



APPEARANCES

COMMITTEE MEMBERS

Chuck Winner, Chair  
Madeline Auerbach, Vice Chair  
Fred Maas, Commissioner  
Alex Solis, Commissioner  
Araceli Ruano, Commissioner  
Dennis Alfieri, Commissioner

STAFF

Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director  
John McDonough, Chief Counsel  
Robert Brodник, Staff Counsel  
Robert Miller, Annuitant Retiree Staff Counsel  
Mike Marten, Associate Analyst  
Rick Arthur, Equine Medical Director

ALSO PRESENT

Larry Lucero  
Anthony Lesser  
John Valenzuela, Pari-Mutual Guild Local 280  
Rene Rowland, Paw PAC  
Amanda Lundberg

APPEARANCES

ALSO PRESENT

April Montgomery

Edward Barrera, on behalf of Senator Susan Rubio

Howard Steniger

Debbie Barklay

Damascus Castellanos, Teamsters Local 485

Elvia Sedano

Celia Asebedo

Kiersten Cluster, Elephant Guardians of Los Angeles

Pavla McGaard, Thor-Bred Stables, LLC

Zafir Molina

Cliff Goodrich, Thoroughbred Horsemen's Foundation

Luis Giordano

Wayne Johnson

Ron McGill

Heather Wilson

Larry Swartzlander, Alameda County Fair

Jim Perez, California Harness Horsemen's Association

Alan Balch, California Thoroughbred Trainers

Faramarz Nabori

Eric Sindler, The Stronach Group

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and 133, Application for Approval to Conduct Advance Deposit Wagering, to capture CHRB license information for specified persons; clarify the term of license for ADW providers and collect financial information, including profit and loss statements, specific to entities' California operations. (Note: This concludes the 45-day public comment period. The Board may adopt the proposal as presented.)

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14. Discussion and action regarding the proposed 130  
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- 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).
- 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 9:37 A.M.

4 ARCADIA, CALIFORNIA, THURSDAY, APRIL 18, 2019

5 CHAIR WINNER: Good morning. Ladies and  
6 gentlemen, this meeting of the California Horse Racing Board  
7 will come to order. Will everyone please find a seat?  
8 Thank you. This is the regular noticed meeting of the  
9 California Horse Racing Board on Thursday, April 18th, 2019  
10 at Santa Anita Park Race Track, 285 West Huntington Drive,  
11 Arcadia, California.

12 Present at today's meeting are: myself, Chuck  
13 Winner, Chairman; Madeline Auerbach, First Vice Chairman;  
14 Fred Maas, Commissioner; Araceli Ruano, Commissioner; Alex  
15 Solis, Commissioner; and Dennis Alfieri, Commissioner;

16 Before we go on to the business of the meeting,  
17 let me please make a few moments.

18 The Board invites public comment on matters  
19 appearing on the meeting agenda. And the Board also invites  
20 comments from those present today on matters not appearing  
21 on the agenda during a public comment period if the matter  
22 concerns horse racing in California.

23 In order to ensure all individuals have an  
24 opportunity to speak and the meeting proceeds in a timely  
25 fashion, I'll strictly enforce the three-minute time limit

1 rule for each speaker. The three-minute time limit rule  
2 will be enforced during discussion of all matters as stated  
3 on the agenda, as well as during the public comment period.

4 There's a public comment sign-in sheet for each  
5 agenda matter on which the Board invites comments. Also,  
6 there's a sign-in sheet for those wishing to speak during  
7 the public comment period for matters not on the Board's  
8 agenda but if they concern horse racing in California.

9 The gentleman right over there, Mike Marten, for  
10 those of you who don't know, will fill out a card -- will  
11 give you a card to fill out with your name and affiliation.  
12 Please print your name legibly on the public comment sign-in  
13 sheet.

14 When a matter is open for public comment, your  
15 name will be called. Please come to the podium. Introduce  
16 yourself by stating your name and organization clearly.  
17 This is necessary for the court reporter to have a clear  
18 record of all who speak. When your three minutes are up  
19 I'll ask you to return to your seat so others can be heard.

20 When all the names have been called, I'll ask if  
21 there's anyone else who would like to speak on the matter  
22 before the Board. Also, the Board may ask questions of  
23 individuals who speak. If a speaker repeats himself or  
24 herself, I'll ask if the speaker has anything -- more  
25 comments to make. If there are none, the speaker will be

1 asked to let others make comments to the Board.

2 The first item on the agenda is the approval of  
3 the minutes from the November 29th, 2018 meeting.

4 And I think we can go ahead and move that at this  
5 point because we have enough of a quorum of those who were  
6 at that meeting. So are there any additions or changes to  
7 the minutes from that meeting, November 29th, 2018? Any  
8 amendments? Is there a motion to approve?

9 COMMISSIONER SOLIS: Move.

10 CHAIR WINNER: Commissioner Solis moves to  
11 approve.

12 Commissioner Maas seconds?

13 COMMISSIONER MAAS: Commissioner Maas does not  
14 second.

15 VICE CHAIR AUERBACH: Second.

16 CHAIR WINNER: Vice Chair Auerbach seconds.

17 Let me just see. Okay.

18 You were there. Can you go ahead and -- how do  
19 you vote?

20 COMMISSIONER RUANO: Yes.

21 CHAIR WINNER: Okay. Commissioner Ruano votes  
22 yes.

23 Vice Chair Auerbach?

24 VICE CHAIR AUERBACH: Yes.

25 CHAIR WINNER: Chairman was -- Chairman votes yes.

1 Commissioner Solis?

2 COMMISSIONER SOLIS: Yes.

3 CHAIR WINNER: Okay. The matter carries.

4 Going on to item number two, approval of the  
5 minutes of the March 28th, 2019 Board meeting.

6 Are there any corrections or additions? Is there  
7 a motion to approve?

8 COMMISSIONER MAAS: Move.

9 CHAIR WINNER: Commissioner Maas votes to approve.

10 COMMISSIONER ALFIERI: Second.

11 CHAIR WINNER: Seconded by Commissioner Alfieri.

12 How do you vote, Commissioner Alfieri?

13 COMMISSIONER ALFIERI: Yes.

14 COMMISSIONER MAAS: Yes.

15 CHAIR WINNER: Commissioner Maas?

16 COMMISSIONER MAAS: Yes.

17 CHAIR WINNER: Commissioner Solis?

18 COMMISSIONER SOLIS: Yes.

19 CHAIR WINNER: Chairman votes yes.

20 Vice Chair?

21 VICE CHAIR AUERBACH: Yes.

22 CHAIR WINNER: Commissioner Ruano?

23 COMMISSIONER RUANO: I'm going to abstain because  
24 I wasn't present.

25 CHAIR WINNER: Commissioner Ruano was not here so

1 she abstains.

2 The motion carries unanimously by those who were  
3 present.

4 Moving on then to item number three, the Executive  
5 Director's Report.

6 Rick?

7 EXECUTIVE DIRECTOR BAEDEKER: Thank you, Mr.  
8 Chairman.

9 I'd like to provide the Board an update on the  
10 Task Force investigations into the losses at Santa Anita. I  
11 can tell you that there are four CHRB investigators working  
12 full-time on the investigations. I believe all but one of  
13 the necropsies have been completed. CHRB has issued more  
14 than 70 subpoenas for documents. Cooperation has been very  
15 good from all responding parties but, as you can guess, this  
16 is a very detailed, very thoroughbred, very complicated  
17 process. Investigations take time. But I can assure the  
18 Board and all interested parties that it is -- remains the  
19 highest priority for CHRB, working in conjunction with the  
20 district attorney's office.

21 I'd also like to note that there will be an  
22 additional Medication Committee meeting on May 22nd, that's  
23 the Wednesday before the regularly-scheduled Board meeting  
24 in May.

25 And finally, I'd like to refer to something that

1 probably everybody saw over the last couple of days, and  
2 that was the announcement by most of the racetracks and  
3 entities in the country, announcing a joint effort to move  
4 forward on the issue of Lasix, the administration of Lasix.

5 Churchill Downs, the New York tracks, The Stronach  
6 Group with its tracks in California, Maryland, Florida,  
7 Keeneland, Del Mar, Lone Star Park in Texas, as well  
8 Remington there, Los Alamitos Thoroughbreds, Oaklawn Park,  
9 Tampa Bay, joined by the Breeders' Cup, TOBA, Thoroughbred  
10 Owners and Beeders Association, as well as the Kentucky  
11 Thoroughbred Association, working together and, pleased to  
12 say, bringing in interested parties, such as the CHRB,  
13 working with Chairman Winner on the details of the program.

14 And I believe it's the first time in maybe more  
15 than 20 years that -- maybe since the foundation and  
16 formation of the NTRA, National Thoroughbred Racing  
17 Association, that owners, breeders, racetracks across the  
18 country have joined together to move forward. And I think  
19 everybody probably characterizes this announcement as a very  
20 significant and important first step in continuing to work  
21 together, so that's good news. We can use the good news.

22 And that's my report, Mr. Chairman.

23 CHAIR WINNER: Thank you very much, Mr. Baedeker.

24 And I, too, would like, to congratulate everyone  
25 who was involved in this joint agreement because it is, as

1 Rick said, very, in my view, very, very good for horse  
2 racing that the industry is coming together and working  
3 together for the betterment of the horses and the industry  
4 as a whole.

5 I should come that the agreement between The  
6 Stronach Group and TOC that was voted on at our last meeting  
7 with respect to the use of Lasix in California during the  
8 current meets at both Golden Gate and Santa Anita are not  
9 affected by this agreement, that our rules, which going a  
10 little further with respect to same-day medication and the  
11 reduction and the use of Lasix to five CCs, that continues.

12 All right, we're going on to public comment period  
13 and I have a number of cards here of people who want to  
14 speak during the public comment period, so I'm going to  
15 strictly enforce, as I said earlier, the three-minute time  
16 limit rule. And we'll just go right through them as I was  
17 handed them.

18 We'll start with Larry Lucero. And I don't know  
19 if I pronounced that correctly but I hope I did.

20 Is Mr. Lucero here?

21 MR. LUCERO: Yes.

22 CHAIR WINNER: Ms. Lucero. I apologize. And I  
23 didn't --

24 VICE CHAIR AUERBACH: It's Mister.

25 EXECUTIVE DIRECTOR BAEDEKER: Mister.

1 CHAIR WINNER: Oh, Mister? Where? Where? Where?

2 EXECUTIVE DIRECTOR BAEDEKER: Right here.

3 VICE CHAIR AUERBACH: Right here.

4 VICE CHAIR AUERBACH: It's the long hair. I'm  
5 jealous of his hair.

6 (Mr. Lucero hands out printed materials to the Board  
7 Members.)

8 CHAIR WINNER: Mr. Lucero, did I pronounce your  
9 name correctly?

10 MR. LUCERO: Yes.

11 CHAIR WINNER: And would you -- if you go to the  
12 podium, please identify -- the card does not identify the  
13 organization that you're representing, if any. Go to the  
14 podium over there, if you don't mind?

15 MR. LUCERO: Good morning.

16 CHAIR WINNER: Good morning.

17 MR. LUCERO: I'd like to thank the panel for  
18 taking the --

19 CHAIR WINNER: You want to -- you should introduce  
20 yourself --

21 MR. LUCERO: Oh, I'm sorry.

22 CHAIR WINNER: -- for the Court Reporter please.

23 MR. LUCERO: Larry Lucero, just representing  
24 myself.

25 CHAIR WINNER: Thank you. Go ahead.

1 MR. LUCERO: I'd like to thank the panel and  
2 everyone here today who took time from their busy schedule  
3 to address the current situation here at Santa Anita Park.

4 Although not new to the horse racing industry,  
5 this is new for Santa Anita. The safety and betterment of  
6 these beloved horses/athletes are paramount.

7 Mr. Bob Baffert, a man of few words yet  
8 meaningful, stated it quite simply, "They're not our  
9 livelihood, they're a way of life, they're our way of life."

10 Another unique component in this situation is it's  
11 not an us versus them. I believe all parties involved, much  
12 like that of a parent to a child, a parent should always put  
13 the need of the child first.

14 I'd like to ask the panel, if I may, if anybody  
15 currently owns a horse, just by a show of hands?

16 CHAIR WINNER: You're asking us?

17 MR. LUCERO: Yes, please.

18 CHAIR WINNER: Yeah.

19 MR. LUCERO: Just the two? Three?

20 If you don't currently, have you ever in that past  
21 owned a horse?

22 CHAIR WINNER: Well, let me just tell you, Mr.  
23 Lucero that --

24 MR. LUCERO: Yes, sir.

25 CHAIR WINNER: -- it's our job to ask the

1 questions.

2 MR. LUCERO: Oh, I'm sorry.

3 CHAIR WINNER: That's okay.

4 MR. LUCERO: I'll just skip this part then. Thank  
5 you so much.

6 California, as a state, has always been a leader  
7 for the great country of ours, from ideas, concepts,  
8 innovation, technology, and so many other areas. This is an  
9 excellent opportunity to show others in the industry that we  
10 can and will improve on this matter at hand. And I see it's  
11 already spreading through the nation.

12 No matter how good a system is, there's always  
13 room for improvement. Please don't allow yourself to become  
14 stagnant or accept the status quo. Always look to improve.

15 Horse racing is a very complex and intricate  
16 sport, especially here in California. There are too many  
17 facets to mention, owners, trainers, horse breeders,  
18 veterinarians, grooms, jockeys, the list goes on, ticket  
19 takers, everybody, and I know little to nothing of the daily  
20 operations. It is important to make decisions regarding  
21 this matter are made with intense research, well-informed,  
22 non-biased, and true to one self's knowledge, ask questions,  
23 investigate. I see that's happening. It's great. I'm glad  
24 to see that, you know, getting involved and we want to know.  
25 It should be transparent.

1 I think with sincere intentions, we can make this  
2 sport to be the greatest. These athletes are beyond  
3 amazing. True love is held by most, if not all, involved in  
4 the sport. They are truly poetry in motion and we need to  
5 give them the respect that they deserve.

6 I've only been exposed to this sport for 40 years.  
7 When my mom first brought me to the Santa Anita Handicap,  
8 March 3rd, 1978. She brought me. She said, "Watch this  
9 horse Vigors, you won't believe it."

10 I encourage you all, it's on YouTube, an amazing  
11 horse with a lot of heart.

12 CHAIR WINNER: Thank you.

13 MR. LUCERO: And I appreciate your time.

14 CHAIR WINNER: Thank you very much and we agree  
15 with you.

16 MR. LUCERO: Thank you, Mr. Winner.

17 CHAIR WINNER: Thank you very, very much.

18 I'm going right along then. Andrew Lesser, M.D.

19 DR. LESSER: Good morning, Members of the Board.  
20 Andrew Lesser. I am a physician. I'm speaking as an  
21 individual today. I drove in from Redondo Beach to be here  
22 because I felt it was important.

23 Originally, I'm from New York. My father was the  
24 president of the Standardbred Owners Association in New  
25 York, Yonkers Raceway, Roosevelt Raceway. I brought with me

1 a photo. This is from November 1959 and this is harness  
2 racing, of course, but you know, the animals are the same,  
3 just the equipment is different. The little guy in the  
4 sulky is me at just under age seven. And although I grew up  
5 in New York and we had horses there, we did race at  
6 Hollywood Park for night racing.

7           It should be noted that there is no more Hollywood  
8 Park for racing. And where I spent most of my time at the  
9 track was Roosevelt Raceway on Long Island, and it also has  
10 gone. So, you know, I don't know if that portends what's --  
11 pardon me -- what will happen with the industry as a whole.

12           But, you know, a someone that grew up around  
13 racetracks, I had no idea that, on average, two  
14 thoroughbred, not Standardbred but, actually, just  
15 thoroughbred horses, an average of two a day have been  
16 sustaining severe enough injuries in the United States to  
17 require euthanasia. And it's only when we had this sharp  
18 increase at Santa Anita, a number of injuries and  
19 euthanizations, stepped outside of the bell curve that I  
20 became aware of this.

21           So, you know, I think inherently horse racing is  
22 dangerous. And I do appreciate all the efforts of the Board  
23 to make it safer, eliminating the use of Lasix. I know  
24 probably phenylbutazone may still be used. I remember when  
25 that was approved for human use and I took it myself for a

1 blood clot in a vein and it was extremely strong, extremely  
2 effective. I guess it has some side effects because it's no  
3 longer approved for human use, but it's still is used in  
4 horses, so it's pretty darn strong.

5           So while appreciate all the efforts that are being  
6 made to make horse racing safer, I'd like to point out that  
7 an analogy is greyhound racing in Florida. I do anticipate  
8 that there will be a ballot measure in California asking the  
9 public whether or not they'd like to ban horse racing. And  
10 I would urge Santa Anita Park right now to start thinking  
11 about transitioning into just a casino to fulfill the needs  
12 of gamblers.

13           And that's it. Thank you very much for your time.

14           (Applause.)

15           CHAIR WINNER: Thank you, doctor. Fortunately, we  
16 also have Standardbred racing in California at Cal Expo in  
17 Sacramento.

18           Rick, did you want to comment on the phenbuterol?

19           EXECUTIVE DIRECTOR BAEDEKER: Yeah, on the --

20           CHAIR WINNER: Could you?

21           EXECUTIVE DIRECTOR BAEDEKER: -- on the  
22 phenylbutazone. I think most people know at the last  
23 meeting the Board suspended the authorized thresholds for  
24 all of the anti-inflammatory medications, as well as the  
25 corticosteroids. So there is no permission for any of those

1 substances to be found in a post-race test. And I think it  
2 should be pointed out that California is the only state that  
3 has gone that far. There's an agenda item today to extend  
4 the action that the Board took last month.

5           The other thing, you know, it's difficult to say  
6 this in the context of everything that has happened but it  
7 is the truth, the industry working together and the Equine  
8 Medical Director of the Horse Racing Board working with the  
9 official vets and the private veterinarians prior to this  
10 crisis had achieved a 60 percent reduction in fatalities in  
11 California, the lowest since we started keeping, at  
12 headquarters, started keeping very detailed records since  
13 2007. We were making tremendous progress for all the right  
14 reasons that I think, and I'm sure everybody in the room  
15 shares.

