incorporated all of the suggestions I
6 have made and, I believe, all of the suggestions that the
7 Equine Medical Director has made but, of course, he can
8 speak for himself.

9 So that's the purpose of this hearing, for the
10 Board to examine whether their plan is sufficient, whether,
11 in the Board's view, their plan is sufficient.

12 That's all I have, Mr. Chairman.

13 CHAIR FERRARO: And is it my understanding, this
14 plan was received last week; is that correct, or Thursday?

15 EXECUTIVE OFFICER CHANEY: Well --

16 CHAIR FERRARO: I know you continued to work on
17 it but the initial plan was received last week; correct?

18 EXECUTIVE OFFICER CHANEY: That's correct. I
19 believe the initial plan was received early in the week.
20 And then after some feedback from us, we received a
21 modified one on the 16th, and then their final version on
22 the 17th.

23 CHAIR FERRARO: And that -- they operated this
24 weekend under the auspices of the plan; is that correct?

25 EXECUTIVE OFFICER CHANEY: Yeah, I believe so. I

1 know for certain that they started sort of a modified
2 version of the entry panel that they proposed in the plan.
3 It wasn't exactly the way it's proposed in the plan, just
4 sort of an ad hoc one. You'll have to ask them for
5 specifics with respect to scratched horses but I know on
6 the first day they scratched five horses from the card.

7 And -- but there are a lot more parts of the plan
8 that haven't been implemented yet that obviously take time
9 and approval from the Board. So I would say some of the
10 plan has been implemented but they can probably offer a
11 fuller explanation.

12 CHAIR FERRARO: Great. Thank you very much.

13 Any questions for Mr. Chaney from the Board?

14 Can we ask the representatives from Los Al to
15 speak first please?

16 OPERATOR: And please press star six to enter the
17 question queue so we can identify and open your line?
18 Okay. And we'll go to Ed Allred.

19 Please go ahead.

20 CHAIR FERRARO: Good morning, Mr. Allred. Thank
21 you for appearing.

22 DR. ALLRED: I'm sorry?

23 CHAIR FERRARO: Go ahead please. Thank you for
24 appearing --

25 DR. ALLRED: Yes.

1 CHAIR FERRARO: -- this morning.

2 DR. ALLRED: I have, in the room with me, a
3 number of people, including: Cathy Monji, President; Jack
4 Liebau, Vice President of our Thoroughbred Operation; Drew
5 Couto, our General Counsel; Rick English, our Financial
6 Controller, and others. I'm here.

7 We've worked very hard on this program. I'm
8 particularly encouraged by the Entry Review Panel which did
9 its work.

10 Obviously, I was confused by the statement that
11 the panel was not exactly the way it was supposed to be
12 conceived, and I thought that it was, but we'll make
13 whatever changes you would like us to make. We will try to
14 make those. We've been particularly impressed by the work
15 of our veterinarian staff. And we hope that everything
16 meets with your approval.

17 CHAIR FERRARO: Dr. Allred, I mean, your plan as
18 presented to us is very good and it's quite pleasing.

19 DR. ALLRED: Thank you. That's --

20 CHAIR FERRARO: My question to you would be: Are
21 you committed to this plan over the long term, that you
22 could -- are you committed to trying to make a cultural
23 change at Los Alamitos such that the health and welfare of
24 the horses are improved?

25 DR. ALLRED: Obviously, we are. It's essential

1 that we do this.

2 We still feel we have a track that's equal to or
3 superior to any in California as far as a racing surface is
4 concerned. I think there are other areas where we could
5 stand some improvement and we're going to work on those
6 things.

7 I think the concept of having, we call it, a
8 special steward to patrol the backstretch. It won't
9 actually be a steward but a person who is trained and has
10 the clout to be constantly reviewing on a suspecting
11 method, what's going on, on the backstretch.

12 The Review Panel is, also, particularly important
13 to us. And we've always seen that work very well. Dr.
14 Becky Fitzgerald has worked very hard on that aspect of it.
15 And Dr. Arthur has been cooperating with us on this as
16 well.

17 On the recent Review Panel, can you tell me what
18 it is that we are doing that was not exactly according to
19 plan?

20 EXECUTIVE OFFICER CHANEY: Yes, Dr. Allred. This
21 is Scott Chaney. Yeah, it's more stylistic and completely
22 minor. I think this past week we used a safety steward as
23 the third member of the panel. In the future, and
24 according to the plan, it's going to be one of the entry
25 stewards. So, yeah, it wasn't a disappointment, it was

1 just I was pointing out that it was slightly modified from
2 what it's going to look going forward.

3 But in terms of efficacy, I'm satisfied with how
4 the entry panel is going to proceed going forward.

5 DR. ALLRED: Wait. Which? What? I'm confused
6 on that. What steward would -- it will not be the safety
7 steward, necessarily?

8 MS. MONJI: (Off mike.) (Indiscernible.)

9 EXECUTIVE OFFICER CHANEY: Exactly. For the last
10 week, I believe you guys have been using the safety
11 steward. But going forward, you know, obviously, we have
12 one of the members of the Board of Stewards at the track
13 every day for entries. And that person will be utilized,
14 rather than the safety steward, which we view as a good
15 thing because a safety steward then will be freed up to
16 monitor the backside, which is something we had to add that
17 I think we both think is important.

18 DR. ALLRED: Okay. Thank you.

19 CHAIR FERRARO: And one more question that I have
20 is on your fatality review. I'm assuming that's going to
21 be mandatory for the trainer and veterinarian; is that
22 correct --

23 DR. ALLRED: Absolutely. Yes.

24 CHAIR FERRARO: -- that they participate in that?

25 DR. ALLRED: Yes.

1 CHAIR FERRARO: Okay. Thank you very much.

2 Any questions or comments from the Board for Dr.

3 Allred?

4 VICE CHAIR GONZALES: Dr. Ferraro, I do. This is

5 Oscar Gonzales, Commissioner.

6 Doc Allred, I want to just say thank you very

7 much. By -- just by you being the one speaking on behalf

8 of your great team and having your team in the same room, I

9 believe, speaks volumes.

10 I also want to say thank you for the conversation

11 that you and your team had with Scott Chaney and I after

12 the two fatalities happened immediately following the

13 Friday's hearing that we held. I know you were, you know,

14 you were remorseful; right? I knew the plan that you had

15 committed that we would be getting shortly thereafter. We

16 did receive.

17 And so I also wanted to say that you are taking

18 this very, very seriously, and those of us on the Board. So

19 I will have a couple of questions, you know, throughout

20 this session. But I just, again, wanted to just express my

21 appreciation for your fast response and the manner in which

22 you're taking this very seriously, you and your team.

23 Thank you.

24 DR. ALLRED: Thank you, Oscar. Thank you very

25 much.

1 CHAIR FERRARO: Anyone else from the Board have
2 anything to ask?

3 COMMISSIONER CASTELLANOS: This is Commissioner
4 Castellanos. Hello, Doc Allred and everybody else present.
5 My question is for -- I mean, no disrespect, Doc Allred,
6 but my question is for the president that handles the day-
7 to-day operation of the facility, which is Cathy Monji.

8 I'd like to hear a little bit from you, Cathy,
9 that -- regarding the document sent us. I'm really -- I
10 really appreciate the fact that the veterinarians and the
11 trainers are going to have to sign off on this. I really
12 like that.

13 So as far as the medication goes, though, are
14 they going to be -- is there going to be a extra -- and
15 maybe Dr. Arthur could chime in, but is there going to be
16 any type of double checking? I've read a few parts in this
17 that state that as far as they're going to be double
18 checked. On the double checks, are we going to be watching
19 these horses prior to with any -- with their medication and
20 injections?

21 DR. ALLRED: I'm not sure I understand.

22 Cathy, can you --

23 COMMISSIONER CASTELLANOS: Prior to racing --

24 MS. MONJI: Sorry, I did not.

25 COMMISSIONER CASTELLANOS: -- prior to racing --

1 MS. MONJI: I don't understand the question. We

2 --

3 COMMISSIONER CASTELLANOS: No, no, that's okay.
4 I'm just saying prior, I read a lot of the staff that has
5 to do with medication.

6 MS. MONJI: Right.

7 COMMISSIONER CASTELLANOS: So I'm just asking, is
8 that -- the secure watch that we have in this document is
9 whether it be Dr. Arthur or somebody else that's there at
10 the track, are they going to be double checking on that?
11 How are we doing with double checking on this follow up on
12 this document that they're going to sign? Is there --

13 EQUINE MEDICAL DIRECTOR ARTHUR: Commissioner,
14 this --

15 COMMISSIONER CASTELLANOS: -- going to be a
16 regular check on these?

17 EQUINE MEDICAL DIRECTOR ARTHUR: Commissioner,
18 this is Dr. Arthur. Let me answer that because I think Dr.
19 Allred sort of touched on that.

20 One of the issues at Los Alamitos has been is
21 that we have very little stable area surveillance, whether
22 it's CHRB or anyone else. Dr. Allred had mentioned that
23 they are going to identify a person to actually go into the
24 stable area and monitor what's going on and actually assign
25 those people. If they see a veterinarian working on a

1 horse, who is that? What they're doing? Mark down the
2 time and that sort of thing.

3 I've also had -- we already started this, by the
4 way, this last week, is the CHRB has typically assigned a
5 safety steward at Los Alamitos only on race days and that's
6 mostly during the races. We got permission to -- for an
7 agreement with the Executive Director to increase and
8 assignment in a stable area on non-race days, a safety
9 steward, to do, specifically, a very similar monitoring or
10 activity on the backside.

11 So in that sense, Los Alamitos and the CHRB are
12 increasing the monitoring of activities on the backside to
13 hope to ensure that there is compliance to the regulations
14 that -- or the protocols that they have laid out here. So,
15 in that sense, I think it's a win-win.

16 This has been an ongoing problem, as the Chairman
17 and Executive Director knows that I've been concerned with,
18 even before this late -- recent brouhaha and previous
19 Chairman and Executive Directors as well. So in that
20 sense, there is a step in the right direction.

21 Obviously, you know, having the cameras at Santa
22 Anita is a fairly unique circumstance in racing in the U.S.

23 Obviously, we'd like to have that at all tracks but it's
24 just not practical right now. But this is a big step
25 forward.

1 So I hope that answered your question.

2 DR. ALLRED: Thank you --

3 COMMISSIONER CASTELLANOS: Yes.

4 DR. ALLRED: -- Dr. Arthur.

5 COMMISSIONER CASTELLANOS: It does. Yes. Thank
6 you very much. Yes.

7 Also, I'd like to reiterate a little bit of what
8 Oscar has mentioned, is to thank you very much for putting
9 this together in such a short notice. It's very intense
10 and I appreciate it.

11 And, also, I just kind of want to note or the
12 record that in the past, that we know, that Los Alamitos
13 has always complied and has always done a little bit more
14 than what the CHRB has asked of them throughout the years.
15 And we've never had any big issues or any pushback from Los
16 Alamitos throughout the years and they've always been very
17 cooperative. And I'd like to thank Cathy Monji and Doc
18 Allred for that and we appreciate it.

19 DR. ALLRED: Thank you. Thank you very much.

20 CHAIR FERRARO: Any other questions from Board
21 Members?

22 Is there anyone else in your group, Dr. Allred,
23 that might want to make a comment?

24 DR. ALLRED: No. I can assure you all that we're
25 kind of humiliated by this whole thing. I think a lot of

1 it has just kind of sort of happened. And things happen in
2 clusters sometimes. We've said that before.

3 We're going to do all we can, everything we
4 possibly can, to do things properly in the future. And
5 some of our people, our trains, are going to
6 (indiscernible) but they will adjust to it.

7 And we thank you for your cooperation and your
8 help in getting this thing corrected.

9 MR. MARTEN: Chairman Ferraro --

10 CHAIR FERRARO: Thank you very much.

11 MR. MARTEN: -- Dr. Fitzgerald is in queue, if
12 you want, regarding your last statement.

13 CHAIR FERRARO: Thank you.

14 If Veterinarian, Dr. Fitzgerald, wants to make a
15 comment, Dr. Allred, should we let her do that?

16 DR. ALLRED: Yes. Thank you.

17 DR. FITZGERALD: Can you guys here me?

18 CHAIR FERRARO: Go ahead, Mike.

19 Yes. Go ahead please.

20 DR. FITZGERALD: I think that we have already
21 seen or I, personally, have already seen improvements based
22 on the new system that we are implementing, more so than I
23 think I expected to see.

24 I think the panel review was -- we questioned
25 whether it would be helpful for us and then it was, no

1 doubt, very helpful. And it's something to -- obviously,
2 that we're going to maintain in the future. That gave us a
3 really good broad look at the horses. I think it was
4 instrumental in taking a couple of those horses out.

5 We, you know, are trying to follow up with the
6 horses that are taken out from the panel and trying to
7 be -- work with the trainers, you know, at the same time
8 the trainers, you know, they want to run the horses, they
9 want the horses to be healthy and ready to go. And we're
10 working with them, after the panel, to make sure that the
11 horses are sound and healthy. We identified a couple of
12 horses that were taken out that really needed to be.

13 I've implemented, that I don't think is even in
14 the proposal there, I've been doing post-race exams the
15 following day or horses that we feel might need extra
16 scrutiny. And we've already identified a couple of horses
17 there.

18 I think that all of it put together is really
19 going to make a difference. And, you know, we had a really
20 great year, calendar year, last year with just the rules
21 and regulations that we had in place. And adding to what
22 we have is, no doubt, going to make a big difference. I
23 mean, I think it's great.

24 CHAIR FERRARO: Are you committed to implementing
25 this plan and sticking with it over the long term?

1 DR. FITZGERALD: Oh, absolutely. Absolutely.
2 Whatever -- you know, I agree with Dr. Allred, you know, as
3 he said, that it's a bit of an embarrassment that we had.
4 I, you know, I pride myself in our numbers and they have
5 been really great and they just -- you know, and then
6 recently, what happened, we just can't have. So whatever
7 we have to do to make sure that we get them back to how
8 they were last year is what we need to do. And I, really,
9 I think that this plan is going to help us get there.

10 CHAIR FERRARO: Good. Well, cultural change --

11 COMMISSIONER MITCHELL: (Indiscernible.) This is
12 Wendy.

13 CHAIR FERRARO: -- is hard and it takes quite a
14 while to do it. I'd like you to pursue your efforts.

15 DR. FITZGERALD: Um-hmm.

16 CHAIR FERRARO: Do we have any --

17 DR. FITZGERALD: For sure.

18 CHAIR FERRARO: -- questions for Dr. Fitzgerald
19 from the Board?

20 COMMISSIONER MITCHELL: This is Wendy. I have --
21 this is Commissioner Mitchell. I have a comment. I -- and
22 not specifically to, like generally.

23 I just want to say, like I really appreciate that
24 people, you know, put together this plan and plan on
25 implementing it. I wish we weren't in this situation in

1 the first place. You know, knowing little but knowing
2 enough, it's not all the track that is responsible. And
3 what we're doing as a Commission is sending a message to
4 trainers and jockeys and everyone who works on the
5 backstretch.

6 So, you know, this is the first time we've used
7 this regulation. And I was not satisfied with the response
8 at our hearing last week. I don't know (indiscernible)
9 together.

10 So, you know, I think I really -- patting
11 everyone on the back at this point isn't really appropriate
12 because we're in a situation where we had to use this law.

13 We got, you know, lawyers at the last meeting. And, you
14 know, we want to give the track at Los Al the, you know,
15 backbone and the -- knowing they have the support of the
16 CHRB to crack down.

17 So will I appreciate the plan but, you know,
18 let's keep it in perspective of, you know, we're in this
19 situation, which is not a good situation. And, you know,
20 Los Alamitos needs to know that they have our backing to
21 crack down on, you know, whatever, you know, whatever
22 issues that are causing this in the first place.

23 So I just want -- I don't mean to be difficult
24 but I just want to be clear about, you know, why we're in
25 this position and, you know, not just bend over backwards

1 to say how much we appreciate it because I don't like being
2 in this position in the first place.

3 CHAIR FERRARO: Thank you, Commissioner Mitchell.

4 Any other Commissioners --

5 COMMISSIONER ALFIERI: This is --

6 CHAIR FERRARO: -- wish to comment?

7 COMMISSIONER ALFIERI: Yeah. Dennis Alfieri.

8 I would like to say, you know, Dr. Allred, you
9 have stepped up, you've raised the bar, and that's what I
10 wanted to see. I knew you needed a little time to put this
11 plan together which you, very quickly with your group, were
12 able to do.