16           Unfortunately, we found ourselves now in this  
17 situation that we have to deal with. I don't vote but I can  
18 recognize the votes that the Board has taken and their bold  
19 moves, the same thing can be said of The Stronach Group, in  
20 response to what's happening.

21           So I hope everybody understands, there's no  
22 complacency whatsoever, I don't think, on the part of any  
23 industry member here in the room to continue doing  
24 everything that can be done to reduce those losses, to get  
25 them to, one day, to get them just as low as they possibly

1 can be.

2 CHAIR WINNER: Thanks, Rick.

3 And let me just add to that, that, as Rick said,  
4 we were pleased that the number of catastrophics had gone  
5 down since 2007, we hit a new low and, as Rick said, a 60  
6 percent reduction.

7 One loss is too many. We all know that. The  
8 objective is to somehow get, as Rick said, as low as we  
9 possibly can. And this spate of injuries, catastrophic  
10 injuries, that we are all dealing with and I think we're all  
11 working hard to find ways to improve even more than we had  
12 up to this point, has brought a light, both positive and  
13 negative, positive in the sense that it is causing the  
14 industry, as we said earlier, to make -- to take bold action  
15 and to move forward jointly with new restrictions and  
16 changes to racing that, hopefully, will continue to reduce  
17 over time the number of injuries, both catastrophic and non-  
18 catastrophic.

19 John Valenzuela? John, where are you? There you  
20 are.

21 MR. VALENZUELA: Good morning, CHRB Chairs and  
22 Commissioners. My name is John Valenzuela and I am the  
23 President of the Pari-Mutuel Employees Guild of California,  
24 Local 280, SEIU.

25 In our last meeting, as we stated, all members of

1 the SEIU Local 280 supported the investigation relating to  
2 the issues at Santa Anita Racetrack. And like many horse  
3 racing fans in California, we are eager to see horse racing  
4 resume safely. We continually support the efforts to  
5 improve safety across the industry for both horses and  
6 jockeys.

7           We are still eager to see horse racing resume  
8 safely during this investigation but our main concern here,  
9 it has had a tragic impact against our livelihoods, all  
10 members, and other Union employees, as well as all  
11 employees, owners, trainers, vendors, entities, including  
12 the jockeys and all those involved in this industry. It has  
13 had a huge impact on our livelihoods.

14           Again, the continuing live racing will benefit the  
15 industry and the fans. Local 280 supports live racing.

16           (An Amber Alert sounds on many cell phones throughout  
17 the room.)

18           MR. VALENZUELA: Okay. Sorry about that.

19           Anyway, again, Local 280 supports live racing.  
20 And as we speak, we are at four -- we were at four days of  
21 racing and we support four days of racing and more, if  
22 possible, especially for the lost days that we've had.

23           Again, thank you again for your time.

24           CHAIR WINNER: Thank you, John.

25           And any questions or comments for John?

1           Obviously, we all recognize, John, as we go  
2 through this whole process the impact that all of this has  
3 on the people who work at the racetracks and places that  
4 support the racetracks, including the farms, and the impact  
5 that it has on the backstretch workers and the people behind  
6 the concessions stands and the people at the windows and  
7 parking lot attendants and tractor drivers and so forth.  
8 There's a human factor that we all have to take into  
9 consideration, along with the, obviously, the extremely  
10 important animal factor. So thank you for your comments.

11           Rene Rowland? Good morning again. I think I saw  
12 you coming up the stairs.

13           MS. ROWLAND: Thank you for showing me the way.

14           CHAIR WINNER: Thank you.

15           MS. ROWLAND: I thought that was you. I had never  
16 seen you before and I thought that I had run into you.

17           I'll set my timer right here so that I won't have  
18 to look over there.

19           I am Rene Rowland. I am Chair of Paw PAC, a  
20 Political Action Committee founded in 1981 for transparency  
21 in our legislature regarding humane issues. We also work  
22 for the election of candidates for the state legislative  
23 offices who have scored highly on our assessments. I will  
24 read the letter that I emailed to the Board last week. And  
25 I also sent this to Governor Newsom and Lieutenant Governor

1 Kounalakis.

2           Mr. Baedeker, Mr. Winner, and esteemed  
3 Commissioners of the Board, we urge you to permanently close  
4 the Santa Anita Park and end the devastation and grief that  
5 Californians can no longer withstand. About 120,000  
6 individuals have signed petitions to this effect on some of  
7 the online petitions.

8           My colleagues will speak about the many ethical  
9 issues with horse racing, whipping, and the drugging, young  
10 horses being raced before their bones and muscles have  
11 reached maturity, injuries and deaths at the racetracks by  
12 the thousands each year at all of the tracks. Horses are  
13 slaughtered when they are no longer of value to the  
14 industry, all for human vanity, vices and addictions, and at  
15 the cost of the lives of these horses which have no choice  
16 in this business.

17           Yet people have and do make choices. Dr. Martin  
18 Luther King, Jr. is noted for saying, "The arc of the moral  
19 universe is long but it bends towards justice."

20           Three hundred years ago it was acceptable to some  
21 falsely-privileged tan-colored people to use darker-skinned  
22 others as slaves, but no longer.

23           The moral arc is bending and it bends, as well,  
24 for animal justice. There will come a time when keeping  
25 animals as slaves is no longer acceptable. Forty-five

1 states have outlawed greyhound racing for similar  
2 exploitations, as we mentioned here regarding horse racing.

3 Our senators and committee have just voted  
4 unanimously to end the abuse of animals in circuses in the  
5 state with overwhelming public support.

6 I am aware of SB 469. If any of the legislators  
7 are here, I don't know if they are, please look for Paw  
8 PAC's suggested amendments. We believe that just  
9 recommending that we authorize the Board and that they --  
10 that you may make emergency measures is not strong enough to  
11 really protect the animals.

12 The issue of animal justice is one in the same  
13 with all of the justice issues now facing us of gender,  
14 race, class, immigration and gun control, of environment and  
15 climate change, and even of international conflict.  
16 California, the progressive leader, is bending that arc on  
17 all these fronts. It's time to align our ethics and values  
18 for the just treatment of horses with liberty and justice  
19 for all. For all living beings, we stand as advocates,  
20 alongside a public whose conscience is awakening as we  
21 journey along the arc of our moral universe.

22 Thank you.

23 CHAIR WINNER: Thank you very much. Thank you for  
24 your comments.

25 (Applause.)

1 VICE CHAIR AUERBACH: Rene?

2 CHAIR WINNER: Hold on. We have --

3 VICE CHAIR AUERBACH: Rene --

4 CHAIR WINNER: Ma'am, can you --

5 VICE CHAIR AUERBACH: Can you come back please?

6 I'm sure that when you talk about moral justice, you are --

7 want to be very careful with the things that you state as

8 truths; am I correct?

9 MS. ROWLAND: Well --

10 VICE CHAIR AUERBACH: I mean, everything that  
11 you've said you believe are truths, so I want to discuss a  
12 couple of your truths with you.

13 MS. ROWLAND: Absolutely.

14 VICE CHAIR AUERBACH: Okay. Horses are used up  
15 and go to slaughter; that's not a truth.

16 You know, you speak about something as if you  
17 really know it. And I think that you might want to educate  
18 yourself a little better.

19 In the state of California, we have a very  
20 wonderful organization and many organizations that take  
21 these horses when they're through racing and bring them to  
22 the retirement world. A lot of them lead lives kind of  
23 enviable for most of us to look at.

24 Our horses do not go to slaughter. We have rules  
25 and regulations against that and anybody caught sending an

1 of our horses to slaughter are banned and out of the sport.

2 So when you espouse that these horses go to  
3 slaughter, you are not espousing the truth and I'm sure  
4 that's not what you want. You have many other points that  
5 you make and you make them well from your point of view.  
6 But I would encourage you to remove that because it's not  
7 factual.

8 (Applause.)

9 MS. ROWLAND: Are you speaking about the kill pen  
10 rescues, the kill pen rescues that --

11 VICE CHAIR AUERBACH: No, ma'am. No, ma'am, I am  
12 not. I am not. I submit to you that you need to do some  
13 more investigation as to what happens with our horses when  
14 their careers are over.

15 What you don't seem to acknowledge or appreciate  
16 is how much we love these animals and how much the people  
17 who work back there love these animals. And when we say,  
18 when a horse unfortunately doesn't make it, when we say  
19 we're heartbroken, we're not kidding. We don't stand up  
20 with platitudes. We don't have a broad, we're the greatest  
21 and don't need to improve because we're always trying to  
22 improve. We don't paint everybody with the same brush  
23 because it's not applicable. The horses that leave our  
24 tracks at Santa Anita and Del Mar and Los Al, we do more  
25 than a yeoman's job of making sure they have good lives.

1                   So please correct what you do. We'd appreciate  
2 it.

3                   (Applause.)

4                   MS. ROWLAND: The injuries and deaths speak for  
5 themselves.

6                   CHAIR WINNER: Ma'am? Rene, please.

7                   MS. ROWLAND: Yes?

8                   CHAIR WINNER: Commissioner Solis?

9                   COMMISSIONER SOLIS: I also encourage a lot of  
10 these people to watch a video on YouTube called  
11 Calracingcares.com and you will see how well these horses  
12 are treated and the love they get every day.

13                   For 37 years, I rode races. I put my hands -- I  
14 put my life in these horsemen's hands and never had a doubt  
15 that they were trying to hurt me or hurt the horses.

16                   MS. ROWLAND: Can you say the name of the YouTube  
17 again?

18                   EXECUTIVE DIRECTOR BAEDEKER: Calracing.com.

19                   MS. ROWLAND: Calracing.com?

20                   CHAIR WINNER: Calracing.com, yeah.

21                   MS. ROWLAND: Okay. I've been there.

22                   CHAIR WINNER: Let me just also say that, you  
23 know, everybody appreciates your view on this. And as one  
24 who's very involved in animal rights activities for almost  
25 all animals, I can tell you that I absolutely understand

1 your concerns. But I can also tell you that as somebody  
2 that's been involved in this sport for so long, it's hard to  
3 imagine the amount of time, effort and resources that go  
4 into caring for these animals, both while they're active  
5 but, as Vice Chair Auerbach said, when they're no longer  
6 active. Because when they're no longer active, of course,  
7 there's no economic value.

8           So the industry has worked so hard to find ways to  
9 find new vocations for these horses and to find aftercare  
10 facilities for these horses to make sure that they're  
11 treated humanely, properly, and with love and care for the  
12 rest of their lives.

13           And I know, as one who's involved in it, you just  
14 can't imagine how well and how much we love these animals  
15 and we care for these animals. That does mean that we can't  
16 do better. And it doesn't mean that one going down is not  
17 too many because it is, we know that. But we also know that  
18 these animals are extremely well cared for.

19           Go on the backstretch and spend time at any barn  
20 you'd like and talk to the people back there who work on  
21 their horses, who wrap their legs, who clean up after them,  
22 who bathe them, ask them what they think about the animals  
23 and how much they care. Ask anybody at this racetrack or  
24 any racetrack how much they love and care for the animals.  
25 If it were true in all other industries, how much people

1 care for the animals that they gain from, we're way ahead of  
2 them, way ahead of them in almost every instance.

3 So I recognize your concern, I sympathize with it,  
4 but I really disagree with your concern in this case.

5 MS. ROWLAND: I agree with Dr. Lesser's comment,  
6 too, about considering transitioning to just a regular  
7 casino. Because, from my viewpoint, if I --

8 CHAIR WINNER: First of all, that's illegal, so  
9 that isn't -- that's not going to happen.

10 MS. ROWLAND: If I love an animal, I will not  
11 exploit it for my own gain, so --

12 CHAIR WINNER: I understand.

13 MS. ROWLAND: -- that's where I'm coming from.

14 CHAIR WINNER: Thank you.

15 MS. ROWLAND: Thank you for your response.

16 CHAIR WINNER: Do you have a petition?

17 MS. ROWLAND: I do. I have some rescued animals.

18 CHAIR WINNER: So you're exploiting them for your  
19 own gain?

20 MS. ROWLAND: No, no. I rescued them from their --  
21 sorry. I take care of the community cats and I rescued a  
22 dog that was --

23 CHAIR WINNER: Well, so I do I.

24 MS. ROWLAND: -- going to be --

25 CHAIR WINNER: I have five rescue dogs.

1 MS. ROWLAND: -- killed. Yeah. So --

2 CHAIR WINNER: Okay, five rescue dogs, and we  
3 rescue them all the time, every day. I don't consider that  
4 exploiting them any more than I consider what we do here  
5 exploiting.

6 MS. ROWLAND: I don't hop on the dog and ride it,  
7 so --

8 CHAIR WINNER: Go ahead Commissioner Araceli.

9 COMMISSIONER RUANO: Quickly, just as a follow up,  
10 I mean, perhaps it would be helpful for the CHRB Staff to  
11 get you information about the rules regarding slaughtering.  
12 And then it would be probably helpful for you to understand  
13 a little bit more about what organizations, like CARMA, that  
14 help horses do here and expose yourself to that --

15 MS. ROWLAND: I'd more than --

16 COMMISSIONER RUANO: -- as part of the dialogue,  
17 you know, just as part of our education, mutual education.

18 MS. ROWLAND: Yes. I'll give you my card and,  
19 please, send me anything you want. Thank you. I'd be happy  
20 to be in correspondence with you.

21 Thank you.

22 CHAIR WINNER: Thank you.

23 Any other questions or comments?

24 Thank you very much.

25 Amanda Lundberg? Amanda, good morning.

1 MS. LUNDBERG: Hello.

2 CHAIR WINNER: Please introduce yourself and your  
3 organization, if any.

4 MS. LUNDBERG: Good morning. My name is Amanda  
5 Lundberg and I'm just here with myself.

6 Horses are killed here at Santa Anita. They're  
7 killed at Del Mar and all racetracks across the county.  
8 According to Horseracingwrongs.com, 500 horses have been  
9 killed here at Santa Anita in the past decade, 5,000 horses  
10 have been killed in all of California since 1988, and 2,000  
11 racehorses are killed yearly across the United States.

12 Horses used for raced too young and too hard.  
13 They whipped to run at unnatural breakneck speeds. They  
14 suffer painful injuries. They are a gambling pawn and that  
15 is all.

16 Horse deaths here at Santa Anita are nothing new.  
17 There is no spike in horse deaths. Santa Anita averages 50  
18 deaths every year. So, in fact, they seem to be right on  
19 schedule with previous racing seasons.

20 Death has always been and always will be a part of  
21 horse racing. That is why we are calling -- we are here  
22 calling for a complete ban on horse racing. We are not  
23 interested in reform or so-called welfare improvements. We  
24 want an end, an end to the suffering and an end to the  
25 killing of innocent horses.

1           The following numbers were obtained by Horseracing  
2 Wrongs through the Freedom of Information Act. 2007 to  
3 2008, 51 dead racehorses here at Santa Anita 2008 to 2009,  
4 41 dead racehorses here at Santa Anita. 2009 to 2010, 42  
5 dead racehorses here at Santa Anita. 2011 to 2012, 71 dead  
6 racehorses here at Santa Anita. 2012 to 2013, 43 dead  
7 racehorses here at Santa Anita. 2013 to 2014, 52 dead  
8 racehorses here at Santa Anita. 2014 to 2015, 46 dead  
9 racehorses here at Santa Anita. 2015 to 2016, 62 dead  
10 racehorses here at Santa Anita. 2016 to 2017, 64 dead  
11 racehorses here at Santa Anita. 2017 to 2018, 44 dead  
12 racehorses here at Santa Anita. From July 1st, 2007 to  
13 March 5th, 2019 there have been 584 horse deaths here at  
14 Santa Anita.

15           Horse racing kills horses, always has, always  
16 will. You can love horses, you can love horse racing, but  
17 you cannot love both.

18           (Applause.)

19           CHAIR WINNER: Thank you. Any questions?  
20 Comments?

21           Go ahead.

22           VICE CHAIR AUERBACH: A couple of questions --

23           CHAIR WINNER: All right.

24           VICE CHAIR AUERBACH: -- for this young lady.

25           You said you're just yourself but you're not

1 yourself. You represent some group.

2 MS. LUNDBERG: I'm reading from  
3 Horseracingwrongs.com.

4 VICE CHAIR AUERBACH: Okay. So you're --

5 MS. LUNDBERG: They requested Freedom of  
6 Information Act requests. They've got --

7 VICE CHAIR AUERBACH: No, I was --

8 MS. LUNDBERG: -- they have all the information,  
9 anybody can look them up, and these animals do go to  
10 slaughter.

11 VICE CHAIR AUERBACH: No, they don't. You are  
12 absolutely --

13 MS. LUNDBERG: Yes, they do.

14 VICE CHAIR AUERBACH: Okay.

15 MS. LUNDBERG: Thank you for your time.

16 VICE CHAIR AUERBACH: You know what, young lady?  
17 Young lady, we allowed you to speak. Now, would you please  
18 respond, if you would? I want you to give me the proof.

19 MS. LUNDBERG: Horseracingwrongs.com, Freedom of  
20 Information Act request.

21 VICE CHAIR AUERBACH: That's not -- look, I can  
22 put any --

23 MS. LUNDBERG: They're a Freedom of Information  
24 Act request.

25 VICE CHAIR AUERBACH: You know --

1 MS. LUNDBERG: That is factual.

2 VICE CHAIR AUERBACH: -- young lady, you are very  
3 passionate and I admire passion, and I admire people who  
4 believe in their -- in what they're saying. And no one is  
5 denying certain facts. They're very happy and uncomfortable  
6 for all of us.