13 And you made the comment about some of the
14 trainers are not going to like it and all that. But you
15 know what? Too bad. They shouldn't be training. There
16 are a lot of trainers that call themselves, quote unquote,
17 "trainers," and they are not trainers. They have one or
18 two horses. They bring them in. They race them. You
19 know, it's just that's -- that would -- that's what always
20 has made me uneasy with this whole industry is, you know,
21 people that call themselves trainers that shouldn't be
22 training horses.

23 And you have raised the bar. These trainers that
24 don't want to step up to the plate and raise their own bar
25 should be out.

1 And so I appreciate what you've done. I like
2 what I see. You're on this. We're all in it together
3 here. I think as Wendy said, I mean, this is -- you know,
4 you've got the backing of this Board to, you know, to
5 really -- we're the policemen, too, so, you know, we're
6 there and we're going to be watching this very closely.

7 But I personally appreciate what you've done over
8 the years. You've always been committed. You've never
9 wavered, and this just proves it by this plan, so thank you
10 so much.

11 CHAIR FERRARO: Well, thank you, Commissioner.

12 VICE CHAIR GONZALES: Yeah. Oscar Gonzales here.

13 CHAIR FERRARO: Yeah.

14 VICE CHAIR GONZALES: And I stand by Commissioner
15 Mitchell and Alfieri's comments that they just made and to
16 say thanks to both of you.

17 The comments I want to make involve two areas of
18 the plan that was shared with us. One is related to the
19 Safety Panel that was just mentioned by Dr. Fitzgerald,
20 specifically, the racetrack designee. And it is
21 encouraging to see that, although the racing secretaries
22 are always consulted with, they're always involved in the
23 process, that they, he or she, will not have a thumbs-up or
24 a thumbs-down vote.

25 You know, it wasn't that long ago when the State

1 of New York, Aqueduct in particular, presented a plan
2 that recommended that the racing secretary not have that
3 kind of a role. And I, really, firmly believe that they
4 bring a tremendous amount of institutional knowledge and
5 current state of play as it relates to the horse
6 population, I feel that it should be a more neutral party.
7 So that's just one comment.

8 The second is the paragraph or two that was
9 devoted to the racetrack superintendent or consultant.
10 What I plan on doing, with engineering from Dr. Ferraro,
11 Commissioner Solis, Scott Chaney, and Chief Darrel
12 McHargue, is to come up with an idea or a plan that makes
13 the best use of the expertise of racetrack superintendents
14 from across the state. I've often said, in these kind of
15 forums, that more engineering is better. More coordination
16 amongst parties is paramount.

17 So what I would like to see us do is get to the
18 point where, at least on a monthly basis, we're pulling
19 together all of the racetrack superintendents and
20 consultants, whether they're at training centers or any of
21 the racetracks, whether a meet is going on or not, but to
22 have a safety steward, allow for a forum where best
23 practices are shared, where trends and patterns are
24 identified, where current research is being shared as it
25 relates to, you, soil or artificial surface.

1 To talk about equipment, some equipment is going
2 to start to get aged out. How can we make sure that
3 racetracks are coming together to bring the best kind of
4 equipment that reduces air emissions? We know that next to
5 these air emissions are sensitive lungs and racetrack
6 personnel.

7 I also firmly believe that this kind of a group
8 could also include, perhaps, other, on an at-need
9 basically, other racetrack superintendents whose horses
10 race needing one surface, whether that be in Arizona, the
11 Pacific Northwest, a place like New Mexico and others, and
12 so that we allow for even a regional conversation around
13 racing surface. The individuals who I have met personally
14 and spoken with since I've started, now 10 or 11 months
15 ago, Dennis Moore, Steve Wood to the north, they're
16 excellent at what they do. And I just feel that they and
17 their colleagues should have an opportunity to come
18 together.

19 So the one thing you can count on me to do is to
20 kickstart some kind of a process whereby all of these
21 experts can get together, report to the Executive Director,
22 that he can then include in his report on anything that
23 comes out of that conversation that's worthy to report.

24 So that's just, you know, something that I
25 believe us at the CHRB level can take on as it relates to

1 leadership and the racing surface arena.

2 Thank you.

3 CHAIR FERRARO: Thank you, Commissioner Gonzales.

4 Anyone else from the Board?

5 Michael, do we have --

6 EQUINE MEDICAL DIRECTOR ARTHUR: Mr. Chairman --

7 CHAIR FERRARO: -- (indiscernible)?

8 EQUINE MEDICAL DIRECTOR ARTHUR: -- this Dr.

9 Arthur. I --

10 CHAIR FERRARO: Go ahead.

11 EQUINE MEDICAL DIRECTOR ARTHUR: -- I have a few

12 comments, if you will --

13 CHAIR FERRARO: Go ahead.

14 EQUINE MEDICAL DIRECTOR ARTHUR: -- if no

15 Commissioners -- first of all --

16 CHAIR FERRARO: Go ahead.

17 EQUINE MEDICAL DIRECTOR ARTHUR: -- to

18 Commissioner Gonzales's point, there is a national track

19 surface organization that is headed by Mick Peterson from

20 the University of Kentucky. A number of entities in

21 California supported that. And they do have an annual

22 meeting every year where they go over track surface issues.

23 And the improvement of our understanding of track surfaces

24 has improved dramatically. And Dennis Moore is a key part

25 of that effort and has been a big supporter of it.

1 As I said at the preliminary meeting for this, I
2 do not see a track surface issue at Los Al. What I do see
3 is -- are questionable training, and horse management
4 practices, and questionable veterinary practices,
5 specifically multiple and repeated intra-articular
6 injections, often without diagnostic procedures.

7 What Los Al is proposing is very similar to
8 what's in place at other racetracks. The CHRB did not hold
9 Los Al, meaning it's Quarter Horse night racing meet, to
10 the 30-day corticosteroid stand-down fetlock injections.
11 And three of the four -- three of the last four racing
12 fatalities at Los Alamitos would not have been eligible
13 under those conditions, which are now in place under this
14 protocol.

15 In addition, we've added a new restriction for
16 multiple intra-articular injections into the same joint. I
17 recently met with the practicing veterinarians, just last
18 week, and made it clear that veterinary practices -- if
19 veterinary practice did not change I would not hesitate to
20 recommend to this Board even more restrictive protocols.

21 In addition, Los Alamitos has agreed to assign a
22 veterinary professional to monitor training, very similar
23 to what is being done at Golden Gate Fields, Del Mar, Santa
24 Anita. And I think the establishment of the Incident and
25 Fatality Review Panel, that's in addition, by the way, to

1 the CHRB investigation and fatality review, is a very
2 important step.

3 And you asked about the culture of racing needed
4 to change at Los Alamitos. And I will assure you that Dr.
5 Allred leads the culture there. And he certainly, by
6 establishing this, trainers are going to have explain to
7 him why -- if there is an accident where a fatality occurs.

8 And I don't think anybody, certainly trainers, are going
9 to be very reluctant to have to explain why a horse was
10 injured on that particular racetrack and I think that's a
11 good step forward.

12 The Entry Review Panel has been something that
13 has been in discussion for Los Alamitos since we started a
14 year ago at Santa Anita and the Southern California
15 thorough circuit. It was in place, by the way, for the Los
16 Alamitos thorough day meet. We reviewed all those
17 particular horses. But I think this is a big step forward
18 as well.

19 The Quarter Horses are a different sort of a
20 horse to evaluate. But so far, in the consultation I've
21 done on certain cases with Dr. Fitzgerald that they've
22 identified, I think that's working the way it's supposed
23 to.

24 They also added an illness and recovery review,
25 which is basically to evaluate the non-racing and training

1 fatalities which are often overlooked and have been
2 particularly problematic in the last year at Los Alamitos.

3 Just so people know, there's not a hospital at
4 Los Alamitos. There are horses -- there's a hospital close
5 by. And what they do see are horses that leave the
6 racetrack, have surgery, and come back in. And some of
7 those, certainly, have added to the number of injuries or
8 fatalities that were non-exercise or training related at
9 Los Alamitos.

10 And again, the last issue is I am encouraged,
11 certainly, by what Dr. Allred is proposing in terms of an
12 individual to monitor activities to make sure there's
13 compliance by the veterinarians and the trainers to these
14 protocols. And again, the CHRB stepping up and increasing
15 our presence on that backside, as well, during non-race
16 days and, actually, on race days earlier in the morning
17 during training.