7 You want to make this a zero-end game and we  
8 understand it. You got up and you quoted a lot of  
9 statistics. I don't hear anybody getting up and --

10 MS. LUNDBERG: No, they were factual numbers.  
11 These were not just statistics.

12 VICE CHAIR AUERBACH: They're statistics. Numbers  
13 are statistics.

14 MS. LUNDBERG: Yeah.

15 VICE CHAIR AUERBACH: Okay. What we would like  
16 you to do is understand that you work in a context of an  
17 entire community. So when you get up and you say these  
18 things, you are going to be challenged, and we would like  
19 you to be clear, to understand. You are entitled to say  
20 whatever you wish; that's why we have a public comment  
21 period, to allow you the opportunity. However, we are not  
22 going to allow you to stand up here and not challenge you  
23 when you say that our horses go to slaughter because they do  
24 not.

25 MS. LUNDBERG: They do.

1 VICE CHAIR AUERBACH: They do not.

2 MS. LUNDBERG: They do.

3 VICE CHAIR AUERBACH: Okay.

4 MS. LUNDBERG: If you love horses, don't ride  
5 them, don't race them --

6 VICE CHAIR AUERBACH: Let me tell you --

7 MS. LUNDBERG: -- don't kill them, don't abuse  
8 them, don't whip them --

9 VICE CHAIR AUERBACH: Don't ride them?

10 MS. LUNDBERG: -- don't hurt them.

11 VICE CHAIR AUERBACH: Okay. Thank you.

12 CHAIR WINNER: We'll just leave them out in the  
13 wild.

14 VICE CHAIR AUERBACH: We'll just leave them out in  
15 the wild so they can get killed by poachers.

16 MS. LUNDBERG: (Off mike.) Actually, that's  
17 another --

18 CHAIR WINNER: Okay. That's enough. You've had  
19 your three --

20 VICE CHAIR AUERBACH: Thank you.

21 MS. LUNDBERG: -- that's another issue.

22 CHAIR WINNER: -- you've had your three minutes.

23 MS. LUNDBERG: The ones that are in the wild are  
24 actually being rounded up --

25 CHAIR WINNER: Ma'am --

1 MS. LUNDBERG: -- so that they can make room for  
2 animals that are going to be eaten.

3 VICE CHAIR AUERBACH: Oh, my goodness. Okay.

4 CHAIR WINNER: Okay. Thank you. Thank you for  
5 your comments.

6 April Montgomery, did I say that right, I hope?

7 MS. MONTGOMERY: Good morning.

8 CHAIR WINNER: Good morning.

9 MS. MONTGOMERY: My name is April Montgomery. I'm  
10 a private citizen, an animal rights activist, and I'm also  
11 an attorney. I'm going to cut straight to the chase.

12 I am one of many here today who represent the  
13 voices of thousands of people in California and the United  
14 States that want horse racing to end permanently. In the  
15 wake of 23 dead horses, and my horses are telling me there's  
16 other sources that it could be up to 28, in the wake of 23  
17 dead horses at Santa Anita's racetrack since Christmas, I am  
18 not here to negotiate, compromise, ask for reform or  
19 anything, for that matter, because I don't have that kind of  
20 power. I'm a private citizen. But I'd be lying if I told  
21 you today that I'm here to just voice my concerns. Those  
22 days are long gone.

23 It is indefensible that any animal must sacrifice  
24 their blood, bones, limbs and life to put money in your  
25 pocket and your egos. You don't have to be an animal rights

1 activist to know that horse racing is dead wrong. This  
2 track averages 50 dead horses over 10 years. Through FOIA  
3 requests, Horseracing Wrongs, it's all over the internet,  
4 and you still say you love your horses, but let's move on.

5           Snapped legs, ruptured ligaments, cardiac  
6 collapse, pulmonary hemorrhage, bleeding from the nostrils,  
7 lip tattoos, nose chains, metal mouth bits, leather whips,  
8 confinement, isolation, bleed out, vanned off, euthanized  
9 and, yes, butchered and slaughtered. And, of course,  
10 there's drugs, drugs, and more drugs, even methamphetamine  
11 and amphetamines.

12           Mr. Solis, you know about that, two-and-a-half  
13 years ago when you were involved in an altercation with your  
14 own trainer here at this track and he committed a  
15 misdemeanor battery against you because there was tension in  
16 the room. And he was suspended for 30 days because  
17 methamphetamine was in one of his horses.

18           I was once a short-lived patron at this death  
19 track. But in June 2015, when a four-year-old filly named  
20 Hugh Knew snapped her sesamoid bones during a race, broke  
21 down, euthanized that day. People told me, she just took a  
22 bad step. It was Hugh Knew's death and my guilt and shame  
23 that opened my eyes to what really goes on behind the scenes  
24 before the race, during the race, after the race. I've  
25 never been to another race since that day, never bet, never

1 attended one.

2 But none of this really matters, does it? Because  
3 the owners, trainers, jockeys, vets, you, and the people of  
4 this industry know what really goes on here, what the death  
5 statistics are, and what business they're in and who and  
6 what is really lining your pockets. What matters now and  
7 why I'm here today is to stop you from killing 28, 23, 25,  
8 5, 4, 3, it doesn't matter, horses since Christmas at this  
9 track.

10 What's happening at Santa Anita is no anomaly. In  
11 fact, it's business as usual. Doping and death have always  
12 been a part of this blood activity. It's not a sport, this  
13 is a win-at-all-costs game. These innocent souls are  
14 sacrificed to casino profits, allowance races, graded and  
15 graded stakes' race. And they fail they're relegated to  
16 claiming races and the slaughterhouse. It's estimated that  
17 20 percent of slaughtered horses in North America are  
18 thoroughbreds, some picked up by the meat men at tracks and  
19 sold by unscrupulous trainers and owners after a bad race  
20 without the hope of finding a home -- and I'm almost done --  
21 disposed of as garbage, just throwaway items.

22 The doping continues. The trainers and  
23 veterinarians are one step ahead of you of the next newest  
24 drug testing. The records available about trainer  
25 infractions are incomplete or serious penalties are hidden

1 from the public. Stats only reports death if a horse dies  
2 during a race. And horses, despite what their industry  
3 claims, continue to die in record numbers, all hidden from  
4 this public's view. All of this is a coverup, blatant lies  
5 to attempt to convince everyone that the industry is above  
6 board.

7 And I'll end with this: Horse racing is cruel,  
8 it's predatory business, and you bet they do die, you bet,  
9 we're going to end horse racing.

10 And my plea to you today, if anything, is to put  
11 it on the ballot. Let the people of California vote on this  
12 and see if they want horse racing in this state of  
13 California.

14 Thank you.

15 CHAIR WINNER: Thank you. Ms. Montgomery, when  
16 you decided to come here today, did you do that on your own  
17 or are you a member of an organization or somehow --

18 MS. MONTGOMERY: I'll be honest. I'll be honest  
19 with you, sir --

20 CHAIR WINNER: Please do be honest.

21 MS. MONTGOMERY: -- I will absolutely be honest  
22 with you, I have affiliated myself with Horseracing Wrongs.

23 CHAIR WINNER: Okay.

24 MS. MONTGOMERY: But part of that, I was a patron  
25 at this track.

1 CHAIR WINNER: Yeah, I understand.

2 MS. MONTGOMERY: Yeah.

3 CHAIR WINNER: I just wanted to know --

4 MS. MONTGOMERY: I was a private citizen.

5 CHAIR WINNER: -- because everybody says they're  
6 here as an individual but --

7 MS. MONTGOMERY: Sure. Because I'm not -- I'm --

8 CHAIR WINNER: -- somebody brought you here.  
9 Somebody encouraged you to come here.

10 MS. MONTGOMERY: Well, nobody brought me here.

11 CHAIR WINNER: Somebody encouraged these people to  
12 come here.

13 MS. MONTGOMERY: Well, no. No, sir. I'm here on  
14 my own volition. There isn't --

15 CHAIR WINNER: Okay.

16 MS. MONTGOMERY: -- I'm not paid. I'm not even a  
17 part of Horseracing Wrongs. I use their literature and  
18 their statistics --

19 CHAIR WINNER: Okay.

20 MS. MONTGOMERY: -- but absolutely not. I stand  
21 on my own two feet.

22 CHAIR WINNER: Thank you.

23 MS. MONTGOMERY: I've seen it all.

24 CHAIR WINNER: Thank you.

25 MS. MONTGOMERY: Thank you, sir.

1 CHAIR WINNER: Just to clarify a couple of things.  
2 One is I don't know too many horse owners who make  
3 money. I think most of us lose money. As a matter of fact,  
4 I don't know anyone in horse racing that owns horses that  
5 make money.

6 MS. MONTGOMERY: You don't? This is not a \$40  
7 billion industry, sir?

8 CHAIR WINNER: We do not make money. It costs us  
9 money --

10 MS. MONTGOMERY: You do.

11 CHAIR WINNER: -- to own horses. Those of us on  
12 the Board who attend all these meetings, we get \$100. We  
13 spend hours and hours and hours a week --

14 MS. MONTGOMERY: Well, then --

15 CHAIR WINNER: -- working at it.

16 MS. MONTGOMERY: -- that's really pathetic then.

17 CHAIR WINNER: If that's --

18 MS. MONTGOMERY: That's pathetic --

19 CHAIR WINNER: Yeah.

20 MS. MONTGOMERY: -- even worse, that you don't  
21 make any money --

22 CHAIR WINNER: No.

23 MS. MONTGOMERY: -- and you're killing these  
24 horses. I mean, don't know what to say.

25 CHAIR WINNER: Well, we are not killing these

1 horses.

2 MS. MONTGOMERY: Okay.

3 CHAIR WINNER: We're saving these horses.

4 MS. MONTGOMERY: Well, they're dying here, sir.

5 CHAIR WINNER: Yes.

6 MS. MONTGOMERY: They're dying here. That's why  
7 we're here.

8 CHAIR WINNER: Thank you.

9 VICE CHAIR AUERBACH: So are children. Why don't  
10 you get on a crusade about all the children going back and  
11 forth to school who don't come every day.

12 MS. MONTGOMERY: Ma'am, that's a rabbit trail and  
13 I won't go down that -- I won't go down that path.

14 VICE CHAIR AUERBACH: Well, this is a rabbit  
15 trail, too, and --

16 MS. MONTGOMERY: No, it's not. We're here because  
17 there's -- are there dead horses here, ma'am?

18 VICE CHAIR AUERBACH: But you're here but  
19 you're --

20 MS. MONTGOMERY: Are there dead horses dying on  
21 this track, yes or no?

22 VICE CHAIR AUERBACH: Are there children dying  
23 around the city --

24 MS. MONTGOMERY: Ma'am --

25 VICE CHAIR AUERBACH: -- around the city every

1 day?

2 MS. MONTGOMERY: -- we're at the Santa Anita  
3 Racetrack.

4 CHAIR WINNER: Okay. Enough. Okay.

5 MS. MONTGOMERY: It's not Santa Anita children's  
6 track.

7 CHAIR WINNER: Thank you. Thank you. We  
8 appreciate your comments.

9 MS. MONTGOMERY: Thank you, sir.

10 CHAIR WINNER: Thank you very much and thank you  
11 for coming here.

12 VICE CHAIR AUERBACH: We just wish they were  
13 factual.

14 CHAIR WINNER: Edward Barrera? Edward Barrera?  
15 Good morning.

16 MR. BARRERA: Wow. Good morning, Mr. Chairman,  
17 Commissioners. My name is Edward Barrera. I am here on  
18 behalf of Senator Susan Rubio, who, unfortunately, could not  
19 be here today.

20 As you may know, the California Senate is now  
21 considering legislation to deal with the horse -- to begin  
22 with the horse and jockey safety. That's why Senator Rubio  
23 joined as principal co-author of Senate Bill 469, introduced  
24 by Senate Dodd -- By Senator Dodd, because she believes that  
25 their safety is a top priority.

1           But she also asks that we be deliberative in our  
2 process as we look for solutions to these tragedies.

3           We need to first take into account that we still  
4 don't know what's causing the deaths.

5           We also need to look at the bigger picture as this  
6 may not be specific to Santa Anita. A narrow focus on a  
7 track may not fix the problems of horses dying and, worse,  
8 it may distract our attention away from continuing our work  
9 to identifying the real culprit.

10           The Senator wants to review all evidence,  
11 including what will be presented at a Senate Informational  
12 Hearing that has been scheduled, before she draws any  
13 conclusions.

14           As we move forward with this legislation, Senator  
15 Rubio asks this Board and her colleagues to join her in  
16 having a full and open dialogue with stakeholders to ensure  
17 that we don't cause unintended consequences, and that  
18 includes such as unnecessarily impacting the livelihoods of  
19 thousands of workers and their families throughout the San  
20 Gabriel Valley.

21           Thank you.

22           CHAIR WINNER: Thank you. Thank you very much,  
23 Mr. Barrera. And, also, thank you Senator Rubio for co-  
24 sponsoring the legislation. I think Senator Dodd and  
25 Assemblyman Gray have legislation that does exactly what you

1 just said which I think, in the long run, certainly will  
2 benefit racing and give a little more authority to this  
3 Board to take some actions in case of extreme situations.

4 So we thank you for that and we thank you for the  
5 hearing that you're holding because we think it's in the  
6 best interest of people, as well as the horses.

7 MR. BARRERA: I'll give that information to the  
8 Senator.

9 CHAIR WINNER: Thank you very, very much.  
10 Howard Steniger. Thank you.

11 MR. STENIGER: Can you hear me okay?

12 CHAIR WINNER: Yes.

13 MR. STENIGER: Good. My name is Howard Steniger.  
14 I'm a pari-mutuel. I work at Santa Anita. I've been in the  
15 racing industry for more than 30 years. I'm also a  
16 Scientologist, an applied religious philosophy.

17 There's a tenant that might be helpful and useful  
18 to understanding our situation here today. What life is  
19 trying to do is survive. This is dynamic principle of  
20 existence. It's only motivated by survival. It breaks down  
21 into eight sections or segments; we call them dynamics.

22 First, the individual is trying to survive. This  
23 is the identity, the person himself. Life is trying to  
24 survive as a family. This includes the sexual act and the  
25 care and rearing of children. The third dynamic is survival

1 of a group, both temporary and permanent. The fourth  
2 dynamic is survival of humanity, all members of the human  
3 species. The fifth dynamic, all life forms, all plants, all  
4 animals, this would include horses. Also, life is trying to  
5 survive as the sixth dynamic, the physical universe. Life  
6 is trying to survive as a spirit, a soul, a spiritual being.

7 This is the life-source energy that animates all things.  
8 And then there's the eighth dynamic, come call it God,  
9 infinity, supreme being.

10 Visualize a stone being thrown into a pond and you  
11 have these ripples flowing out; those are the dynamics.

12 Horses and man are not enemies. We have a  
13 symbiotic relationship. We thrive and live well together.  
14 In the olden days, horses were the primary, probably almost  
15 the only source of land locomotion. Today, we have  
16 automobiles and trucks. If horses were turned back into the  
17 wild, they would die; they don't have the survival  
18 instincts.

19 I was handed a note that there are 20,000 horses  
20 born every year in this country. And without horse racing,  
21 horses would be obsolete. Horse racing is actually helping  
22 horses survive as a species. It's not a dichotomy. We are  
23 not against each other. We all survive and live well  
24 together

25 So horses and man are friends. We love horses. I

1 haven't met a single person that wishes them ill. So that's  
2 all I have to say. Any questions?

3 CHAIR WINNER: Thank you very much.

4 Any questions? Comments?

5 Thank you very much, sir.

6 MR. STENIGER: Thank you for your time.

7 CHAIR WINNER: Debbie Barklay? Debbie Barklay?

8 MS. BARKLAY: Good morning. My name is Debbie  
9 Barklay. I'm fairly new to the -- I've been in horse -- or  
10 the racing -- or the horse industry for many years, new to  
11 the racing aspect of it, breeding horses here recently. I  
12 brought some nice stallions and nice mares in from Kentucky.  
13 And accidents happen all the time.

14 We have the situation where the young lady here  
15 from Auburn unfortunately was involved with a gymnastics  
16 routine here and she broke both legs when she was involved  
17 with that particular sport here just last week, very tragic.

18 She moved on. She's going to become an aerospace engineer  
19 at Boeing.

20 My friend, who was also in gymnastics when I was  
21 in college, unfortunately had an accident and broke his  
22 back. He moved on and became a physical therapist.

23 Injuries and accidents are going to happen in any  
24 event. So we need to realize that that's a part of this  
25 sport that we dearly love. And these horses that were bred

1 to be the most spectacular runners that the world has ever  
2 seen, we need to appreciate them, love them, continue to  
3 support the breeders that are breeding them, take care of  
4 them as best we can, as well as the jockeys and all of the  
5 people that are supporting this industry from afar or,  
6 actually, on a day-to-day basis.

7           So while I appreciate the passion of many of the  
8 people that are up here that are calling for the end of  
9 horse racing, if we're going to be calling for the end of  
10 horse racing then we need to look at calling for the end of  
11 gymnastics, football, basketball, baseball, all of those.

12           So let's take a good hard look at it. We love  
13 this sport. Many people love this sport. And so we need to  
14 recognize that and realize what we're doing, we're impacting  
15 the lives of many people, thousands and thousands and  
16 thousands of people who have dedicated their lives, their  
17 hearts, blood, sweat and tears to developing the most  
18 beautiful and the most magnificent horses this county has  
19 ever seen, so let's not lose sight of that fact.

20           Your passion is well spent in other areas, as  
21 Madeline indicated. There are children that are suffering  
22 that would dearly love to see your passion used in that  
23 regard to support them.

24           Thank you.

25           CHAIR WINNER: Thank you. Thank you very much.

1 Any questions?

2 Thank you.

3 Damascus Castellanos, Teamsters Union.

4 MR. CASTELLANOS: Good morning, Chairman,  
5 Commissioners.

6 CHAIR WINNER: Good morning.

7 MR. CASTELLANOS: My name is Damascus Castellanos.  
8 I'm a representative for Teamsters Local 495. We represent  
9 more than 300 members here at the racing -- racetracks from  
10 Northern California all the way down to Southern California.  
11 We understand the tragic events that have happened but we  
12 are in full support of the movement that Santa Anita has  
13 made, along with the other associations.

14 We encourage -- I know this is singing to the  
15 choir -- but we encourage everybody on the Commission to  
16 take a look at it and hopefully realize that we need to keep  
17 the racing here. We also need to continue racing. We  
18 understand the tragic events that have happened again, and  
19 we know that movement has been made to correct that, and we  
20 are in full support of that. But we are here again to look  
21 at, just in this industry in California, 70,000-plus people  
22 that can possibly lose their work all over from Northern  
23 California to Southern California. It just needs -- we need  
24 to keep that in mind. For the politicians or their  
25 representatives that are not here, they need to keep in mind

1 that we are thoroughbred racing, we are Teamsters, and we do  
2 vote.

3 Thank you very much.

4 CHAIR WINNER: Thank you.

5 Any questions or comments?

6 Thank you.

7 MR. CASTELLANOS: Thank you.

8 CHAIR WINNER: Elvia Sedano. Elvia Sedano.

9 MS. SEDANO: Good morning everyone.

10 CHAIR WINNER: Good morning. Thank you.

11 MS. SEDANO: My name is Elvia Sedano. And I'm  
12 here independently. I'm an animal rights activist. And I  
13 don't need anybody to pay me to do anything for the animals,  
14 or even for human beings. My parents, -- I learned from my  
15 parents to help others. And when I see that something's  
16 wrong, I feel that I need to be a voice for those that can't  
17 speak up for themselves, so I'm very passionate about  
18 helping anybody in need, whether it be a human being or a  
19 child, and that's why I'm here.

20 And going on Horseracingwrongs.com, I can see that  
21 these horses have been suffering fractures, ruptured, brain  
22 hemorrhages, subcutaneous abscess, fractures of the scapula  
23 through the neck, leg dangling, severe tearing, hemorrhage  
24 of the muscles of the legs surrounding the area of the  
25 fracture and, worst of all, death. And that really -- I've

1 suffered a lot of personal losses in my life so I'm very  
2 familiar with death. And seeing these animals being raised  
3 here and being exposed to being killed if they break a leg  
4 because they can't sustain themselves any more physically so  
5 they have to be euthanized, and that really has an effect on  
6 me to see this.

7           And this is not a safe sport. We know that as  
8 long as this continues, these animals are going to continue  
9 to be killed here. So I'm calling for a ballot measure for  
10 the horse racing for the people to vote. And I'm calling  
11 for this sport, deadly sport, to be shut down.

12           And the lady, the horse breeder, mentioned that  
13 basketball, football, gymnastics, all of that has injuries,  
14 and we know that. But the difference here is that these  
15 animals don't have a voice. They can't speak up for  
16 themselves and say, I don't want to be in this race because  
17 what if I break a leg and die? That's the difference.

18           (Applause.)

19           MS. SEDANO: Human beings have a voice and they  
20 can speak up for themselves. That's why I'm so passionate  
21 about this because they don't have a voice. And I want this  
22 to end.

23           And this is all about greed. And one of the  
24 members on the panel or somebody had said -- oh, yeah, one  
25 of the members on the panel said not all of the people that

1 own the horses win money. Yeah, we know that, because there  
2 can only be one winner. But there has to be a race for  
3 somebody to win a lot of money. So this is all about money.

4 And I see that we have a shortage of homes. We  
5 can use this to build homes or we can use it to build more  
6 businesses and give people jobs here at this location, give  
7 them honorable jobs.

8 CHAIR WINNER: Okay.

9 MS. SEDANO: Thank you.

10 CHAIR WINNER: Thank you very much. And let me  
11 just, first of all, thank you for your passion and concern  
12 for all, and you talked about human concern, as well as  
13 animal concern, and thank you for that.

14 I think you were referring to my comment. And my  
15 comment had to do with the -- it has nothing to do with  
16 betting. I don't think most -- frankly, I don't think too  
17 many of us that own horses bet on horses. But what we were  
18 talking about is the cost of ownership versus the return of  
19 equity on that.

20 MS. SEDANO: Oh.

21 CHAIR WINNER: There's no -- I don't know of any  
22 business where you lose money as much as those of us who own  
23 horses lose by being involved in this sport and owning  
24 horses. It costs much more to own them than we get back.

25 MS. SEDANO: Oh. Okay.

1 CHAIR WINNER: That's what we were -- not the  
2 gambling side of it but rather the --

3 MS. SEDANO: Ownership.

4 CHAIR WINNER: -- ownership side of it. Correct.  
5 But again, thank you very much for your concern.  
6 Any other questions or comments?

7 Thank you.

8 MS. SEDANO: Okay. Thank you.

9 CHAIR WINNER: I just want to make sure that --  
10 did I call Celia Asebedo? Please.

11 MS. ASEBEDO: Good morning.

12 CHAIR WINNER: Good morning.

13 MS. ASEBEDO: My name is Celia Asebedo. I'm a  
14 concerned citizen and a lover animal rights activist. And I  
15 love people, too, and do a lot of things for lots of people,  
16 and children especially.

17 What concerns me as a citizen of California and  
18 the United States is when we speak about horse racing, and  
19 in the same conversation what is consistently coming up is  
20 deaths of 23 horses, use of whips and use of drugs, that is  
21 very disconcerting to me as a person who cares.

22 And when we talk about these things when we're  
23 talking about horse racing, it makes it obvious to me that  
24 something is very wrong with it all. This is not right for  
25 horses, who are involuntary participants in this sport.

1 It's not the same as if I want to play volleyball and I go,  
2 you know, sign myself up and play, given, at this age, it  
3 would a little hard. But they are involuntary participants,  
4 that's the key words.

5 I ask that the Santa Anita raceway -- racetrack be  
6 shut down, as well as all of them in the entire world, that  
7 would be my wish. We should proceed to have California  
8 voters decide if they want horse racing to be banned in our  
9 state.

10 And I thank you for your time.

11 CHAIR WINNER: Thank you very much. You know, of  
12 course, you know that we passed, at our last meeting, a crop  
13 rule. So when you say the use of whips, we're trying to  
14 deal with that issue. We passed and we have continued to  
15 pass strict medication rules. So you raised the issue of  
16 drugs and the crop or the whip. We've gone far beyond what  
17 used to happen with respect to both of those things in terms  
18 of limiting the use of both medication, as well as the  
19 riding crop, just to clarify that.

20 Kiersten Cluster.

21 MS. CLUSTER: Good morning.

22 CHAIR WINNER: Good morning.

23 MS. CLUSTER: My name is Kiersten Cluster. I'm  
24 the Co-Founder of Elephant Guardians of Los Angeles. Our  
25 focus is elephants but we also work on behalf of all species

1 who are being exploited for human purposes.

2           And also, I just wanted to add, since children,  
3 human children, seem to be an issue this morning, I am a  
4 special education teacher for LAUSD and I have devoted my  
5 life to children with disabilities, to serving these  
6 children and helping them and their families.

7           Today, I am here for the horses who are being  
8 abused and killed on this racetrack. I have to main issues  
9 I would like to address. The first is safety, which is a  
10 common theme with all of the speakers this morning.

11           The mission statement on your website states that  
12 it is the job of the California Horse Racing Board to  
13 foster, quote, "safe racing through the development of track  
14 safety standards and regulations for the health and welfare  
15 of all participants," unquote.

16           I think we all agree that the horses are  
17 participants in this endeavor, although not by choice.

18           You also made a statement on your website on March  
19 5th of this year that, quote, "Safety is a primary concern  
20 of the California Horse Racing Board," unquote.

21           In fact, it is required under California law that  
22 we improve safety for racehorses. However, a veterinarian  
23 report dated for the week of April 1st through April 7th  
24 stated that yet another horse was killed on or around April  
25 5th, 6th or 7th here at Santa Anita. According to

1 Horseracing Wrongs, based on documentation obtained through  
2 public record requests, that brings the death toll at Santa  
3 Anita up to 28 horses since the end of just this past  
4 December. I understand, there is some discrepancy in those  
5 numbers between the numbers that are being reported by the  
6 press and the numbers that they have up on Horseracing  
7 Wrongs, and I think that is something that needs to be  
8 investigated.

9 My question is: How many more horses will have to  
10 die under your watch until you realize that Santa Anita is  
11 not safe for horses?

12 The second issue I would like to address is  
13 sportsmanship. Since proponents of horse racing insist on  
14 calling this practice a sport the rules of good  
15 sportsmanship should apply. The Cambridge Dictionary  
16 defines sportsmanship as, quote, "Behavior in sport that is  
17 fair and shows respect to all the players," unquote.

18 Again, I think we can all agree that the horses  
19 are players in this game. However, unlike human athletes,  
20 the horses have no choice. How is that fair and how is that  
21 respectful?

22 Moreover, racehorses suffer from abusive training  
23 before their bodies are fully mature, from extreme  
24 confinement, from drugging and doping, from constantly  
25 changing hands and having not autonomy in their existence,

1 from injury and, finally, from premature death. In short,  
2 the horses are treated as property used for profit. This is  
3 not sportsmanship. This is abuse and exploitation.

4           You have the opportunity to end this suffering.  
5 Please act in accordance with California law, your own  
6 mission statement, compassion, and the rules of good  
7 sportsmanship and make Santa Anita safe for horses in the  
8 only way possible, please shut it down.

9           Thank you.

10           CHAIR WINNER: Thank you.

11           Are there are any other questions? Any questions?

12           VICE CHAIR AUERBACH: Can I just comment, just

13 so --

14           CHAIR WINNER: Yeah. I just wanted to clarify one  
15 thing, if I may --

16           VICE CHAIR AUERBACH: Sure. Please.

17           CHAIR WINNER: -- and that is that the difference  
18 between, just so you understand, the difference between the  
19 23, which were accidental, and the 28, the other five died  
20 of natural causes, just like they would if they were out in  
21 the wild. So there are --

22           MS. CLUSTER: Well, how did the one just die at  
23 the beginning of April?

24           CHAIR WINNER: That's included in the 23.

25           MS. CLUSTER: Okay. Well, then how did the other

1 five day?

2 EXECUTIVE DIRECTOR BAEDEKER: 23 are racing and  
3 training.

4 MS. CLUSTER: Uh-huh.

5 EXECUTIVE DIRECTOR BAEDEKER: The other five were  
6 natural causes, like colic and so forth.

7 MS. CLUSTER: And that's a natural thing that  
8 would have happened if this horse was just living --

9 CHAIR WINNER: Absolutely. More would happen,  
10 frankly --

11 VICE CHAIR AUERBACH: Um-hmm.

12 CHAIR WINNER: -- in the wild. There would be far  
13 more that would die of those kinds of --

14 MS. CLUSTER: I'm not -- horses don't belong in  
15 the wild. I don't think anybody is saying --

16 CHAIR WINNER: Okay.

17 MS. CLUSTER: -- that horses belong in the wild.

18 CHAIR WINNER: Where do they belong? Where do  
19 they belong?

20 MS. CLUSTER: In a sanctuary.

21 CHAIR WINNER: In a what?

22 MS. CLUSTER: A sanctuary, a horse sanctuary.

23 CHAIR WINNER: All horses should be? All horses  
24 should be not in the wild, not doing anything else, they  
25 should all be at some sanctuary someplace.

1 VICE CHAIR AUERBACH: That somebody funds.

2 CHAIR WINNER: Yeah, that has to be funded, of  
3 course.

4 VICE CHAIR AUERBACH: You know, I was going to  
5 say --

6 CHAIR WINNER: Okay.

7 VICE CHAIR AUERBACH: -- and I'm still going to  
8 say it, I appreciated the manner in which you addressed us.

9 CHAIR WINNER: I do too.

10 VICE CHAIR AUERBACH: And I want to thank you  
11 because not everybody acted --

12 MS. CLUSTER: Thank you.

13 VICE CHAIR AUERBACH: -- as professionally as you  
14 do, so thank you.

15 MS. CLUSTER: Well, I appreciate you --

16 VICE CHAIR AUERBACH: I don't agree with anything  
17 you've said.

18 MS. CLUSTER: I understand.

19 VICE CHAIR AUERBACH: But I really appreciate --

20 MS. CLUSTER: I understand that and it's --

21 VICE CHAIR AUERBACH: -- the way you did it, okay?

22 MS. CLUSTER: -- it's fine to disagree.

23 VICE CHAIR AUERBACH: Yeah.

24 MS. CLUSTER: I have no problem with that.

25 VICE CHAIR AUERBACH: But thank you.

1 MS. CLUSTER: And I understand we disagree. And I  
2 really appreciate your comment.

3 However, I would like to respond to that by saying  
4 I have been disappointed in the way that some of my  
5 colleagues have been received by this Commission. I feel  
6 that some of my colleagues have been treated very  
7 disrespectfully by this Commission and that is not at all --  
8 I do a lot of speaking at a lot of Commissions all over this  
9 state and this is the first time, I have to tell you, that I  
10 have seen people coming here to express their opinions under  
11 the First Amendment treated with such disrespect.

12 Thank you.

13 (Applause.)

14 CHAIR WINNER: Well, we certainly apologize for  
15 that, if that's your view. And it is certainly not our  
16 intent.

17 Pavla McGaard.

18 MS. MCGAARD: Thank you for having these meetings.  
19 And thank you for listening to all of the different sides.

20 As a lawyer, it reminds me of a joke where someone  
21 said, "Please just give me a hand -- one-handed lawyer."

22 "What do you mean, one-handed lawyer."

23 "Well, all the lawyers always say, 'On the one  
24 hand this and on the other hand that.'"

25 However, I think that it is in the listening to

1 all sides that we will be able to come to better solutions.

2 I really believe that.

3 I have heard people say here that the horses don't  
4 have a voice. I was the breeder of one of the horses, the  
5 major horse, Battle of Midway. As that, I feel I can speak  
6 for that specific horse. And I certainly feel like I can  
7 speak for many of the horses.

8 I had the privilege two weeks ago to go back to  
9 Battle of Midway's mom and spending about an hour hanging  
10 out with her, trying to explain to her what had happened.  
11 And, in fact, it was me who walked away better from the  
12 experience because it was her who was healing me rather than  
13 me healing her.

14 I spend a lot of time with these horses. I got  
15 into the industry by having an off-track thoroughbred who I  
16 got when she was four years old, retired off the track. I  
17 still have her when she's 26 years old. What I can tell you  
18 is that, to those of you who say that horses don't have a  
19 choice and that they don't enjoy this, I can tell you that  
20 that mare, long after retirement, when she is given the --  
21 when she was given the opportunity to gallop, her ears would  
22 go up, she would look back and say, really, I can? And she  
23 would take off.

24 I can tell you about Battle of Midway, of watching  
25 him look out through his window at the racetrack at the

1 races with his ears up and listening to the action.

2           There are a lot of things that, when you are  
3 willing to listen to these horses and look at these horses,  
4 they will tell you if they are happy, they will tell you if  
5 they are sound, they will tell you a lot of things.

6           I am satisfied to know that in this horse's case,  
7 things were not seen and he did not say that there was  
8 something wrong, and there are just accidents that do  
9 happen. That may not be the case in all of the situations  
10 that we are facing today but that was the case in his  
11 situation, the best that I know it.

12           I know that a similar situation happened with  
13 Saint Liam (phonetic) when he was retired to stud, was being  
14 led out of a paddock and just happened to jump up and landed  
15 wrong. These things happen.

16           These things happen to foals. These things happen  
17 as yearlings. These things happen at riding stables. I  
18 know that in our riding stable a horse had been given a  
19 blanket just the wrong way and he jumped out of a stall and  
20 had to be euthanized.

21           For those people who care about horses and care  
22 about animals, please spend more time with those -- in those  
23 situations where you can actually get to see what happens in  
24 the natural setting and compare that to how the horses are  
25 being treated.

1           Now, on to some of the issues that are being  
2 discussed and need to be discussed, I don't believe that  
3 there is a question of black and white, no medication or  
4 zero -- or all medication, no whips or all whips. It is not  
5 black and white. There is a huge difference between talking  
6 about things that are needed and helpful and things that are  
7 unnecessary but are used just because they're easy and just  
8 because someone perhaps doesn't understand the full extent.  
9 I believe that those discussions are really important. I  
10 believe that all the stakeholders need to be involved in  
11 talking about these. And I think that all the stakeholders  
12 need to feel comfortable in bringing the issues up.

13           I hear of suggestion boxes that, perhaps, could  
14 make their ways back onto racetracks, and so on and so  
15 forth. I believe that the trainer have lots of good  
16 perspectives to say, just the same way as the people who are  
17 animal lovers but perhaps have never gone to the backside of  
18 the racetrack. They have valid concerns and it our job, as  
19 the industry, to come together and give them ways to feel  
20 better about what we are doing. Because I know that the  
21 people who do it day in and day out, from the backstretch  
22 workers to the trainers, to the owners, as well as to you  
23 sitting on the Commission, we are doing the best that we can  
24 as we know how and we will continue to do so.

25           Thank you.

1 CHAIR WINNER: Thank you very much.

2 (Applause.)

3 CHAIR WINNER: Any comments? Questions?

4 Thank you. And, obviously, we're very sorry about  
5 the loss of Battle of Midway, everybody is, or any of these  
6 horses, for that matter.

7 Zafir Molina?

8 MS. MOLINA: Hi everyone. My name is Zafir  
9 Molina. I'm here on behalf of myself.

10 I became aware of this -- I don't know if I've  
11 ever been here. I remember, I went to one race, horse race  
12 before, about five years ago, six years ago. But I became  
13 aware because of a protest. I am an animal rights activist,  
14 I'm a human rights activist, and I'm an earth rights  
15 activist.

16 I am here because I recently found of things that  
17 go on in horse racing, someone that was not much aware. And  
18 I want to start by the following, after listening to  
19 everyone speak.