18 So all those, I think are a step forward. And
19 I'm actually very encouraged by what I've seen so far.

20 CHAIR FERRARO: Thank you, Dr. Arthur.

21 Any questions from the Board for Dr. Arthur?

22 Mike, do we have industry professionals in the
23 queue?

24 MR. MARTEN: None at this moment. The Operator
25 hadn't invited them in yet or given instructions for that.

1 CHAIR FERRARO: Well, do we know who the industry
2 representatives are? Can we queue them first please?

3 MR. MARTEN: Assuming they wish to speak, I see
4 Greg Avioli and -- well, he's the first, I think, we could
5 put in there.

6 Yeah, move him up please.

7 CHAIR FERRARO: Okay, well, let's put him up
8 please.

9 OPERATOR: We'll open up Greg's line now.

10 Mr. Avioli, your line is now open.

11 CHAIR FERRARO: Good morning. Good morning,
12 Greg.

13 OPERATOR: Perhaps you're muted on your end.

14 MR. AVIOLI: Can you hear me now?

15 CHAIR FERRARO: Yes.

16 MR. AVIOLI: Okay. On behalf of the TOC, I want
17 to thank Dr. Allred the Los Alamitos team for the plan. We
18 have reviewed it with them and the TOC supports it.

19 Thank you.

20 CHAIR FERRARO: Thank you very much.

21 Any questions for Mr. Avioli from the Board?

22 Do we have any other industry reps, Michael?

23 MR. MARTEN: Well, they're not rushing to the
24 speakers' queue but I put them on the spot. I see Alan
25 Balch and Aiden Butler.

1 CHAIR FERRARO: Well, let's put those two up.
2 Good morning.

3 MR. MARTEN: It can only happen if they press
4 star one. If they don't press star one, then -- okay.

5 Alan Balch please.

6 OPERATOR: All right.

7 CHAIR FERRARO: Go ahead. Go ahead, Alan.

8 MR. BALCH: This is Alan Balch.

9 Just to clarify, California Thorough Trainers
10 only represents the horsemen at the daytime thorough
11 meetings and weeks, not the nighttime program. But -- and
12 there have been excellent safety practices, as far as we
13 know, in the daytime thorough meetings. A separate
14 horsemen's organization represents the trainers that train
15 in the night program.

16 But having said that, we've reviewed this in
17 detail. We're very pleased to see it. We do think that
18 racing, as a whole, is very important to be.

19 To address the culture, as Dr. Ferraro mentioned,
20 changing the culture at the racetrack, improving, always
21 trying to improve the culture to be more in favor of horse
22 welfare. Animal husbandry is extremely important to all of
23 us. I think the trainers, as organizations, or the
24 trainers' organizations, whether they be the Quarter Horse
25 trainers' organizations or the thorough trainers'

1 organizations, hold that paramount. We expect our members
2 to embrace the highest standards of animal welfare and
3 horsemanship. And we think these steps that Los Alamitos
4 has taken which, as Dr. Arthur said, are similar to and
5 may, in some cases, go beyond what's already in place for
6 the last year or so, which has also been constantly
7 improved upon, are extremely important and we're happy to
8 embrace them.

9 And we want to thank the leadership of Los
10 Alamitos for taking these steps.

11 CHAIR FERRARO: Thank you very much, Alan.

12 Anybody else --

13 MR. MARTEN: Okay.

14 CHAIR FERRARO: -- Michael, from the industry?

15 MR. MARTEN: Yeah. Three. Vince Genko of
16 PCQHRA, then Aiden Butler, then Cliff Goodrich here.

17 CHAIR FERRARO: Okay.

18 Vince, go ahead, please.

19 MR. GENKO: Can you hear me?

20 CHAIR FERRARO: Yes.

21 MR. GENKO: Hello?

22 CHAIR FERRARO: Go ahead.

23 MR. GENKO: Yeah.

24 CHAIR FERRARO: Yes. Go ahead.

25 MR. GENKO: Yeah. My name is Vince Genko. I'm

1 the President of Pacific Coast Quarter Horse Racing
2 Association. And the safety plan put forth by Los Alamitos
3 is very comprehensive and addresses the issue, I think,
4 that CHRB has raised. Anytime you're dealing with live
5 beings, either animal or human, there's always a risk of
6 injury or death. We know that. And I think this has been
7 a very well thought out plan that Dr. Allred and his people
8 have put forth.

9 I applaud Dr. Arthur and his management team for
10 their efforts. And I ask that you keep Los Alamitos open
11 for racing.

12 Thank you very much.

13 CHAIR FERRARO: Thank you.

14 Mr. Butler?

15 MR. BUTLER: Yeah. I just punched in just to
16 give my best wishes to Los Alamitos. I understand, having
17 been through this, how difficult the task at hand is to
18 change culture, to try and work with real-time events that
19 happen, and accidents do happen, as much as we wished they
20 didn't, but to get better and to constantly evolve and to,
21 you know, make the industry -- make all the people in the
22 industry as proud as they possibly can.

23 Again, my voice here for Santa Anita. We've
24 obviously been through a very similar set of circumstances
25 and I just wish the guys at Los Alamitos luck. And

1 anything we can do from Santa Anita or The Stronach Group's
2 standpoint, please, don't hesitate to ask.

3 CHAIR FERRARO: Thank you, Aiden.

4 Cliff Goodrich please.

5 MR. GOODRICH: It's clear to me that the licensee
6 has met the Board's order relating to Rule 1435 and has
7 developed a detailed plan to reduce the number of horse
8 injuries. Now it's up to the Board as to whether the plan
9 meets their expectations.

10 During the upcoming public comment period, I
11 would hope the Board would request that the focus not be on
12 whether a plan was developed, as it currently has, but,
13 instead, to listen to cogent and focused arguments on the
14 pros and cons of the plan put forth.

15 In addition, any discussion of COVID-19
16 implications is not relevant to the Board's specific order
17 and should be dismissed as non-pertinent.

18 On behalf of the hundreds of backstretch workers
19 who work at Los Alamitos, Los Alamitos has complied with
20 the Board's order to develop a plan. And if the Board
21 deems the plan viable, the only way to test the additional
22 protocols put into place is to allow racing to continue in
23 order to test the success or failure of the detailed plan
24 Los Alamitos has developed.

25 The CTHF supports the continuation of racing at

1 Los Alamitos as the licensee has complied with the Board's
2 order to develop a comprehensive plan to reduce equine
3 injuries.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Any questions or comments from the Board before
7 we go to public commentary?

8 MR. MARTEN: There is one more industry rep,
9 Dennis Moore. He's the Track Superintendent.

10 CHAIR FERRARO: Oh. All right.

11 MR. MARTEN: We had --

12 CHAIR FERRARO: Let him speak please.

13 Go ahead, Dennis.

14 MR. MOORE: Hello, Mr. Chairman, Mr. Chairman and
15 Commissioner.

16 Commissioner Gonzales, I just wanted to let you,
17 as well as everybody else, know that I've been on a
18 Committee with Dr. Peterson, with tracks (indiscernible)
19 from New York and Kentucky, and we have formed a plan of
20 recommendations that tracks need to meet as far as safety
21 for the track, and that includes soil testing, maintenance
22 testing, shooting (phonetic) of grades and elevation on a
23 biyearly manner. So we will have that out, hopefully soon
24 and it will go to all the tracks across the country.

25 That's all.

1 VICE CHAIR GONZALES: Thank you, Mr. Moore.

2 Thank you, Mr. Moore. Commissioner Gonzales here expresses
3 your -- thanks for your leadership.

4 You know, my point earlier was -- it was along
5 the lines of making sure that all of the other counterparts
6 of yours have that kind of information. So any kind of a
7 discussion would allow for feedback and further
8 strengthening that. And I know you're fully prepared, as
9 well as your colleagues across California, to help lead the
10 way. Excellent. Great work. Thank you very much.

11 MR. MOORE: Thank you.

12 CHAIR FERRARO: Thank you, Dennis. Thank you,
13 Dennis.

14 Any questions or comments from the Board before
15 we go to public comment period?

16 COMMISSIONER SOLIS: I have a comment, Dr.
17 Ferraro.

18 CHAIR FERRARO: Go ahead.

19 COMMISSIONER SOLIS: I rode for -- Alex Solis
20 here -- I rode for 39 years. And I just wanted to say that
21 with all the new plans that we put on throughout the years
22 that I've been at the Board, I feel that I've -- I feel
23 very comfortable to -- I wish all these plans were put on
24 before when I was riding because I feel so comfortable.

25 One of the reasons that into -- took the role of

1 doing this job, for the safety of the jockeys and the
2 safety of the horses. And I think that we have done a
3 great job.