20 I think the problem has become, in our society,  
21 that we continue thinking about ourselves. We do this over  
22 and over and over again and we continue finding  
23 justifications for our actions. But at one point we have to  
24 stop. We have to stop and not think about ourselves, not  
25 think about what we're benefitting, not that we're enjoying

1 watching animals run and having a human whip them to make  
2 them run faster.

3           This is not about us. This is not about me.  
4 These are about the individuals that we all sit here, and I  
5 genuinely believe that we all love and care about, however,  
6 our perspective does not make us correct. Our definition of  
7 love does not make us correct. There can be a relationship  
8 where one believes that they love the person and still  
9 commit, not crimes, but abuse, mentally, physically,  
10 emotionally.

11           There is no denying that these horses are  
12 experiencing physical pain, emotional pain and spiritual  
13 pain. This is not natural for them. Running, for them, is  
14 natural. But the way that it's done, the way that we ask  
15 them to do so, is not natural. There's many things that I  
16 love to do but I will not do them because someone has asked  
17 me to do them. I do them because I have a choice.

18           As I am here today, I constantly want to live a  
19 life of freedom, of not being limited to my potential. And  
20 I think this is exactly what we do to these horses, we limit  
21 their potential. It is unfair to say that if they're in the  
22 wild, that we're doing them a favor by forcing them to race.  
23 That is not a favor.

24           If we want to help these horses because we truly  
25 believe that they are going to die in the wild, we create a

1 home for them. We find a solution that does not benefit our  
2 pockets and our egos. And I've had ego before and we have  
3 to admit that there's ego involved. And if we never do  
4 that, we will never have true change, we will continue  
5 having votes and meetings on things that we should just  
6 follow through our hearts.

7           This is enough. And I am here for the horses. We  
8 can sit here and talk about all the horrible things that are  
9 happening in the world. But until we look at ourselves,  
10 until we look at what we do and our actions, we will  
11 continue doing this over and over and over again. Racing  
12 kills horses and that's not going to stop because of the  
13 way, of the when they -- we need horses now to race, when  
14 they're children. We don't need them when they're older,  
15 when they've lived their life, when they decided when they  
16 wanted to run. We tell them, no, we are breeding you here  
17 and you are going to be a racer. We did not give them a  
18 choice.

19           And I ask you to please look inside us and start  
20 doing the right thing. This needs to get closed down. We  
21 have options. We're smart people. We can't act like we  
22 can't create more jobs. We took a man to the moon. We will  
23 be okay. We will be okay but right now the horses are not  
24 okay. When they're locked up in a small little thing, they  
25 are not okay. They are not okay. And they should never,

1 ever, ever have anything put in their bodies, not drug, not  
2 nothing. This is not fair. Because if you were the horse,  
3 if you were the horse, you would not be okay with it. You  
4 would not. You would not recognize.

5 As much as I want to say that I understand each  
6 animal, and I have been around plenty of animals, it's  
7 unfair to me to say exactly what they feel. So I do my best  
8 as how we communicate with them, not with voice but with  
9 behavior, that I make sure that I'm being fair. And I don't  
10 think right now that we are being fair.

11 We ask to please, please consider closing this  
12 track down. I know it's difficult to hear. I know it. It  
13 will be. And our times are changing and a lot of things are  
14 being difficult to hear. But that's okay. It does not have  
15 to be a bad thing.

16 I thank you so much for this time and I really,  
17 really, really hope that we start looking at ourselves for  
18 answers.

19 (Applause.)

20 CHAIR WINNER: Thank you. Thank you, Ms. Molina.  
21 Thank you for your passion and your comments. Thank you.

22 Any other questions or comments?

23 Cliff Goodrich.

24 MR. GOODRICH: Mr. Chairman, Commissioners, excuse  
25 me, my name is Cliff Goodrich. I represent the California

1 Thoroughbred Horsemen's Association which cares medically  
2 for backstretch workers, and I will get to that. But for  
3 full disclosure, I'm kind of up here in a dual role because  
4 my professional life has been spent in this industry. And  
5 I'd like to touch on that for a minute before I get into the  
6 real reason I am up here.

7           First of all, and I don't mean any disrespect,  
8 Amanda, sorry to call you by your first name but I don't  
9 know your last name, you made a statement that in your mind  
10 is a truism, that no one can love horses and love horse  
11 racing. I'm sorry, you're wrong. I, for one, do, and that  
12 is possible.

13           I started out in this industry at Santa Anita in  
14 1966 as an admissions seller. I became part of the senior  
15 executive management team in 1980. I was president of Santa  
16 Anita for ten years near the end of the decade. So for full  
17 disclosure, I'm biased, you're darn right I am. I love  
18 Santa Anita, I love horses, and I love this industry.

19           But I guess I'm most disturbed when I, for an  
20 industry that has historically moved at a glacial pace, it  
21 is attempting and the catalyst has certainly been these  
22 passionate people who have gotten up here and spoken today,  
23 and the catalyst has unfortunately been a spike in injuries.  
24 But nevertheless, this Board, The Stronach Group, and all  
25 the tracks that Mr. Baedeker mentioned are making progress.

1 Not a lot has been touched on by the animal lovers as to  
2 what's happened since March 29th when this track was opened  
3 again. Considerable progress has been made on the track.  
4 Considerable progress has been made by this Board,  
5 stakeholders, The Stronach Group.

6 And in all fairness, the American way is to have  
7 an open debate to get to the right solutions. There has to  
8 be some recognition that, hey guys, a lot more needs to be  
9 done but we at least salute you for the steps that the  
10 industry is taking. And if nobody says that today from the  
11 animal rights groups, they're not being fair. They've got  
12 blinkers on.

13 I have no doubt in my mind that this process will  
14 turn out to be in the best interest of racing long term.  
15 But you can't throw the baby out with the bath water. I'm  
16 sorry, these horses are bred to run. Anybody who says they  
17 don't want to run hasn't been around a thoroughbred. That's  
18 what they're bred for. Yes, we need to reduce or even  
19 eliminate, if at all possible, injuries. But we need to do  
20 it in an open forum that's a fair process. We just can't  
21 have blinkers on.

22 Their solution for change is shut down the  
23 industry. It's not work with us to make things better, it's  
24 to shut the industry down. I'm sorry, that's too drastic a  
25 step and is ridiculous on its merit.

1           Now lastly, I'd like to touch on the people I  
2 represent because they are the backstretch workers who care  
3 for these horses. We care for their dentistry and their  
4 medical needs. And unfortunately or fortunately, we don't  
5 get to see them often enough. And you know why? Because  
6 they care about the horses more than they care about  
7 themselves. And so they come in too late and often we can't  
8 treat them. They love these horses far more than they love  
9 their own being and it's one of the reasons why we are there  
10 to help them.

11           Because of Santa Anita having to shut down, we're  
12 going to have about \$100,000 less in money to care for those  
13 people. We'll give that up in a second if things get  
14 better. I am extremely confident things will get better. I  
15 wish the animal rights lovers would work with us instead of  
16 against us. But there's not a doubt in my mind that this  
17 industry will be better off short term and long term because  
18 of The Stronach Group, this Racing Board, the animal  
19 activists, and all the people associated with the industry.

20           So I thank you.

21           CHAIR WINNER: Thank you very much, Cliff.

22           (Applause.)

23           CHAIR WINNER: Any comments for Cliff, or any  
24 questions?

25           Thank you.

1           And the last card I have, so if anybody wants to  
2 speak who hasn't spoken, I think everybody in the room has,  
3 but if anybody wants to speak who hasn't spoken, please see  
4 Mike Marten and fill out a card.

5           The last card is Luis Giordano.

6           DR. JOHNSON: (Off mike.) I put in a card  
7 (indiscernible).

8           CHAIR WINNER: Okay. Well, I don't have them  
9 somehow, so I apologize for that, but I certainly -- well,  
10 is Luis Giordano here?

11          MR. GIORDANO: Right here.

12          CHAIR WINNER: Okay. Well, let Mr. Giordano  
13 speak, please, because we do have a card on him.

14          Mike, somewhere I --

15          DR. JOHNSON: I'll gave Mike my card.

16          CHAIR WINNER: Okay. Thank you. You'll be able  
17 to speak, I promise you.

18          Anyone who wants to speak will be able to speak.

19          Luis Giordano.

20          MR. GIORDANO: Good morning. My name is Luis  
21 Giordano and I'm basically representing myself and my  
22 ownerships group, I guess I would say.

23                 I've been coming to the racetrack here since I was  
24 12 years old. And I've been involved in owning horses for  
25 over 30 years. I do it through the, not through the

1 breeding, but I do it through the claiming game. And, you  
2 know, I do it because I love it.

3           And from the first horse that I bought when I was  
4 like 30 years old, which was quite a while ago, I see how  
5 these horses are taken care of. And people that doubt it,  
6 they haven't been back there and they haven't seen it.  
7 These horses are taken care of better than we take care of  
8 ourselves. These horses are bathed daily. They're treated  
9 daily. They're washed daily. And, I mean, if these people  
10 here ever went back there and saw it, they would -- they  
11 wouldn't be here today saying what they're saying.

12           And as a matter of fact, you know, I think it was  
13 Ms. Montgomery was up here a little bit ago and she spoke  
14 about Hugh Knew. Well, I owned Hugh Knew and I owned Hugh  
15 Knew for a year, and she did break down in a race and we had  
16 to euthanize her and that was like losing a part of the  
17 family. And if you don't think that we -- you know, it  
18 didn't hurt us, you know, it's like, it was terrible.

19           But I know how much love and how much these grooms  
20 in the backstretch and these people that work here love  
21 these horses. And it just, it's -- I guess if one good  
22 thing came out of Hugh Knew going down is people like Ms.  
23 Montgomery not coming to the track here anymore.

24           My -- another -- I wasn't planning on speaking  
25 today.

1 I've probably brought 20 to 30 people into this  
2 racing game. And we love coming out here and we do it, and  
3 we do it in groups because of the expense of the game, it's  
4 quite expensive. As far as making money, no, we don't make  
5 money. I've made money on maybe two or three horses out of  
6 40. But, no, we don't do it -- we do it for the love of the  
7 game. We come out here. We split the bills. It's not  
8 cheap to take care of a horse.

9 And our concern is just recently with some of the  
10 decisions that The Stronach Group has made. And, you know,  
11 an example is our last horse we purchased on January the  
12 1st, there was some issues, and it was a bleeding issue.  
13 And so we elected, let's let her -- let's let him stay away  
14 from racing for a few months and take care of the horse.  
15 And, you know, they cut down the dosage from, I think it's  
16 ten to five, and we didn't want to take a chance on having  
17 her bleed again. So we went to Kentucky just recently and  
18 we ran there.

19 But I don't think any of this would have even come  
20 up if it wasn't for organizations like PETA that's out here  
21 and, you know, striking on our grounds. I don't even know  
22 why Santa Anita even let them on our grounds. I mean, I  
23 wouldn't have even -- you know, I don't -- I can't figure  
24 that out. But, I mean, we're listening to a group like PETA  
25 that has a kill rate in their organization of, I believe,

1 over 80 percent of animals that they take in. And they --  
2 you know, and I think they -- if they weren't here, people  
3 wouldn't be talking about this today. And to listen to an  
4 organization like that, it's kind of crazy.

5 And I believe in the horses. I believe for the  
6 safety and the soundness, I love it. I love horse racing.  
7 And I feel that we're going the right way. And I just --  
8 that's all I really have to say.

9 (Applause.)

10 CHAIR WINNER: Let me just comment. I just want  
11 to comment on one thing and that is the issue of PETA and  
12 any other animal rights organization. They have an absolute  
13 right, in my view, to come here. That's what the Board is  
14 here for is to listen to everyone --

15 MR. GIORDANO: Um-hmm.

16 CHAIR WINNER: -- to listen to everyone's point of  
17 view and to take into consideration what they're saying.  
18 And I agree with Mr. Goodrich, who made the point that,  
19 somehow, if we could all get together and work together we  
20 might achieve some objectives and goals that we all believe  
21 in.

22 But I want to strongly say that this Board, as  
23 long as I'm on the Board, and I'll only speak for myself, is  
24 open to listening to everyone's point of view on anything  
25 that has to do with the animals or anything having to do

1 with horse racing.

2 MR. GIORDANO: Okay.

3 CHAIR WINNER: So I just wanted to clarify that.

4 MR. GIORDANO: Yeah. You know, I was just -- I  
5 just returned from Kentucky. I was back there for seven  
6 days. And it's just unbelievable. I was at Keeneland and  
7 we ran over there and the people over there -- and it was  
8 kind of funny because I spent a lot of time in the racing  
9 office. And I guess they had heard that PETA was planning  
10 on coming out there and they can't wait. They can't wait.

11 CHAIR WINNER: Dr. Johnson? And let me apologize,  
12 Dr. Johnson, it's my fault. I mixed your cards in with  
13 those who had already spoken, so I apologize.

14 DR. JOHNSON: Well, thank you very much.

15 How many people in here hate horses? Can you  
16 raise your hand? We all love horses; right? We have that  
17 in common.

18 Right, Mr. Goodrich?

19 Right.

20 Commissioner Auerbach is a stickler for the facts.  
21 I'm happy to hear that. Here are the facts. Here are the  
22 broken sesamoids on Marino (phonetic), died right out here  
23 March 12th. See those? Those are the facts.

24 The gymnast in Auburn was not euthanized on the  
25 mat. Clayton Kershaw pulled a groin muscle, was not

1 euthanized on the pitcher's mound. Lebron James hurt his  
2 leg, was not euthanized at center court. Accidents happen.

3           You've heard the numbers here but behind those  
4 numbers are real names; the Battle of Midway, Princess Lili  
5 B, Armed Runner. If you run these horses at high speeds  
6 with unformed bones, they are going to break down. And  
7 that's why, whether it be Senate Bill 649 or a goodwill  
8 offer by Mr. Goodrich, that we can't work with you because  
9 working with you promotes the industry and keeps the  
10 industry going. The industry keeps going and horses keep  
11 dying.

12           Commissioner Auerbach questions whether or not  
13 horses go to slaughter. Retired horse races [sic] go to  
14 slaughter by the thousands. You remember Ferdinand, don't  
15 you, Commissioner Auerbach? Surely you know your horse  
16 racing history. Ferdinand was the winner of the 1986  
17 Kentucky Derby. It doesn't get much more of an apex in  
18 horse racing than that. Ferdinand died in a slaughterhouse  
19 in Mexico City. That's what happened to Ferdinand and  
20 that's what happened to all kinds of horses.

21           Now, Mr. Winner wants us to believe that in some  
22 way we're the others, we're from outside. We were sent here  
23 by maybe some kind of subversive group, as if we are not  
24 intelligent enough and compassionate enough to come here on  
25 our own. The fact --

1 CHAIR WINNER: I --

2 DR. JOHNSON: Let me finish my three minutes.

3 CHAIR WINNER: No. I'm --

4 DR. JOHNSON: I'm not finished with my three  
5 minutes.

6 CHAIR WINNER: That's too bad. I'm going to  
7 interrupt you and I'm going to tell you that that is not my  
8 view and I did not indicate that it was my view --

9 DR. JOHNSON: Okay.

10 CHAIR WINNER: -- that you're subversive or  
11 anything like that. As a matter of fact, my view is that  
12 you're doing something you care strongly about, you're  
13 active in it, and, frankly, I think some of us are as well.  
14 So I do not --

15 DR. JOHNSON: Okay.

16 CHAIR WINNER: -- in any way --

17 DR. JOHNSON: Fair enough.

18 CHAIR WINNER: -- consider your activity to be  
19 anything but because you really believe in what you're  
20 doing.

21 DR. JOHNSON: Okay. I'd like to have the final  
22 minute, please, and I'm happy to --

23 CHAIR WINNER: Yeah. You can have your time, of  
24 course.

25 DR. JOHNSON: -- happy to answer any questions.

1 I think what you don't understand is what this  
2 moment in history is. The vote in Florida against greyhound  
3 racing was 2-to-1. SeaWorld is on its way out. Illinois  
4 and New York State have banned elephants. Cock fighting is  
5 banned in 49 states, Louisiana to be next and final.

6 The people, not us subversives, not people from  
7 PETA, the people are upset. And Mr. Baedeker is absolutely  
8 right when he says that, ultimately, 86 years after the  
9 State of California has approved horse racing, it's going to  
10 go to the people because the people are sick and tired of  
11 these beautiful magnificent animals dying. And if we  
12 continue this industry, they are going to continue to die.

13 I take my last ten seconds in memory of the last  
14 horse to die out here, armed runner, and all of the other  
15 horses that have died, for a moment of silence for the last  
16 five seconds.

17 Thanks, Mr. Winner.

18 CHAIR WINNER: Thank you.

19 All right, now, moving right along, is there  
20 anyone else who would like to speak during the public  
21 comment period who I have not called on or who has not  
22 filled out a card?

23 Did you fill out a card? Okay. Again, I  
24 apologize, it somehow got lost in the shuffle here.

25 EXECUTIVE DIRECTOR BAEDEKER: Can you identify

1 yourself?

2 CHAIR WINNER: Yeah, please identify yourself.

3 MR. MCGILL: My name is Ron McGill. I'm a  
4 concerned citizen. I'm not here with any particular  
5 organization, nor do I know anyone from PETA that's been out  
6 at the protest that we've had out on the grounds. I just  
7 want to qualify that.

8 Also, I want to clear one other thing, your  
9 implication that we are not human rights advocates and  
10 activists is unfounded. I am a special educator. I'm  
11 licensed and clinically certified in this state to provide  
12 special education services for over 50 hours a week usually,  
13 on average, sometimes 60, so thank you for that.

14 I'm here on behalf of the over 500 horses who have  
15 died here at Santa Anita in just this past decade. I'm also  
16 here for the over 5,000 racehorses who have died at all  
17 California tracks since 1998, the 2,000 racehorses who were  
18 killed at tracks across America this very year. The  
19 pulmonary hemorrhages, the blunt force head traumas, the  
20 imploded hearts, the snapped necks, the crushed spines,  
21 ruptured ligaments, shattered legs, the protruding bones,  
22 the blood-soaked dirt, the vans, the carcass pits, the  
23 disposal trucks, the pain, the fear, the terror.