4 And I thank Los Alamitos for, you know, putting
5 this great plan. And like I said before, I wish we had
6 this kind of plan when I was riding. I'd probably still be
7 riding.

8 Thank you.

9 CHAIR FERRARO: Thanks, Alex.

10 Any other Commissioners want to comment?

11 All right, we're going to go public comment
12 period but I want to reiterate something that Mr. Goodrich
13 said, COVID-19 is not part of this discussion. The
14 discussion centers on the Los Alamitos plan and, given that
15 plan, whether to go forward with racing at Los Alamitos.
16 So anything that's brought up that doesn't confine to that
17 plan, we will move on to the next speaker.

18 So, Operator, you can start the public comment
19 period please.

20 OPERATOR: We will first go to Heather Wilson.

21 Please go ahead.

22 MS. WILSON: Yes. Hi.

23 CHAIR FERRARO: Go ahead please.

24 MS. WILSON: Hi. Good morning.

25 First of all, I would like to thank Mr. Chaney

1 for initiating this emergency meeting. I would honestly be
2 aghast if this license were suspended. However, this
3 action is a critical first step.

4 I would also like to thank Commissioner Mitchell
5 for voting in opposition to continue racing during the
6 probation. Had this Board voted to suspend racing, Tacy
7 and Alltime Favorite might still be alive.

8 On July 10th, 2020, Dr. Arthur stated, "There
9 were two Quarter Horse racing fatalities in March and then
10 we didn't have another for nearly three months," end quote.
11 This is a lie.

12 There were two racing fatalities in April,
13 Chromie and Isla's Toy. There were also two training and
14 one fall death in April. Then in May, there were three
15 racing fatalities, Tap the Wire, and now Lil Morning, in
16 addition to one training and one stall death. June was
17 particularly bad. There were two racing fatalities,
18 Equilibrio and Nana Shila, and two training and three stall
19 deaths.

20 Dr. Arthur continues, "The frustration I share is
21 that Los Alamitos had a very good calendar year in 2019,"
22 end quote. So according to the CHRB Equine Medical
23 Director, only 40 dead horses is a very good year. An
24 average of 63 horses are killed every fiscal year at Los
25 Alamitos. There were much more fatalities in earlier years

1 because the field sizes were consistently much larger. And
2 there were many more races on the card on any given racing
3 day.

4 The repeated theme from July 10th was horses are
5 killed, this is normal, so get over it. This is
6 unconscionable. It is indefensible. And the current
7 license must be suspended. If you want to help these
8 horses, then you stop racing them to death. Raise money
9 with virtual CGI racing and everybody stays safe.

10 Thank you.

11 CHAIR FERRARO: Thank you.

12 Next please.

13 OPERATOR: Next we'll go to Bonnie Croker.

14 Please go ahead.

15 MS. CROKER: Yes. This is Bonnie Croker. Good
16 morning. Thank you, once again, Executive Director Chaney
17 for initiating the meeting on 07/10/20 to investigate the
18 large number of horse fatalities at Los Alamitos Race
19 Track. Thank you, CHRB, for both that meeting and today's
20 follow up.

21 The horse fatalities at Los Al so far in 2020
22 total 31, two of which happened during the ten-day
23 probation period. The last 12 fiscal years for Los Al have
24 recorded a total of 751 dead horses. That's an average of
25 63 dead horses per year which puts them, approximately, on

1 target for the same tragic score in 2020. This, I feel, is
2 the main reason their license should be suspended today.

3 I just wanted to voice my opinion, also, that
4 COVID-19 should be relevant under Rule 1435 as it relates
5 to the health and safety of humans as well. I've tried to
6 tailor my comments with that, in respect.

7 I wanted to comment that Jockey Victor Espinoza
8 said of the Jock's Room quarters are Los Alamitos, "There
9 wasn't enough room for all of us." And, also, quote --

10 CHAIR FERRARO: That statement is impertinent to
11 the issue. So unless you want to continue on the subject,
12 we're going to move on.

13 MS. CROKER: Okay. I'm sorry. I just felt it
14 was pertinent but I respect what you're saying.

15 CHRB, I submit to you, that for dying horses, and
16 human safety as well, all of whom you are ultimately
17 responsible for, regrettable hindsight is not longer an
18 option. You must accept your responsibilities clearly
19 outlined in your Rule number 1435 and suspend the Los
20 Alamitos racing license until your investigations into
21 their horse fatalities and, at least, provide information
22 for correction and improvement in a real sense.

23 Thank you very much.

24 CHAIR FERRARO: Thank you.

25 Next please.

1 OPERATOR: Thank you. Next we'll go to Wendy
2 Minovitz.

3 Please go ahead.

4 MS. MINOVITZ: Hi. I just want to say that I was
5 appalled during the CHRB meeting on Friday, July 10th, when
6 the words, "only ten deaths," were uttered when referring
7 to the horses or statements, such as, "It was a good year."

8 I just don't understand how people could be so cavalier
9 about it and accept that ten horse deaths is a good thing.

10 There's a common theme among people who support
11 horse racing which is nothing is without risk. And I
12 totally agree with that but only as it pertains to free
13 choice. Human athletes choose to participate. Horses
14 don't make the choice to risk their lives for a \$2.00 bet.
15 So while some may think ten deaths is acceptable, I say,
16 one horse death is too many.

17 And the deaths have not miraculously disappeared
18 since July 10th. In fact, there have been at least two
19 additional deaths. And I hear you talking about animal
20 husbandry and wanting to put rules into effect to help the
21 horses and that's wonderful. But the bottom line is there
22 is absolutely no benefit to the horses in this industry.
23 They have no choice to participate.

24 Thank you.

25 CHAIR FERRARO: Thank you.

1 Next please.

2 OPERATOR: Thank you. Next we'll go to Tony
3 Falcone.

4 Please go ahead.

5 CHAIR FERRARO: Go ahead please.

6 MS. FALCONE: Hi. This is Tony Falcone. Hi.
7 This is Tony Falcone. I'm a citizen concerned about the
8 wealthy of the horses at Los Alamitos.

9 Yes, I believe that the license should be on
10 probation, with enhancements to the plan that actually
11 allow for real accountability instead of the continued
12 rhetoric from the industry, the Board, and the
13 stakeholders. I believe this proposed plan is just more
14 rules on top of the existing rules that are not enforced.

15 You call these horses athletes but this so-called
16 sport is not protecting its athletes. You've already
17 killed, at Los Alamitos, 31 horses, two while just in the
18 last 10-day probation. 751 horses have died there. That's
19 an average of 63 a year. I saw, one year, it was actually
20 as high as 104. Real accountability would look like an
21 actual number by the Board that's unacceptable, that you
22 would shut them down.

23 When a safety steward is going to be elected by
24 the industry from the industry, I don't get a comfort level
25 that anything is actually going to be done. When

1 veterinarians come up to the Board and completely fabricate
2 facts, and the plan is to have a veterinarian and a trainer
3 sign a document, I also don't have any comfort level that
4 these horses are going to be protected.

5 It's mindboggling that a Board of people that are
6 active in the industry, almost everyone of you, which has a
7 conflict of interest are making these decisions. And I've
8 heard many of you this morning talk about culture shifts,
9 especially at Los Alamitos. When Bob Baffert, who's known
10 to drug the horse that won the Kentucky Derby --

11 CHAIR FERRARO: That's irrelevant --

12 MS. FALCONE: -- and does not lose --

13 CHAIR FERRARO: -- to this --

14 MS. FALCONE: -- the title.

15 CHAIR FERRARO: That's irrelevant to this
16 discussion.

17 MS. FALCONE: If that's what you aspire to --

18 CHAIR FERRARO: That has nothing to do with this
19 discussion.

20 MS. FALCONE: -- then your damn right, there
21 needs to be a culture change.

22 Thank you.

23 CHAIR FERRARO: Next please.

24 OPERATOR: Thank you. Next we'll go to Martha
25 Sullivan.

1 Please go ahead.

2 CHAIR FERRARO: Go ahead, Martha.

3 MS. SULLIVAN: Good morning. This is Martha
4 Sullivan from San Diego.

5 I would like to refer back to the CHRB's report
6 on the 2019 Santa Anita fatalities in the key findings at
7 page four, one of which is that, organizationally, the
8 track veterinarian and examining veterinarian, who are
9 supervised by the racing association's racing office, poses
10 an inherent conflict.