24 Then, of course, let us not forget the 15,000 or  
25 more thoroughbreds who will be shackled, hung upside down,

1 slashed, bled out, and butchered this year at horse racing  
2 singular retirement facility, in fact, the slaughterhouse.

3 Please don't interrupt me.

4 Today, we say with crystal clarity --

5 VICE CHAIR AUERBACH: You keep saying it and I'm  
6 just asking you to please check your facts.

7 MR. MCGILL: How did the two-year-old horses, on  
8 average, two years old here, that have died, where did they  
9 end up? Please tell me what sanctuary they are at now.

10 VICE CHAIR AUERBACH: You're talking about  
11 slaughter. You keep bringing slaughter in.

12 MR. MCGILL: Yeah, they're slaughtered after you  
13 kill them on this track.

14 VICE CHAIR AUERBACH: Oh. I didn't understand how  
15 you got there.

16 MR. MCGILL: Let's talk about the facts.

17 VICE CHAIR AUERBACH: Thank you.

18 MR. MCGILL: Thank you.

19 Today, we say with crystal clarity, no more. No  
20 more abusing unformed bodies, which they, in fact, are. No  
21 more extreme relentless confinement. No more whipping. No  
22 more drugging and doping. No more buying and selling and  
23 trading and dumping of these sentient beings that you claim  
24 so much to love. No more auctions. No more kill buyers.  
25 No more transport trucks. No more arbitrage. No more

1 maiming and destroying. No more pain and suffering. No  
2 more. It's done. Let it be over. Make the compassionate  
3 choice. Have some sense. Find the love in your heart. End  
4 horse racing now.

5 Thank you.

6 (Applause.)

7 CHAIR WINNER: Thank you.

8 We have another card from Heather Wilson. Thank  
9 you.

10 MS. WILSON: Good morning everybody and thank you  
11 for letting me speak. Since we're going to be so concerned  
12 about facts, I'm going to read some FOIA requests. And in  
13 case you're not familiar, that stands for Freedom of  
14 Information Act. And this is public knowledge that is  
15 available to the general public. California also has a  
16 Public Records Act which is the equivalent of FOIA at the  
17 state level.

18 Through a FOIA request to the California Horse  
19 Racing Board, we have confirmed the following deaths at  
20 state tracks in 2018. Please note, the Board redacted the  
21 names of the dead horses. Any identifications that came via  
22 other channels, also, because of the sheer volume, they will  
23 be posted in increments of ten. And unfortunately, well,  
24 or -- I don't have time to read all these deaths because  
25 there's just so many of them. I'll just read the one

1 description here.

2           There's a photo that -- this belong with the  
3 photo, "Right forelimb, closed, comminuted complete  
4 displaced articular transverse fracture of the distal  
5 metacarpal 3 below the transverse fraction line. There were  
6 innumerable small fragments of bone. There were two large  
7 bone fragments that stayed in place. All articular surfaces  
8 of the fetlock," and if you don't know what that is, that is  
9 the joint by the ankle, had market scoring of the cartilage  
10 and were covered with innumerable small, irregular bone  
11 fragments."

12           Then we go to the left forelimb, so this horse  
13 that was killed at two broken legs. And 65 percent of the  
14 horses weight is on the front legs, which is why it's most  
15 common for the front legs to be fractured.

16           And as a side, note, we know they make poor  
17 surgical candidates. These thoroughbred horses weigh 1,000  
18 to 1,200 pounds.

19           My profession is I do anesthesia. I'm a nurse  
20 anesthetist and I've been a nurse for 30 years, doing  
21 anesthesia for 15 years. And I actually do a lot of  
22 orthopedic trauma, so I'm quite familiar with trauma, in  
23 particular broken bones and shattered bones.

24           So moving on, "The left forelimb, in general,  
25 findings are similar as described above. There was an open

1 eight centimeter long skin tearing at the medial distal  
2 aspect of the MC3 with protrusion of a fragment of bone,"  
3 that's called a compound fracture, "comminuted complete  
4 displaced articular transverse fracture of the distal MC3.  
5 All articular surfaces of the fetlock had marked scoring of  
6 the cartilage and were covered with innumerable small  
7 irregular bone fragments."

8           So that describes two broken legs.

9           I have printed here some pictures. These are from  
10 the necropsy reports of other horses that were killed at  
11 this track. And nothing says I love you like I'm going to  
12 break your legs. This is horrifying. This is called  
13 unjustifiable. And this cannot be defended. These animals  
14 deserve better. We know that horse racing breaks legs. We  
15 can't pretend. We can't hide under the covers and say, oh,  
16 this is so tragic, oh, this has never happened before. No.  
17 This has been happening for years and it is high time to end  
18 this blood sport, this billion-dollar industry, money that  
19 is earned on the backs of un-consenting and unwilling  
20 participants.

21           In my profession, we have to get what is called  
22 informed consent. We don't operate, we don't do anesthesia  
23 until the patient understands the risks, alternatives and  
24 benefits. These horses are not afforded that opportunity.  
25 They do not know that when they run this race, they could

1 very well fall and break their leg or be carted off in a van  
2 and euthanized elsewhere, or if they survive their career  
3 then they might go to auction, and we all know, that is very  
4 well documented. And you can claim that you have no idea  
5 what a horse auction is but they do exist, I assure you.

6 So it is high time to end this blood sport. As a  
7 concerned citizen, a taxpaying, voting, law-abiding citizen  
8 of the state of California, I want horse racing to end now.

9 :Thank you.

10 (Applause.)

11 CHAIR WINNER: Any other comments for her? Any  
12 questions?

13 All right, thank you very much.

14 That's it on this issue, on the public comment  
15 period. Appreciate all of your comments.

16 And we will now take ten-minute recess.

17 (Off the record 11:21 a.m.)

18 (On the record at 11:36 a.m.)

19 CHAIR WINNER: Okay, for those of you that are  
20 still here, we're going to move on.

21 Item number five, Public hearing and action by the  
22 Board regarding the proposed amendment to CHRB Rule 1481,  
23 Occupational Licenses and Fees, to require licensure of  
24 officers, directors, partners or any individual who holds  
25 five percent or more of the outstanding shares of an advance

1 deposit wagering provider, ADW, mini-satellite wagering or  
2 exchange wagering provider; CHRB Rules 2071, License to  
3 Conduct Advance Deposit Wagering by a California Applicant;  
4 and Rule 2072 -- can we have quiet please? We are moving  
5 ahead, so we'd appreciate quiet -- and Rule 2072, Approval  
6 to Conduct Advance Deposit Wagering by an Out-of-State  
7 Applicant, to revise CHRB Forms 132, Application to Conduct  
8 Advance Deposit Wagering, and 133, Application for Approval  
9 to Conduct Advance Deposit Wagering, to capture CHRB license  
10 information for specified persons; clarify the term of  
11 license for ADW providers and collect financial information,  
12 including profit and loss statements, specific to entities'  
13 California operations. This concludes the 45-day public  
14 comment period. The Board may adopt the proposal as  
15 presented.

16 Rob?

17 MR. BRODNIK: Thank you, Chairman. Robert  
18 Brodnik, California Horse Racing Board.

19 Item number five on the agenda, it does allow the  
20 Board to adopt the proposed amendments as written. No  
21 comments were received during the 45-day comment period.

22 CHAIR WINNER: That was the question I had, no  
23 comments at all?

24 Is there anyone here who would like to comment on  
25 item number five? I have no cards. Okay.

1 Is there any discussion on this item? All right.

2 Is there a motion?

3 COMMISSIONER MAAS: Move.

4 CHAIR WINNER: Commissioner Maas moves approval.

5 COMMISSIONER SOLIS: Second.

6 CHAIR WINNER: Commissioner Solis seconds.

7 Commissioner Araceli, how do you vote?

8 COMMISSIONER RUANO: Yes.

9 CHAIR WINNER: Commissioner -- Vice Chair Auerbach  
10 Auerbach?

11 VICE CHAIR AUERBACH: Yes.

12 CHAIR WINNER: Chairman votes yes.

13 Commissioner Solis?

14 COMMISSIONER SOLIS: Yes.

15 CHAIR WINNER: Commissioner Maas?

16 COMMISSIONER MAAS: Yes.

17 CHAIR WINNER: Commissioner Alfieri?

18 COMMISSIONER ALFIERI: Yes.

19 CHAIR WINNER: The motion carries unanimously.

20 Thank you.

21 Item number six, discussion and action by the  
22 Board on the Application to Conduct a Horse Racing Meeting  
23 of the Alameda County Fair (F), at Pleasanton, commencing  
24 June 13, 2019 through July 7, 2019, inclusive.

25 Larry?

1 Jackie, are there any outstanding items?

2 MS. WAGNER: Jackie Wagner, CHRB Staff.

3 The outstanding items noted in the application  
4 have been received.

5 CHAIR WINNER: Thank you. So there are no  
6 outstanding items.

7 Good morning.

8 MR. SWARTZLANDER: Good morning. Larry  
9 Swartzlander with the California Authority of Racing Forms.  
10 Here with me is Angel Moore, the Director of Marketing at  
11 Alameda County Fairs. Good morning, Commissioners.

12 We'd like to present our license for racing at the  
13 Alameda County Fair this year. And we'll be going from June  
14 12th to July 7th, 15 days of racing.

15 As a general comment, we've raised our overnight  
16 purses across the board for all fairs, adding another  
17 \$150,000 to the overnight races. The one drawback is that  
18 we've had to -- we've eliminated the two-year-old filly  
19 race, stake's race, at Alameda this year. But we are  
20 considering reinstating that during the Fresno meet. There  
21 just simply is not enough horses and winners that early in  
22 the season. So those are the changes, major changes.

23 Also, we continue to offer the out-of-state  
24 program where horses coming in from out of state get \$150  
25 for the first start, \$150 for the second start, \$150 for the

1 third start. We also have our trainer incentive program.  
2 Any trainer that has five starts gets a \$500 bonus. If they  
3 have ten or more starts they get \$1,000 bonus.

4 Last year we had a very successful meet. I don't  
5 see anything that is going to change this year. Things look  
6 good out of state and in state.

7 And at this point, I'd like to turn it over to  
8 Angel to go over the marketing plan.

9 MS. MOORE: Again, Angel Moore, Alameda County  
10 Fair. And I just wanted to just briefly touch on some of  
11 the things that we plan on doing for marketing this year.

12 We always do a great integrated marketing  
13 communications plan which includes traditional, social and  
14 digital media. It's a big part of what we do. We do events  
15 at the fair as well. So events that we bring to the table,  
16 we bring Beer Fest, Wine Fest, cocktails festivals. This  
17 year, we're integrating an event called Out at the Fair.  
18 We're integrating an Asian-Pacific Heritage Event at the  
19 fair, Fiesta at the Fair, and a Bollywood event at the fair.  
20 That's to bring new people out to the fair and also  
21 introduce them to what we do at the track.

22 A really big part of what we are going this year  
23 is we are taking active and proactive measures in creating a  
24 communications program so that we can communicate to our  
25 community and the network affairs community on the care and

1 health of our thoroughbreds, of our track, and of our  
2 jockeys, so we're doing that. We're actually taking a note  
3 from you with the California Cares videos that you have done  
4 and the I Am Horse Racing videos that you have done, and  
5 we're actually creating some of our own videos with those  
6 that are involved in racing in Northern California. So  
7 that's something that we're doing that is really important  
8 to us. And we're really proud that we're going to be able  
9 to share that with our network affairs across the state.

10 So that is a big part of what we're doing up at  
11 the Alameda County Fair. Any questions?

12 CHAIR WINNER: Thank you.

13 VICE CHAIR AUERBACH: Why didn't you bring the  
14 wine with you today?

15 MS. MOORE: I should have brought wine.

16 COMMISSIONER RUANO: Mr. Chairman?

17 CHAIR WINNER: Yes, Commissioner Araceli?

18 COMMISSIONER RUANO: I just wanted to commend you  
19 for reaching out to the LGBTQ community, the Asian-American  
20 and the Indian-American community. I think it's great that  
21 you're standing.

22 CHAIR WINNER: Could you please repeat yourself,  
23 Araceli?

24 COMMISSIONER RUANO: Is it on?

25 CHAIR WINNER: Could you speak into the mike?

1 COMMISSIONER RUANO: Ah. I just want to commend  
2 you for reaching out to the LGBTQ community and to the  
3 Indian-American and Asian-American community. I think it's  
4 great. And the videos are great. Please share them with us  
5 once you have them.

6 MS. MOORE: We absolutely will. Thank you so  
7 much. We do a survey every year to see where our community,  
8 our demographics, and who is coming to the fair. And so  
9 that survey told us who's coming to our fair and we're  
10 making a concerted effort to reach out.

11 CHAIR WINNER: Any other questions? Is there a  
12 motion?

13 VICE CHAIR AUERBACH: So moved.

14 CHAIR WINNER: Moved by Vice Chair Auerbach.

15 COMMISSIONER RUANO: Second.

16 CHAIR WINNER: Seconded by Commissioner Ruano.  
17 Commissioner Ruano?

18 COMMISSIONER RUANO: Yes.

19 CHAIR WINNER: Vice Chair Auerbach?

20 VICE CHAIR AUERBACH: Yes.

21 CHAIR WINNER: Chairman votes yes.

22 Commissioner Solis?

23 COMMISSIONER SOLIS: Yes.

24 CHAIR WINNER: Commissioner Maas?

25 COMMISSIONER MAAS: Yes.

1 CHAIR WINNER: Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIR WINNER: Have a great meet.

4 MR. SWARTZLANDER: Thank you.

5 MS. MOORE: Thank you very much.

6 CHAIR WINNER: Thank you.

7 Item number eight -- seven. Item number seven,  
8 discussion and action by the Board regarding  
9 possible reallocation of race dates granted to the Los  
10 Angeles Turf Club, LATC, at Santa Anita Park Race Track  
11 pursuant to Business and Professions Code Section 19530.

12 Is there any discussion? I have no cards on this  
13 item. Anybody have any reason to speak on this or desire to  
14 speak?

15 Okay, hearing none, is there any discussion by the  
16 Board? All right.

17 My view is that their racing since Santa Anita has  
18 reopened has been really good. There have been no  
19 accidents. And I see no reason, personally, I see no reason  
20 to move the race dates. I'm not sure that requires a  
21 motion.

22 Rick?

23 EXECUTIVE DIRECTOR BAEDEKER: No, Mr. Chairman, it  
24 does not. This was simply put on the agenda, consistent  
25 with Bagley-Keene, allowing some of the Commissioners that

1 may not have been involved in discussions kind of behind the  
2 scenes, allowing them to have the opportunity, if they so  
3 chose, to speak on this issue.

4 CHAIR WINNER: So there is no discussion -- there  
5 is no action.

6 We wish you to continue a good and safe meet.

7 Moving on to item number eight, discussion and  
8 action by the Board regarding the proposal to suspend one of  
9 more medications authorized in CHRB Rule 1844, Authorized  
10 Medication, for all horses participating in all  
11  
12 licensed horse race meetings for 12 months pursuant to CHRB  
13 Rule. 1844.1, Suspension of Authorized Medication.

14 Is it Rob or Doc who's going to speak first?

15 MR. BRODNIK: I'll give a brief preamble.

16 CHAIR WINNER: Okay.

17 MR. BRODNIK: Rob Brodnik, California Horse Racing  
18 Board.

19 Commissioners, you may recall last month you did a  
20 similar provision for the Santa Anita and Golden Gate race  
21 meets, extending suspension of authorized -- certain  
22 authorized medications through the remainder of the meet.  
23 This item on the agenda will allow you to similarly extend  
24 those suspensions for 12 months, as you see fit, which could  
25 include all remaining race meets that will be occurring,

1 regardless of breed, for the next 12 months.

2 CHAIR WINNER: Dr. Arthur?

3 EQUINE MEDICAL DIRECTOR ARTHUR: Yeah. I would  
4 like to report. Dr. Arthur, Equine Medication Director.

5 I would like to report that the first two weeks --  
6 we have all the tests done through last weekend, not the  
7 just completed weekend, but there's been no violations under  
8 the new regulation. And I realize there's been a lot of  
9 discussion about drugging horses here but I would like to  
10 point out, we test for more drugs at lower levels than any  
11 other professional sport. And I would doubt if very many  
12 people in this room could pass a post-race drug test.

13 But the fact of the matter is that -- the fact of  
14 the matter is that it's worked very well. If this is going  
15 to be projected forward, I would recommend to make sure we  
16 get the people onboard at Los Alamitos, that it go forward  
17 as of March 3rd. I think that gives us enough time to --

18 MR. BRODNIK: You mean May 3rd?

19 EQUINE MEDICAL DIRECTOR ARTHUR: May 3rd, excuse  
20 me, May 3rd. And that would give us enough time to meet  
21 with the people at Los Alamitos and explain that. Harness  
22 racing would just about be over. And then the fair meets  
23 would start. If that's what you want to do?

24 And again, I would recommend that we limit the  
25 suspension of authorizations to the same nonsteroidal and

1 steroidal anti-inflammatories that we suspended  
2 authorization for here at Santa Anita and Golden Gate  
3 Fields.

4 VICE CHAIR AUERBACH: Can I ask a questions? Did  
5 we want to talk about a cutout for the harness horses?

6 EQUINE MEDICAL DIRECTOR ARTHUR: Harness racing  
7 would be finished by then. Chris Schick is here. He could  
8 comment.

9 VICE CHAIR AUERBACH: Yeah. But isn't this going  
10 to be on an ongoing basis --

11 CHAIR WINNER: This is only --

12 EXECUTIVE DIRECTOR BAEDEKER: No. It would affect  
13 them in October when they start up again.

14 VICE CHAIR AUERBACH: Yeah.

15 CHAIR WINNER: Yeah.

16 EXECUTIVE DIRECTOR BAEDEKER: So --

17 VICE CHAIR AUERBACH: Do we not --

18 EQUINE MEDICAL DIRECTOR ARTHUR: You could revisit  
19 that in October if the harness industry has a feeling one  
20 way or the other. Chris is here. He may want to -- Chris  
21 Schick is here. He may want to make a comment.