11 I would like to -- one, we haven't -- as far as I
12 know, I don't recall hearing from the official CHRB
13 veterinarian at Los Alamitos, Dr. Beck. And I find that
14 very curious, particularly given this finding in the CHRB's
15 own report. And I think there needs to be some discussion
16 about this relative to Los Alamitos and this plan.

17 I would also like to point out that the single,
18 you know, best way to reduce fatalities of horses and as
19 demonstrated in CHRB's own data which shows that the number
20 of starts at Los Alamitos dropped 32 percent between 2009
21 and 2019 and the number of fatalities dropped 40 percent
22 during that time period. So, clearly, clearly, less racing
23 equals less fatalities, so that should be part of this plan
24 as well.

25 Los Alamitos has 22 percent of the starts in

1 California racetracks since 2009 but they have 27 percent
2 of the fatalities during that time period. So the
3 deduction of starts --

4 CHAIR FERRARO: That's it.

5 MS. SULLIVAN: -- (indiscernible) --

6 CHAIR FERRARO: Your time is up. Thank you,
7 Martha. Your time is up.

8 Next please.

9 OPERATOR: Okay. Next we'll go to Ellen Eriksen.
10 Please go ahead.

11 MS. ERIKSEN: Good morning, Board Members.

12 CHAIR FERRARO: Go ahead please.

13 MS. ERIKSEN: Can you hear me okay?

14 CHAIR FERRARO: Yes. Go ahead.

15 MS. ERIKSEN: Oh. The California Horse Racing
16 Board is supposed to protect the horses and follow the
17 rules and laws set forth by the State of California. Ten
18 days ago -- excuse me -- ten days ago during a special
19 meeting, instead of protecting the horses at local, the
20 California Horse Racing Board, once again, failed to do
21 their job and, as a direct result, more horses died at this
22 racetrack.

23 Why is Dr. Fitzgerald, a doctor who is supposed
24 to protect these horses, not implement this Rule 1435 but,
25 instead, at the last meeting did nothing to protect the

1 horses? And I quote from Dr. Fitzgerald, "And we have had
2 a cluster recently which is alarming. I completely agree.
3 I take it very seriously. I do agree with the term
4 cluster. I've spoken to Dr. Arthur about those and, you
5 know, because I'm one of the few in California reporting
6 people on the line."

7 Why doesn't Dr. Fitzgerald uphold her oath as a
8 doctor to protect these horses and demand to revoke the
9 license?

10 Rule 1435 is put into place to stop racing. And,
11 yet, this Board, for some reason, can't even implement and
12 follow through in enforcing what you are supposed to do.
13 Instead, nothing changed. You gave this racetrack ten days
14 to scramble to put together an action plan which, by the
15 way, should have been an action plan for years and,
16 instead, sending horses --

17 CHAIR FERRARO: Your time is up.

18 MS. ERIKSEN: -- to death.

19 CHAIR FERRARO: Well, please finish up.

20 MS. ERIKSEN: That was not two --

21 CHAIR FERRARO: Your time is up.

22 MS. ERIKSEN: That was not two minutes. I want
23 to finish my statement.

24 MR. MARTEN: That was --

25 CHAIR FERRARO: Finish.

1 MR. MARTEN: -- 90 seconds.

2 CHAIR FERRARO: Finish up.

3 MR. MARTEN: That was 90 seconds.

4 CHAIR FERRARO: Finish up.

5 MS. ERIKSEN: Can I? Okay.

6 It is apparent that we need a special Board just
7 to monitor the California Horse Racing Board.

8 We ask that the license to race at Los Alamitos
9 be revoked and to stop racing. Please show us today that
10 you do really care about the wellbeing and welfare of the
11 horses at Los Alamitos.

12 Thank you.

13 CHAIR FERRARO: Next please.

14 OPERATOR: Thank you. Next we'll go to Liz
15 Jacobelly.

16 Please go ahead.

17 MR. JACOBELLY: Hi. My name is Liz Jacobelly.

18 (Indiscernible) from fatalities from Los Alamitos
19 alone from the California Horse Racing Board's annual
20 reports from 2009 to 2010, to 2018 to 2019, 32 percent drop
21 in starts in Los Alamitos from 2009 to '10 and to 2018 to
22 '19, and a 40 percent drop in fatalities.

23 For example, looking at the 2009 to 2010, there
24 were 11,463 starts. But when we go back to 2018 to 2019,
25 there were 7,719 starts. For the fatalities from 2009 to

1 2010, there were 70 fatalities. And then we go up to 2018
2 to 2019, there were only 42 fatalities. So it goes to show
3 that not racing horses is the most effective way to reduce
4 kills.

5 Also, California Horse Racing Board reports from
6 2009 to 2010, to 2018 to 2019, Los Alamitos, 22 percent of
7 starts and 27 percent of fatalities. Los Alamitos, 97 --
8 819 starts, and Los Alamitos fatalities, 567 fatalities.
9 So it goes to show, not racing horses reduces the kills and
10 deaths, not all this other fabricated stuff that you guys
11 are just saying that you're going to do that you don't
12 really do, and all this stuff that -- so I say that you
13 need to stop racing horses at Los Alamitos.

14 Thank you for listening to me.

15 CHAIR FERRARO: Thank you.

16 Next please.

17 OPERATOR: Thank you. Next we'll go to Wayne
18 Johnson.

19 Please go ahead.

20 MR. JOHNSON: Of Los Alamitos --

21 CHAIR FERRARO: Go ahead please.

22 MR. JOHNSON: Of Los Alamitos, Dr. Ferraro says
23 the culture among vets and trainers is pushing the
24 envelope. Mr. Couto calls it a cluster. Dr. Arthur says
25 the problem at Los Alamitos is veterinary practices and

1 horse management and intra-articular injections.

2 The industry comes back with a plan today. That
3 plan is supposed to stop the deaths. My question is: Who
4 was held accountable? Where were the tears for Tacy?
5 Where were the tears for Alltime Favorites? And why is Mr.
6 Goodrich setting the agenda for what the public can talk
7 about? Why is there such contempt on the part of the
8 Chairman for the public?

9 The industry is given up to the first queue. The
10 industry is given priority. The industry is never
11 irrelevant. The industry never commits slander when they
12 come after some of our speakers as, quote unquote, "the
13 women."

14 Who is to be held accountable for the deaths at
15 Los Alamitos? Why did Los Alamitos have to be dragged,
16 kicking and screaming, into a plan? And when no plan was
17 there on the 10th, another ten days, and Tacy and Alltime
18 Favorite died, who will be held accountable?

19 The facts are that the State of Florida canceled
20 greyhound racing in the future by a vote of the people. A
21 red state of Florida canceled greyhound racing. When will
22 the blue state of California take up horse racing?

23 Thank you very much. I think a referendum is the
24 only way we're going to shut this industry down. I do not
25 expect the Board to do it.

1 Thank you.

2 CHAIR FERRARO: Thank you very much.

3 Next please.

4 OPERATOR: Thank you. Next we have Joe Kaplan.

5 Please go ahead.

6 MR. KAPLAN: Thank you. I have some questions
7 for the Board.

8 Why didn't the Board vote on whether or not to
9 suspend Los Alamitos at the emergency meeting? The agenda
10 item was whether to suspend racing and/or impose conditions
11 on the license. At least vote up or down on the suspension
12 before discussing other things, like a probation, which is
13 meaningless.

14 Two more horses were killed, Tacy and Alltime
15 Favorite, within two days of that emergency meeting because
16 of your inaction.

17 I'd like to thank Commissioner Mitchell for her
18 no vote on that probation. Perhaps at least she and
19 Commissioner Gonzales may have voted for a suspension.
20 After all, Commissioner Gonzales was suggesting a three day
21 suspension. And Commissioner Mitchell said she was
22 conflicted. By the way, that three-day suspension would
23 have prevented the deaths of Tacy and Alltime favorite.

24 Second question. What is the acceptable death
25 threshold at Los Alamitos? Is it 30, 31, 32 or, perhaps,

1 33 horses? I'd really like to know the acceptable number
2 of kills.

3 By the way, the only plan proven to reduce the
4 number of fatalities, as other speakers have already
5 pointed out, is to reduce the number of racing starts. And
6 your own statistics back this up. The Los Al plan is
7 nothing more than window dressing. It's nice optics but,
8 ultimately, it's meaningful. The deaths continue.

9 Please use Rule 1435 to suspend racing at Los
10 Alamitos immediately.

11 Thank you for your time.

12 CHAIR FERRARO: Thank you.

13 Next please.

14 OPERATOR: Thank you. Next we've got Maribeth
15 Kalinch.

16 Please go ahead.

17 MS. KALINCH: Thank you very much.

18 What I'd like to say is I do not support closing
19 Los Alamitos. It would put horses, horsemen, and
20 backstretch out of work. I'm not a Californian, I'm from
21 Maryland, but what happens in California effects racing
22 everywhere.

23 This is a very, very good plan. Monitoring
24 equine athletes throughout their training, competition and
25 care is paramount, and that is the trainers job. But,

1 unfortunately, a lot of trainers need to be monitored as
2 well.

3 Please, I ask you to document the progress of
4 your program to show the industry and the public what
5 changes your plan will implement and share, via public
6 relations and press releases, so that the media can share
7 the progress that this plan, hopefully, will make changes
8 in racing in -- at Los Alamitos, in California, and across
9 the country.

10 Thank you so much for your time.

11 CHAIR FERRARO: Thank you.

12 Next please.

13 OPERATOR: Thank you. Next we've got Terri
14 Bingham.

15 Please go ahead.

16 MS. BINGHAM: I hope you approve this excellent
17 plan.

18 Los Alamitos has jobs when millions are
19 unemployed. Del Mar relies on Los Alamitos because
20 trainers can run there during Del Mar's off season.

21 When The Stronach Group had a stall shortage at
22 an adjunct facility, Los Alamitos assisted. The sponsors
23 of the biggest race of the world have visited Los Alamitos
24 for 45 years. The global thorough circuit is planned in
25 advance, carefully placed around existing meet dates and

1 locations. The King's Cup will be held in February 2021.
2 Top trainers need to race at Los Alamitos in December so
3 they can prepare for that big race. Racehorses are world
4 peace ambassadors.

5 Dr. Allred was the first track owner in
6 California to restrict corticosteroids. He cares about
7 safety. Dr. Allred's house rule was just passed as a CHRB
8 Rule. Now Dr. Allred has the rule he needs to protect
9 horses. Dr. Allred spent more than \$6 million making his
10 track safe, more than anyone spent recently to improve a
11 single track. Los Alamitos was the only track to pay for
12 hair follicle tests.

13 This Board also just passed continuing trainer
14 education, plus Lasix reduction. Los Alamitos deserves
15 time for these rules to help. When you give Los Alamitos
16 time to implement these rules, Los Alamitos will improve
17 horse safety, as it has always been the first track in
18 California to implement safety measures. Los Alamitos is
19 the safest track in this state.

20 Please approve this excellent plan.

21 Thank you.

22 CHAIR FERRARO: Thank you.

23 Next please.

24 OPERATOR: Thank you. Next we have Patty
25 Shenker.

1 Please go ahead.

2 MS. SHENKER: Yes. Good morning. Patty Shenker.
3 Can you hear me?

4 CHAIR FERRARO: Yes. Go ahead please.

5 MS. SHENKER: Yes. First of all, I just want to
6 say that I find it outrageous that we cannot talk about
7 this COVID-19 that is spreading at the tracks and
8 endangering all of us. Jobs should not be allowed to be
9 discussed by either of them.

10 When we activists spoke at your virtual meeting
11 ten days ago to urge your closing Los Alamitos, we warned
12 you that more horses would be killed and more people would
13 become infected with COVID. And here are we are with two
14 more horses killed during the ten-day probation, 31 total
15 deaths already this year at Los Alamitos, and more cases of
16 the coronavirus.

17 The two days after the probation was issued,
18 Alltime Favorite, a two-year-old gelding, and Tacy, a five-
19 year-old mare, were killed after being injured in their
20 races. Veterinarian Dr. Fitzgerald, who checks all of the
21 horses at the track before and after the races, said she
22 could not explain what caused the rash of fatalities. The
23 horses keep getting killed and you can never explain them.

24 Dr. Arthur, you were right in saying, there has
25 to be a thorough review of why the horses die. I think

1 there is a culture there with the veterinarians and
2 trainers pushing the envelope. The real truth is that you
3 are all pushing the envelope and it must start.

4 The truth is nothing has changed. SB 469 has
5 done nothing. You have done nothing. And nothing will
6 change while the regulators are in business with the people
7 they are there to police.

8 Please, prove us wrong for once and deny Los
9 Alamitos their license.

10 Thank you very much.

11 CHAIR FERRARO: Thank you.

12 Next please.

13 OPERATOR: Thank you. Next we have Dr. Andrew
14 Lesser.

15 Please go ahead.

16 MR. LESSER: Yes. Can you hear me just fine?

17 CHAIR FERRARO: Yes. Go ahead please.

18 MR. LESSER: Thank you. Yeah, I was going to
19 speak as an E.R. physician. I've spoken before. But since
20 you deemed COVID-19 irrelevant even though at least 14
21 jockeys have tested positive at Del Mar who were at Los
22 Alamitos prior to that. So I'm just going to speak as the
23 son of a man who owned racehorses in the 1950s and '60s.

24 I love horses but not for profit, not for ego,
25 not for so-called sport. And I would never be so

1 disingenuous as to call a sentient animal an equine
2 athlete. How ridiculous.

3 Now, no matter what you do at Los Alamitos,
4 horses are going to continue to suffer painful,
5 catastrophic and fatal injuries. It's just the nature of
6 horse racing.

7 I see nothing has changed since Senate Bill 469
8 became law. And nothing has changed, except two more
9 horses died since the probation vote ten days ago.

10 You know, what's really sad is that Los Alamitos,
11 by a vote of the Cypress residents in June 2018, has
12 already been rezoned for mixed use. So Los Alamitos is
13 already fated to be gone. That's fate. That's a done
14 deal. So how many horses must die before the inevitable
15 closing of Los Alamitos?

16 So, please, if you really love horses, just close
17 it now. Suspend it and move on with some development plan
18 and that will create lots of jobs for all races of humans
19 and save horses.

20 Thank you very much for your time.

21 CHAIR FERRARO: Thank you.

22 Next please.

23 OPERATOR: Thank you. Next we've got Janine
24 Sahadi.

25 Please go ahead.

1 CHAIR FERRARO: Go ahead please.

2 MS. SAHADI: Hi. Hi. Good morning. Janine
3 Sahadi, Edwin Gregson Foundation president.

4 I'm calling in to lend my support and give thanks
5 to Dr. Allred. He's always stepped up in every way
6 possible to help the industry. I feel completely confident
7 in this plan. California has made tremendous strides and
8 is working every day to do better.

9 And I am the one that calls them "the women."
10 And I will add in one man. You know, the rhetoric, even
11 though they are able to read, remains the same. There is a
12 level of ignorance there.

13 Ellen, Heather, Heather, Doctor so-and-so, I'm
14 speaking to you. Maybe it's time to move on and figure out
15 something else to bitch about.

16 Have a great day.

17 CHAIR FERRARO: Thank you.

18 Next please.

19 OPERATOR: Okay. Next we have Eric Najduch.

20 Please go ahead.

21 MR. NAJDUCH: Yes. Good morning, Mr. Chairman
22 and Commissioners.

23 I want to thank the Board for everything that
24 they have done in the past and up until today to improve
25 the sport that I love and that is my livelihood. Any

1 suggestion for improvement, including this current plan
2 before the Board, is welcomed by the horsemen.

3 I would like to assure the Board that our family
4 at Los Alamitos is hurt by every single fatality and that
5 we take pride in policing ourselves and demanding nothing
6 but the best of each other. Dr. Allred holds us to the
7 highest standard as employees. And with this plan that he
8 has put in place, it raises that standard, as well as does
9 our love for the sport.

10 When we lose a horse, we take it personally as a
11 failure. We strive to show Dr. Allred, the Board, and the
12 public, and our own industry that we can and will do our
13 absolute best.

14 Thank you very much.

15 CHAIR FERRARO: Thank you.

16 Next please.

17 OPERATOR: Thank you. Next we have Paige Onorio.
18 Please go ahead.

19 MS. ONORIO: Hi there, guys. I have five things
20 I want to talk about in two minutes.

21 I think good improvement would be maybe a little
22 less horses in the race. I personally have owned, all
23 except one, off-the-track horses. And most of the time
24 they are retired because they get bumped out and they're
25 just not cut out for racing.