22 CHAIR WINNER: Hold on just a second.

23 Jimmy --

24 MR. PEREZ: Yeah.

25 CHAIR WINNER: -- do you want to introduce

1 yourself?

2 MR. PEREZ: Yes. Jim Perez, the Executive  
3 Director of California Harness Horsemen's Association.  
4 Chris had to leave to catch a flight.

5 We have no problem with this. Our meet ends a  
6 week from Friday. So we'd like to revisit this, if we need  
7 to, before our next meet starts in November, so --

8 EXECUTIVE DIRECTOR BAEDEKER: So to be clear in  
9 terms of procedure here, if the Board voted to apply the  
10 suspension of these thresholds to every meet for the next 12  
11 months, this theoretically then would affect your meet  
12 beginning in late October --

13 MR. PEREZ: November.

14 EXECUTIVE DIRECTOR BAEDEKER: -- or November.

15 MR. PEREZ: November.

16 EXECUTIVE DIRECTOR BAEDEKER: Right.

17 MR. PEREZ: Correct.

18 EXECUTIVE DIRECTOR BAEDEKER: So is the Board  
19 hearing it correctly that, at this point, you don't have any  
20 objection?

21 MR. PEREZ: We have no objection to it. It  
22 doesn't really pertain to us, I mean, in the big picture of  
23 things. When you go to breakdowns and stuff, we've had 1 in  
24 15 years, so --

25 EXECUTIVE DIRECTOR BAEDEKER: Right.

1 MR. PEREZ: -- it really doesn't, so we support  
2 it. And we'll address this if we need to within the next  
3 six months but, as of now, we're fine with it.

4 VICE CHAIR AUERBACH: Okay.

5 CHAIR WINNER: Okay. Thank you.

6 VICE CHAIR AUERBACH: Well, that's a little bit of  
7 a change from what I was told, so that's --

8 MR. PEREZ: Yeah.

9 VICE CHAIR AUERBACH: -- that's fine.

10 MR. PEREZ: Well, we talked about it. But after  
11 thinking about it, it didn't -- doesn't really affect us --

12 VICE CHAIR AUERBACH: Okay.

13 MR. PEREZ: -- so we're fine with that.

14 CHAIR WINNER: Thank you.

15 VICE CHAIR AUERBACH: Great.

16 MR. PEREZ: Thank you.

17 CHAIR WINNER: All right, so it is to,  
18 essentially, to extend the threshold rule that we adopted  
19 for Santa Anita and Golden Gate at the last meeting to all  
20 meets through the end of the year; correct?

21 VICE CHAIR AUERBACH: And starting when in Los Al?  
22 Is that written in the language?

23 EQUINE MEDICAL DIRECTOR ARTHUR: May 3rd. That's  
24 the Friday right before Derby week.

25 VICE CHAIR AUERBACH: Okay.

1 EQUINE MEDICAL DIRECTOR ARTHUR: That gives us  
2 about two weeks to get it all squared away.

3 VICE CHAIR AUERBACH: And that's enough time?

4 EQUINE MEDICAL DIRECTOR ARTHUR: Yes.

5 CHAIR WINNER: Do you want me to read this?

6 EXECUTIVE DIRECTOR BAEDEKER: Does the Chairman  
7 need to read all of the racetracks?

8 MR. BRODNIK: Yeah. So that would be the motion,  
9 the proposed motion that the Board could approve.

10 CHAIR WINNER: Okay. Let me --

11 MR. BRODNIK: And then --

12 CHAIR WINNER: -- let me move this then as  
13 written.

14 I move to suspend the authorized administration  
15 of, bear with me, 1844(c)(1), 1844(c)(2), 1844(c)(3),  
16 1844(f)(1), 1844(f)(4), 1844(f)(5), 1844(f)(7), 1844(f)(10),  
17 1844(f)(12), 1844(f)(13), 1844(f)(16) for race meets  
18 occurring within the 12 months from today at the following  
19 locations, Santa Anita Racetrack, Los Alamitos Racetrack,  
20 Del Mar Racetrack, Golden Gate Race Fields -- or Golden Gate  
21 Fields, Alameda County Fair, Sonoma County Fair, Humboldt  
22 County Fair, Los Angeles County Fair, California State Fair,  
23 Fresno Fair, and Watch and Wager Race Meet.

24 Is there a second?

25 VICE CHAIR AUERBACH: Second.

1 CHAIR WINNER: Seconded by Vice Chair Auerbach.  
2 Any discussion?  
3 Commissioner Araceli?  
4 COMMISSIONER RUANO: Yes.  
5 CHAIR WINNER: Commissioner Ruano, I apologize.  
6 Commissioner Ruano?  
7 COMMISSIONER RUANO: Yes.  
8 CHAIR WINNER: Votes yes.  
9 VICE CHAIR AUERBACH: Both of you.  
10 CHAIR WINNER: Yeah, that's two votes.  
11 Vice Chair Auerbach?  
12 VICE CHAIR AUERBACH: Yes.  
13 CHAIR WINNER: Chairman votes yes.  
14 Commissioner Solis?  
15 COMMISSIONER SOLIS: Yes.  
16 CHAIR WINNER: Commissioner Maas?  
17 COMMISSIONER MAAS: Yes.  
18 CHAIR WINNER: Commissioner Alfieri?  
19 COMMISSIONER ALFIERI: Yes.  
20 CHAIR WINNER: All right. The measure passes  
21 unanimously and that goes into effect. Thank you.  
22 MR. BRODNIK: And that will include a May 3rd  
23 start date at Los Alamitos?  
24 CHAIR WINNER: Correct.  
25 MR. BRODNIK: Thank you.

1 CHAIR WINNER: Report from the Medication, Safety  
2 and Welfare Committee.

3 VICE CHAIR AUERBACH: Okay. I am going to give  
4 the report but we're going to do it a little bit  
5 differently. I'm going to address two items that we talked  
6 about at the end of our meeting. And the rest of the items  
7 are directly affected by items 10 through 14 and I will  
8 address the comments and work of the Committee at the time  
9 we address those items.

10 We had a report and discussion and a presentation  
11 from the Jockeys' Guild regarding the riding crops. We had  
12 Mindy Coleman. We had Mike Smith. We had two Quarter horse  
13 jockeys whose names escape me at the moment, Cody Jensen,  
14 and I forget the other gentleman's name. It was a very  
15 fruitful discussion. We talked about the whip. We talked  
16 about the usage. And in light of everything that went on  
17 earlier today, I think we all understand the importance of  
18 how we present ourselves to the universe and things of that  
19 nature.

20 As a result of those discussions and the  
21 information that we were given, it is now reported to me  
22 that the Jockeys' Guild is working with The Stronach Group,  
23 and I believe with all the interested parties, whether it's  
24 the trainers or whoever else is included in that group, to  
25 come up with language and activity that will satisfy all

1 parts of the industry.

2           So we are waiting to hear from them and I would  
3 anticipate that our next medication meeting, we will be  
4 presented with some language that we can all weigh in on and  
5 decide whether or not that will fulfill everybody's needs.  
6 We understand that we have a lot of audiences that are  
7 looking at us and we need to find language and activity that  
8 will support horse racing in a manner that we all want to  
9 see continue.

10           The next item on my report would be -- in fact,  
11 Commissioner Solis, would you like to give your part of  
12 this, because this was your part? Would you like to discuss  
13 what you've been doing with your meetings, your weekly  
14 meetings, or do you want me to do it?

15           COMMISSIONER SOLIS: Do you mind doing it?

16           VICE CHAIR AUERBACH: No, I don't mind doing it.

17           COMMISSIONER SOLIS: Just, you're better at  
18 reading than I am.

19           VICE CHAIR AUERBACH: Okay. This was an update  
20 and discussion on the weekly track meetings held at Santa  
21 Anita. Alex Solis serves on a ten-member Committee and  
22 provided the update on their meetings, which began March  
23 6th. The other members are jockeys, trainers, track  
24 management, exercise rider, the official veterinarian, and  
25 track superintendent. Alex said that they've addressed a

1 wide range of safety-related issues including track  
2 maintenance, designated time on track for workers only, the  
3 number of outriders and how they are performing their duties  
4 during training, including traffic control.

5           They also discuss track measurements, such as  
6 depths, moisture content, and they consider what riders are  
7 saying about eh surfaces. These group discussions have led  
8 to additional meetings with outriders and track maintenance  
9 personnel.

10           The point of the discussions is to identify ways  
11 to enhance the safety of riders and horses. And we thank  
12 the Committee members and stress the need to be  
13 hypersensitive and hypervigilant to safety issues.

14           Rick Baedeker said the challenge is to keep going.  
15 We will give them all the support and help that we can. And  
16 I don't, in all the years I've been doing this in one form  
17 or another, I have never seen this type of activity where  
18 the people who are most responsible and most knowledgeable  
19 about the track surface and about what goes on, on a day-to-  
20 day, hour-to-hour basis, actually discussing it with each  
21 other, actually people who know what they're talking about,  
22 like a hall of fame jockey, along with hall of fame trainers  
23 and hall of fame everything related to racing track  
24 surfaces, where these people are talking every single week  
25 to address potential issues before they become real issues.

1           And I want to thank Commissioner Solis for his  
2 work because I know how hard he works every single day. And  
3 for him to do this on top of it, we're really grateful.

4           And please keep it up, Alex.

5           (Applause.)

6           CHAIR WINNER: I agree.

7           VICE CHAIR AUERBACH: And as I said, I will talk  
8 about most of these --

9           CHAIR WINNER: Okay.

10          VICE CHAIR AUERBACH: -- as we get to them.

11          CHAIR WINNER: Thank you.

12          Let's go on to item number ten, discussion and  
13 action by the Board regarding the proposed amendment to CHRB  
14 Rule 1942, Veterinarian Report, to require such reports be  
15 submitted electronically.

16          Dr. Arthur?

17          EQUINE MEDICAL DIRECTOR ARTHUR: Yes. Dr. Arthur,  
18 Equine Medical Director.

19          This is a proposal to require the -- all the  
20 veterinarians reports under 1842 to be submitted  
21 electronically. We discussed at the meeting yesterday that  
22 we need to take this back and work on the language and we'll  
23 bring this back, probably directly to the Board, at the next  
24 meeting.

25          CHAIR WINNER: So there's no action to be taken?

1 You're not recommending --

2 EQUINE MEDICAL DIRECTOR ARTHUR: No action to be  
3 taken.

4 CHAIR WINNER: -- action today?

5 VICE CHAIR AUERBACH: No.

6 EQUINE MEDICAL DIRECTOR ARTHUR: No.

7 VICE CHAIR AUERBACH: No, we're not because, first  
8 of all, this is HIPPA compliant. It is a service --

9 CHAIR WINNER: Right.

10 VICE CHAIR AUERBACH: -- that is going to be  
11 provided to us by the Jockey Club free of charge. And it  
12 has to be -- we have to put finishing touches on it but it  
13 will be wonderful and helpful. And we have to actually  
14 change the written rule because the rule, the way we have  
15 it, says that this all has to be provided in writing and  
16 does not really allow for the electronic capture of the  
17 information. So this is all new age stuff and we have to  
18 get our regs caught up with --

19 CHAIR WINNER: Okay.

20 VICE CHAIR AUERBACH: -- the reality of the world.

21 CHAIR WINNER: All right. So this will be on the  
22 May agenda?

23 VICE CHAIR AUERBACH: Yes.

24 COMMISSIONER RUANO: Will previous reports be  
25 digitized from paper to scanned?

1 EQUINE MEDICAL DIRECTOR ARTHUR: No.

2 COMMISSIONER RUANO: No?

3 EQUINE MEDICAL DIRECTOR ARTHUR: It's just  
4 impossible to do. In fact, we discussed yesterday that in  
5 the last week the official vet had 233 pages of paper  
6 reports handwritten from 24 different veterinarians. And it  
7 just a very difficult task and it's something we've been  
8 talking about for years. We just have to move forward.

9 CHAIR WINNER: I'm looking to see. Okay. Any  
10 other discussion on this since we're moving it to the May  
11 meeting? Okay.

12 Thank you, Dr. Arthur.

13 Next item, discussion and action by the Board  
14 regarding the proposed addition of CHRB Rule 1842.5 Trainers  
15 to Maintain Medication Treatment Records, of all  
16 treatments given to a horse, including veterinary procedures  
17 performed and all medications administered; such records to  
18 be available for inspection by representatives of the CHRB  
19 in their official duties.

20 Dr. Arthur?

21 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. We brought  
22 this back. We proposed this several years ago. This is  
23 essentially a proposal that is consistent with the IFHA Code  
24 of Medication Practices for horses in training. What it is,  
25 is it requires the trainer to maintain a record of the

1 medications being administered to the horses. We have  
2 difficult when we have drug violations as to who gave what  
3 when, where. Who prescribed the drug? This is the way that  
4 we make sure that we have that documented. And frankly,  
5 it's a way to try to get more discipline into the way that  
6 medications are used. It's a common sense proposal and  
7 it's, frankly, something most good trainers do already.

8 EXECUTIVE DIRECTOR BAEDEKER: Doc, if this -- I'm  
9 sorry.

10 VICE CHAIR AUERBACH: Do we want to do an action  
11 on this or did we want to -- because I know we were talking  
12 about the various formats to provide this information. And  
13 Alan Balch got up and spoke about some of the trainers  
14 already have --

15 EQUINE MEDICAL DIRECTOR ARTHUR: They're --

16 VICE CHAIR AUERBACH: -- ways to communicate this.  
17 So do we want to make this an action item or --

18 EQUINE MEDICAL DIRECTOR ARTHUR: No. The --

19 CHAIR WINNER: It's not an action item. It's not  
20 on the agenda as an action item. It's on the agenda for  
21 discussion only, I believe.

22 EQUINE MEDICAL DIRECTOR ARTHUR: Well, it's  
23 actually --

24 VICE CHAIR AUERBACH: No. It says discussion and  
25 action.

1 EQUINE MEDICAL DIRECTOR ARTHUR: -- on the agenda  
2 for discussion and action.

3 VICE CHAIR AUERBACH: This is both.

4 EQUINE MEDICAL DIRECTOR ARTHUR: And the --

5 VICE CHAIR AUERBACH: And so --

6 EQUINE MEDICAL DIRECTOR ARTHUR: -- regulation as  
7 proposed specifically does not require a specific format.  
8 The regulation will require they just meet these  
9 requirements and trainers can do it in their own way.  
10 That's the way they do it in the British Horseracing  
11 Authority. They don't really mandate. They keep them in  
12 one particular way.

13 But if the trainers, as Alan Balch recommended,  
14 come up with a standardized format, then fine and dandy.

15 VICE CHAIR AUERBACH: I think the question that I  
16 have at this point in time, Alan, I'd like you to weigh in  
17 on this please, is since we did go through this, do we want  
18 to take this item and make it specific so that it would  
19 become an action item next time out?

20 EQUINE MEDICAL DIRECTOR ARTHUR: It is. It  
21 actually is specific in terms of what it requires the  
22 trainer to maintain, it's just the information is specific,  
23 the format isn't.

24 EXECUTIVE DIRECTOR BAEDEKER: If this rule is  
25 moved today and becomes a rule at some point, it doesn't

1 preclude digital format --

2 EQUINE MEDICAL DIRECTOR ARTHUR: Absolutely.

3 EXECUTIVE DIRECTOR BAEDEKER: -- or even a written  
4 format, in other words, the best possible procedure can be  
5 arrived at and it wouldn't be -- it wouldn't affect the way  
6 this proposed rule is written; correct?

7 EQUINE MEDICAL DIRECTOR ARTHUR: That's right.

8 VICE CHAIR AUERBACH: So we should really --

9 EQUINE MEDICAL DIRECTOR ARTHUR: That's right.

10 VICE CHAIR AUERBACH: It is really an action?

11 EQUINE MEDICAL DIRECTOR ARTHUR: It is.

12 CHAIR WINNER: Yeah, it's right here --

13 EXECUTIVE DIRECTOR BAEDEKER: Yeah. It --

14 CHAIR WINNER: -- on the other page.

15 EXECUTIVE DIRECTOR BAEDEKER: -- it can be moved.

16 VICE CHAIR AUERBACH: Yeah.

17 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

18 VICE CHAIR AUERBACH: Because I think I would like  
19 to see something that clarifies that we want this  
20 information but we are not restricting how it's provided,  
21 and that's what we're saying.

22 EQUINE MEDICAL DIRECTOR ARTHUR: It actually is in  
23 the -- there's no requirement as how -- on a specific  
24 format. There's a requirement of specific information. So  
25 trainers can do it in different ways as long as that

1 information is available for inspection.

2 CHAIR WINNER: And this, the action today, if  
3 passed, it would go out for 45 days?

4 EQUINE MEDICAL DIRECTOR ARTHUR: 45-day notice.

5 CHAIR WINNER: Correct.

6 EQUINE MEDICAL DIRECTOR ARTHUR: Yeah.

7 CHAIR WINNER: Alan Balch?

8 MR. BALCH: Alan Balch, California Thoroughbred  
9 Trainers.

10 Just to clarify, everything that you're doing we  
11 agree with. My only offer was, yesterday, was that we  
12 could, CTT, could certainly assist in providing a format  
13 because we would like to see this become electronic, and not  
14 20 years from now but now. And somehow, because this is for  
15 the -- this is for treatments that are not covered in the  
16 previous item. So if we could standardize it to require the  
17 trainers to keep the information that's mentioned in this  
18 proposal, that would be great, and we'll take that on.