1 I work with fantastic trainers at Los Alamitos
2 that know how to police themselves. Hello. This is the
3 biggest issue. Know when to stop. Know when to pull a
4 horse off. Know what to look for. Okay. So the trainers
5 I work with know when to pull a horse off and give them
6 time off, give them a new home. And I personally am a
7 backyard trainer and a bloodstock agent. And I help sell
8 these horses that are not cut out for it, okay?

9 And I think it really does come down to the
10 trainers. Don't blame the sport. Racing -- the horses
11 race in the wild. You need to understand the nature of the
12 horse. Horses race, okay? Horses will run with each
13 other. There's a leader. There's a follower. It's the
14 people behind it that we need to worry about. I'm not
15 saying that Los Alamitos people are bad. I'm saying that
16 we do need to watch what the trainers do and say and put
17 into the horses bodies, okay? It's all about the trainers.

18 Personally, I have great experiences with my
19 trainers. But look at their barns. Look at the people who
20 keep their horses at their house. Look at the quality of
21 those horses and then bring it back to the racetracks.
22 Everybody at the racetrack is taken care of. These horses
23 are top quality, okay? Look at what the people are doing
24 to their horses.

25 Horses die in other sports. People are only

1 looking at racing. Look at all the other -- I mean, I've
2 known so many adventurers (phonetic) whose horses have died
3 jumping, coming down on a jump wrong, okay? Look at the
4 people. Don't look at the sport.

5 Thank you.

6 CHAIR FERRARO: Thank you very much.

7 Next please.

8 OPERATOR: Next we'll hear from George Minier.

9 Please go ahead.

10 CHAIR FERRARO: Go ahead please.

11 MR. MINIER: Yes. Can you hear me?

12 CHAIR FERRARO: Yes. Go ahead please.

13 MR. MINIER: Hello? Okay. I'd just like to say,
14 I'm a member of Local 280. And these horse race tracks in
15 California do provide really good jobs to a lot of people
16 on the backside and in the front side, concessions. We
17 have a lot of people that work there.

18 It's really time to stop listening to these
19 complaining animal activists and their mantra for the end
20 of and support Los Al in their endeavors.

21 And that's it. Thank you.

22 CHAIR FERRARO: Thank you.

23 Next please.

24 OPERATOR: Thank you. Next we'll go to Jennifer
25 Robles.

1 Please go ahead.

2 MS. ROBLES: Hi. My name is Jennifer Robles.
3 I'm a third-generation racehorse owner.

4 I want to point out that if racing was to stop at
5 Los Alamitos, these horses are going to end up racing in
6 match rate meets. These match races are not regulated.
7 There are no vets. They are held all throughout
8 California. The horses are pumped up with all kinds of
9 drugs. They breakdown ten times more than a regulated
10 track.

11 Match races are illegal but hundreds of people
12 show up. They are charged to get in. There is alcohol
13 sold without a liquor license. And the gambling there
14 that's done is illegal.

15 Los Alamitos is the safest place to race. The
16 horses are taken care of 24 hours a day. If you let them
17 take away regulated races a vast majority of the horses
18 will end up at illegal match races.

19 Please don't let these animal activist, who would
20 rather euthanize all these horses than to let them race or
21 be adopted out, fill your heads with lies and
22 misinformation.

23 Thank you.

24 CHAIR FERRARO: Thank you.

25 Next please.

1 OPERATOR: Thank you. Next we'll hear from Nick
2 Hines.

3 Please go ahead.

4 CHAIR FERRARO: Go ahead please.

5 MR. HINES: Gentleman, the Board, Good morning to
6 you and thank you for taking my voice.

7 I just wanted to, first and foremost, say that I
8 want to salute Doc Allred because, first and foremost, his
9 zero-tolerance policy on clenbuterol. This is dating back
10 to 2015. In fact, lost a court ruling as a result of that.
11 And I quote, end quote, Doc Allred stated, "You could be
12 assured that I'm going to do my damndest to put the level
13 of integrity of California Quarter Horse racing at the
14 highest level. If I can't, I don't belong in it, but I
15 think we can."

16 So at the end of the day, I think in light of the
17 current matter and the current situation, I think we have
18 to trust the man, Doc Allred, who has gone above and beyond
19 for racing. Not only here in the state of California; when
20 Hollywood Park closed back in 2013, he did across the
21 board.

22 Obviously, with a zero-tolerance policy, he's
23 actually moved trainers off the ground, trainer's have had
24 their license revoked, so I think he is about integrity and
25 is about putting the horse first and foremost and creating

1 a culture. In essence there, people can look from the
2 outside looking in and have faith that everything is being
3 done in its utmost manner to take care of the equine
4 athlete.

5 And Aiden Butler, I think he could attest to the
6 fact that the changes they made at Santa Anita certainly
7 made a bigger and better change for the narrative as it
8 stands today.

9 In reference to the number, as far as the less
10 racing, less fatalities, I don't want to get into a
11 political agenda here, but it's such, for example, if we
12 have less testing on COVID, there are less positives. So
13 at the end of the day, trust in the process.

14 Thank you, Dr. Allred, for what you do. And
15 let's continue to move forward.

16 And thank you to the Board for hearing me speak
17 this morning. Good luck.

18 CHAIR FERRARO: Thank you.

19 MR. MARTEN: And that is 30 minutes. There are
20 three individuals left in queue.

21 CHAIR FERRARO: Well, 30 minutes is up. I'm
22 sorry folks but we need to move on.

23 Now, do we have comments or questions from the
24 Board at this time?

25 COMMISSIONER SOLIS: I have a comment, Mr.

1 Chairman. I just want to thank the person that spoke about
2 the match race. I think that's an incredible point, that a
3 lot of these horses, if something happens at Los Alamitos,
4 all these horses will end up in those match races. I'd
5 like to see the animal rights go to the match racing and
6 try to stop them.

7 Thank you.

8 CHAIR FERRARO: Thanks.

9 Any other comments from the Board? Can we
10 entertain a motion regarding approval or non approval for
11 Los Alamitos to continue racing under the new plan?

12 COMMISSIONER ALFIERI: This is Dennis Alfieri.

13 COMMISSIONER SOLIS: I move to --

14 COMMISSIONER ALFIERI: Go ahead, Alex.

15 COMMISSIONER SOLIS: Yeah. I move to continue
16 racing at Los Alamitos with the new plan.

17 COMMISSIONER ALFIERI: I'll second the motion.

18 CHAIR FERRARO: Can I have a second? Okay.

19 COMMISSIONER ALFIERI: Alfieri.

20 CHAIR FERRARO: All right. Then a vote of the
21 Board.

22 Commissioner Castellanos?

23 COMMISSIONER CASTELLANOS: Yes.

24 CHAIR FERRARO: Commissioner Alfieri?

25 COMMISSIONER ALFIERI: Yes.

1 CHAIR FERRARO: Commissioner Mitchell?

2 COMMISSIONER MITCHELL: Yes.

3 CHAIR FERRARO: Commissioner Gonzales?

4 VICE CHAIR GONZALES: Yes.

5 CHAIR FERRARO: Commissioner Solis?

6 COMMISSIONER SOLIS: Yes.

7 CHAIR FERRARO: And Chairman Ferraro votes yes.

8 Thank you all very much.

9 Thank you, Dr. Allred, and your crew
10 for responding in such a positive way. Good luck in the
11 future. You can be assured that we'll be watching your
12 improvement as it goes along. Thanks very much.

13 Do I have a motion for adjournment please?

14 COMMISSIONER ALFIERI: So moved. Alfieri.

15 CHAIR FERRARO: Second?

16 COMMISSIONER CASTELLANOS: Second. Damascus.

17 CHAIR FERRARO: Mr. Castellanos?

18 COMMISSIONER CASTELLANOS: Second. Yes.

19 CHAIR FERRARO: Yes. Okay.

20 Commissioner Alfieri?

21 COMMISSIONER ALFIERI: Yes.

22 CHAIR FERRARO: Commissioner Mitchell?

23 COMMISSIONER MITCHELL: Yes.

24 CHAIR FERRARO: Commissioner Gonzales?

25 VICE CHAIR GONZALES: Yes.

1 CHAIR FERRARO: Commissioner Solis?

2 COMMISSIONER SOLIS: Yes.

3 CHAIR FERRARO: And Commissioner Gonzales votes
4 in the affirmative.

5 Thank you all very much. Have a good day.

6 (The teleconference emergency meeting of the

7 California Horse Racing Board

8 adjourned at 10:53 a.m.)

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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

July 27, 2020

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 27th day of July, 2020.



MARTHA L. NELSON, CERT**367