19 CHAIR WINNER: Thank you.

20 All right, is there any further discussion?

21 I think I have a card from Debbie Barklay, who  
22 wanted to speak on this.

23 Ms. Barklay?

24 MS. BARKLAY: Good afternoon again.

25 CHAIR WINNER: Hello again.

1 MS. BARKLAY: Debbie Barklay.

2 I believe that this rule is a little bit vague an  
3 ambiguous. What you're proposing today impacts trainers  
4 that intend to race -- impacts trainers all over the county  
5 that intend to race their horses here.

6 So how is this rule going to impact somebody, a  
7 trainer in Florida, for example, who wants to bring ten  
8 horses out here and race them under the rules of the CHRB?

9 So this isn't specifically limited to the trainers  
10 that we currently have in the united -- in California right  
11 now.

12 Number two, what if I claim a horse from Florida  
13 and maybe there are no records out there, okay, and maybe  
14 that horse has had everything under the son done, just  
15 hypothetically? I have no knowledge of that. You have no  
16 knowledge of that. He comes out here and something happens.

17 So does that put the liability on me as the owner? Does  
18 that put the liability on the trainer that I'm sending this  
19 horse to in California?

20 I think we really need to delve into this a little  
21 bit further because we're dealing in an area that has  
22 potential liability ramifications, perhaps for trainers,  
23 perhaps for owners. Obviously, the veterinarians are  
24 protected under the prior action item there. But I don't  
25 think that this particular action item is ripe for

1 discussion, unless there's additional information that is  
2 forthcoming to fully clarify the impact on trainers. Not  
3 only that but, obviously, this is going to require -- you've  
4 got 100 horses out there that you're training all over the  
5 place. This is going to be a monumental effort by somebody  
6 that's going -- and is going to add cost to the overall  
7 training rate.

8           So I believe you need to table this, really  
9 discuss it, all of the ramifications that are -- for the  
10 trainers all over the country before you bring it for a  
11 vote.

12           EXECUTIVE DIRECTOR BAEDEKER: It only applies to  
13 trainers in California, so a trainer who has a horse in his  
14 or her care in California needs to keep these records. It  
15 has no application to a trainer outside the state.

16           MS. BARKLAY: What if I'm --

17           CHAIR WINNER: You're on.

18           MS. BARKLAY: Thank you.

19           What if I'm a trainer that's bringing a horse in  
20 for the Breeders' Cup?

21           EXECUTIVE DIRECTOR BAEDEKER: Then once that horse  
22 was on the grounds here in California and you are a licensed  
23 trainer in California, it would be required to keep a record  
24 of any medication treatments that the horse received within  
25 the CHRB enclosed stable area.

1 MS. BARKLAY: So you're saying that --

2 EXECUTIVE DIRECTOR BAEDEKER: Correct, Doc?

3 EQUINE MEDICAL DIRECTOR ARTHUR: That's right.

4 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

5 MS. BARKLAY: So you're saying that those trainers  
6 that are in Florida or wherever they're at, Kentucky, they  
7 can bring a horse in here and virtually be exempt from the  
8 same rules that the trainers are being -- must adhere to  
9 here in California?

10 EXECUTIVE DIRECTOR BAEDEKER: No, ma'am, they're  
11 not exempt.

12 CHAIR WINNER: No.

13 EXECUTIVE DIRECTOR BAEDEKER: Once the horse is  
14 in --

15 VICE CHAIR AUERBACH: Just the opposite.

16 EXECUTIVE DIRECTOR BAEDEKER: -- California, they  
17 have to keep the records.

18 MS. BARKLAY: Once they're in California --

19 VICE CHAIR AUERBACH: Right.

20 CHAIR WINNER: Yeah.

21 MS. BARKLAY: -- with a horse, the have to keep  
22 the records?

23 CHAIR WINNER: That's correct.

24 MS. BARKLAY: But prior to that, even though they  
25 carry a license in California --

1 EXECUTIVE DIRECTOR BAEDEKER: The horse has to be  
2 in California.

3 MS. BARKLAY: The horse has to be in California?

4 CHAIR WINNER: Yeah.

5 MS. BARKLAY: Okay. Is this the extent of --

6 CHAIR WINNER: We can't, as you know, we can't  
7 determine what the rules and regulations are outside of  
8 California. We can only determine when it's in our  
9 inclosure.

10 MS. BARKLAY: Okay. So --

11 CHAIR WINNER: So that's essentially what we're  
12 talking about here.

13 MS. BARKLAY: Okay. So you're exempt from these  
14 rules if the horse is not here in California?

15 CHAIR WINNER: That's correct.

16 MS. BARKLAY: Okay. Does this also include such  
17 treatments like acupuncture, hyperbaric chambers, things of  
18 that nature?

19 VICE CHAIR AUERBACH: It should include  
20 everything, every service that's provided, there should a  
21 record.

22 EXECUTIVE DIRECTOR BAEDEKER: It's a medication  
23 treatment so, Doc, you'd have to answer that question.

24 CHAIR WINNER: Yeah, a hyperbaric chamber.

25 MS. BARKLAY: It says, "all treatments."

1 EQUINE MEDICAL DIRECTOR ARTHUR: Anything that --  
2 any treatment that is prescribed by a veterinarian, and,  
3 frankly, the California Veterinary Medical Board considers  
4 any physical therapy to be a veterinary practice requiring a  
5 prescription, so you would need to keep track. If you send  
6 a horse to a hyperbaric chamber and you don't have a record  
7 of it, shame on you.

8 VICE CHAIR AUERBACH: Yeah. It's the same -- and,  
9 for example, I mean, I know I get the bills for all these  
10 treatments, so somebody is keeping track of them. So it  
11 shouldn't be very difficult to make sure that those --

12 MS. BARKLAY: What's in the case --

13 VICE CHAIR AUERBACH: -- you know, the trainer  
14 should know because they're the ones that are responsible.

15 So this is really kind of a no-brainer thing where  
16 their trainer should --

17 MS. BARKLAY: No, it is a brainer thing, Ms.  
18 Madeline, it is a brainer thing --

19 VICE CHAIR AUERBACH: Well, no, only because --

20 MS. BARKLAY: -- because a lot of --

21 VICE CHAIR AUERBACH: -- only because --

22 MS. BARKLAY: -- a lot of trainers like to -- you  
23 know, can use acupuncture, they can use chiropractor. So  
24 it's kind of like are those --

25 VICE CHAIR AUERBACH: Yeah, but those --

1 MS. BARKLAY: -- outside the scope?

2 VICE CHAIR AUERBACH: -- but those things get  
3 billed to the owner no matter what they do. Everything  
4 that -- well, okay, I shouldn't be universal. Almost every  
5 trainer that I've dealt with, any kind of service that's  
6 provided for the horse --

7 MS. BARKLAY: Yes.

8 VICE CHAIR AUERBACH: -- does appear on the bill,  
9 so someone has a record of it. And what we're saying is we  
10 need to know every treatment that the horse has received.  
11 There should be no underground treatments of horses of any  
12 sort. We should know about it.

13 EQUINE MEDICAL DIRECTOR ARTHUR: Just to be clear,  
14 acupuncture and chiropractic are veterinary practices in  
15 California. We require those to be reported as a vet -- on  
16 the veterinary report, so those would be exempt because they  
17 are subject to 1842 reporting that we talked about just a  
18 minute ago. So if it's done by a veterinarian, it's not --  
19 doesn't have to be reported because the veterinarian is  
20 reporting it.

21 But if the trainer, for example, if somebody  
22 dispenses phenylbutazone, or let's say clenbuterol, for a  
23 ten-day treatment for some illness, that is what has to be  
24 reported, or if somebody reports -- or prescribes some  
25 physical therapy treatment, that would have to be reported

1 as well.

2 MS. BARKLAY: Is that spelled out, sir, someplace,  
3 so that it's clear for people that are in Florida, that they  
4 look at this and they can say, okay, this is the situation  
5 where I have to report it, this is a situation where I'm  
6 exempt from doing it?

7 EQUINE MEDICAL DIRECTOR ARTHUR: In Florida, it  
8 doesn't matter. In California, it's right here. And if  
9 anybody has any questions, you can always contact the  
10 official veterinarian, like we do on every other thing.

11 MS. BARKLAY: Okay. So this is the extent of the  
12 rule then, is as written here, there's nothing else, no  
13 (indiscernible)?

14 EQUINE MEDICAL DIRECTOR ARTHUR: That's right.

15 MS. BARKLAY: Okay. I still recommend that you  
16 table this discussion, at least until the next meeting, and  
17 allow input, perhaps, from people, from other people.

18 CHAIR WINNER: Just to make it clear, that's the  
19 purpose of the 45-day public comment period. So if we vote  
20 it out today, then it has to go through a process --

21 MS. BARKLAY: Right.

22 CHAIR WINNER: -- and it gives 45 days for the  
23 public to make the kinds of comments --

24 MS. BARKLAY: Okay.

25 CHAIR WINNER: -- that you're suggesting before we

1 vote on it in a final vote.

2 MS. BARKLAY: Wonderful. Thank you.

3 VICE CHAIR AUERBACH: And the truth is, this  
4 particular item, we've brought up so many times already and  
5 we've discussed it quite a bit now. And once again, there  
6 will be more opportunity to discuss it if anybody wants to,  
7 so --

8 EQUINE MEDICAL DIRECTOR ARTHUR: This is modeled  
9 after the IFHA Guidelines for Medication, Practices and  
10 Training and is modeled after the rule for the British Horse  
11 Racing Authority that they administer. The language is  
12 almost identical.

13 MS. BARKLAY: Very good. Thank you.

14 CHAIR WINNER: Thank you very much.

15 Pavla McGaard, good morning again or good  
16 afternoon now again.

17 MS. MCGAARD: Thank you.

18 CHAIR WINNER: Please identify yourself again --

19 MS. MCGAARD: Yes.

20 CHAIR WINNER: -- please?

21 MS. MCGAARD: It's Pavla McGaard with Thor-Bred  
22 Stables, LLC.

23 So as a breeder and an owner, I spend a lot of  
24 time talking to vets. I spend a lot of time looking at vet  
25 records. And I spend a lot of time paying bills for those

1 treatments.

2 I would say that, as a general rule, it's the  
3 things that we don't know as owners and trainers that are  
4 harder to manage than the things we do know. And especially  
5 for those -- I do not spend a lot of time in the claiming  
6 game but, from what I understand, when horses change hands,  
7 whether it is that they change trainers because they were at  
8 a -- they were started as a yearling and they go on to a  
9 trainer, a lot of the times those vet's records do not  
10 continue. Sometimes I will see bills for similar things.  
11 And as long as I can continue communication, it's easier to  
12 maintain than not.

13 But what I'm trying to say is that as an owner, as  
14 a breeder, I highly welcome an opportunity to have records  
15 of vet procedures. Because if you know that something has  
16 been done previously, you don't want to be doing it again,  
17 and especially that it is the case in any of the joint  
18 injection situations which, hopefully, we don't need in any  
19 case, but if they were done, and especially if they were  
20 done at the claiming level, you want to know that.

21 You want your vets to know that. And I would  
22 pray that there is an opportunity to be able to accomplish  
23 something like this at the national level so that we're not  
24 talking about his just for California but so that there is a  
25 way, whether it is something that gets attached to the

1 microchip information in the future, as all the horses are  
2 microchipped, so that, of course, you know, only appropriate  
3 people have access to that information.

4 But it is the things we don't know that hurt us a  
5 lot more than we do, so I'm very much in support of asking  
6 for records to be maintained, because I think that it helps,  
7 not just the integrity, but it helps the horse owners and  
8 the trainers to take better care of their horses.

9 CHAIR WINNER: Thank you. Thank you very much.

10 All right, any other discussion?

11 Motion, Vice Chair Auerbach?

12 VICE CHAIR AUERBACH: So moved.

13 COMMISSIONER RUANO: Are we moving with the  
14 amendment that we come up with a standardized format?

15 VICE CHAIR AUERBACH: No, we don't have to have a  
16 standardized format.

17 COMMISSIONER RUANO: Well, we don't have to but  
18 it was recommended, so I don't know if that's --

19 EQUINE MEDICAL DIRECTOR ARTHUR: I would advise  
20 against it. Some trainers have very good records in  
21 different formats. Some of them actually do use electronic  
22 already. It certainly hasn't been an issue in other racing  
23 authorities around the world who required similar, you know,  
24 regulations.

25 I will say, there is a model format that we have

1 that's in the packet, that would be in your packet, but  
2 we're not mandating a specific format.

3 COMMISSIONER ALFIERI: Mr. Chairman, I have a  
4 question.

5 CHAIR WINNER: Please.

6 COMMISSIONER ALFIERI: The saltwater spa here, for  
7 example, here at Santa Anita, that's a treatment but it's  
8 not prescribed by a vet. Is that -- would that be  
9 applicable in this, too, we'd have to keep --

10 EQUINE MEDICAL DIRECTOR ARTHUR: Well,  
11 interestingly --

12 COMMISSIONER ALFIERI: -- trainers would keep a  
13 record on that?

14 EQUINE MEDICAL DIRECTOR ARTHUR: -- the Veterinary  
15 Medical Board considers that a practice of veterinary  
16 medicine but that's their battle, it hasn't been ours.

17 Yes, it would be something that should be on the  
18 report. But, quite frankly, I don't see us going down and  
19 chasing that rabbit hole.

20 COMMISSIONER ALFIERI: Okay.

21 EQUINE MEDICAL DIRECTOR ARTHUR: But, you know,  
22 any -- if it's a veterinary practice, primarily if it's  
23 prescribed by a veterinarian and administered by a trainer,  
24 that's what we're trying to get at. Most of our medication  
25 violations are oral medications that are administered by

1 personnel in the barn. And very frequently we don't get a  
2 history of who did what, when and where, and this is trying  
3 to put some discipline in that process.

4 COMMISSIONER ALFIERI: Got it.

5 CHAIR WINNER: All right.

6 COMMISSIONER ALFIERI: Thanks.

7 CHAIR WINNER: It's been moved by Vice Chair  
8 Auerbach.

9 Did you second it, Commissioner?

10 COMMISSIONER RUANO: No.

11 CHAIR WINNER: No. Okay.

12 COMMISSIONER SOLIS: Second.

13 CHAIR WINNER: Seconded by Commissioner Solis.

14 Any discussion? Any discussion? The purpose of  
15 this is to send it out for 45-day public comment.

16 Commissioner Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIR WINNER: Commissioner Maas?

19 COMMISSIONER MAAS: Yes.

20 CHAIR WINNER: Commissioner Solis?

21 COMMISSIONER SOLIS: Yes.

22 CHAIR WINNER: Chair votes yes.

23 Vice Chair?

24 VICE CHAIR AUERBACH: Yes.

25 CHAIR WINNER: Commissioner Ruano?

1 COMMISSIONER RUANO: No.

2 CHAIR WINNER: Commissioner Ruano votes no.

3 It passes by a five-to-one vote.

4 All right, let's go on to item number 12 -- let me  
5 put on my glasses -- discussion and action by the Board  
6 regarding the proposed addition of CHRB Rule 1846.6,  
7 Postmortem Examination Review, to require a postmortem  
8 examination review of each equine fatality within a CHRB  
9 inclosure.

10 Did you want to speak on this?

11 VICE CHAIR AUERBACH: Yeah. What we -- currently,  
12 trainers and other licensees are being asked to voluntarily  
13 participate in a review of postmortem reports involving  
14 fatalities of horses in their care. This rule would make  
15 that review mandatory. And on top of what we've just all  
16 been through, I hate to put it this way, but I think it's a  
17 no-brainer.

18 Dr. Arthur said, "Many trainers and other  
19 licensees lack a true understanding of factors that can lead  
20 to catastrophic injuries. Requiring trainers to review  
21 postmortem reports with the official veterinarian is an  
22 educational opportunity and will help them understand how  
23 injuries develop and occur."

24 Rick Baedeker said, "We need to do everything we  
25 possibly can to reduce fatalities."

1           And Alex and I both feel it is extremely important  
2 for everyone involved with a horse and they should learn as  
3 much as possible about the fate of their hoses. And we  
4 recommend that the Board approve this proposed rule for  
5 public notice.

6           CHAIR WINNER: Did you want to comment on this,  
7 Dr. Arthur?

8           EQUINE MEDICAL DIRECTOR ARTHUR: No. I think the  
9 Vice Chairman covered the discussion very well.

10          CHAIR WINNER: Thank you.

11          Is there any other -- I know that we have a card  
12 from Debbie Barklay again.

13          MS. BARKLAY: Good afternoon, Commissioner, once  
14 again. My name is Debbie Barklay.

15          I see this as an underlying health issue. And I'd  
16 like to know, what is the CHRB inclosure, first off? Where  
17 would these postmortem examinations be conducted?

18          VICE CHAIR AUERBACH: The examinations --

19          EXECUTIVE DIRECTOR BAEDEKER: The necropsy is --

20          VICE CHAIR AUERBACH: -- or the necropsies?

21          EXECUTIVE DIRECTOR BAEDEKER: No. The  
22 examinations will be --

23          MS. BARKLAY: Both.

24          EXECUTIVE DIRECTOR BAEDEKER: -- conducted here or  
25 within a CHRB facility, so basically --

1 MS. BARKLAY: Which is the racetrack?

2 EXECUTIVE DIRECTOR BAEDEKER: -- it's the  
3 racetrack and the stable area.

4 MS. BARKLAY: Okay.

5 CHAIR WINNER: Or --

6 MS. BARKLAY: How about the --

7 CHAIR WINNER: -- a training facility.

8 EXECUTIVE DIRECTOR BAEDEKER: Or a training  
9 facility, yeah.

10 MS. BARKLAY: Okay.

11 EXECUTIVE DIRECTOR BAEDEKER: Any licensed CHRB  
12 inclosure.

13 MS. BARKLAY: Would they then automatically be  
14 necropsied, these horses?

15 EXECUTIVE DIRECTOR BAEDEKER: Yes, that's already  
16 by law.

17 MS. BARKLAY: And would those necropsies take  
18 place?

19 EXECUTIVE DIRECTOR BAEDEKER: Every --

20 VICE CHAIR AUERBACH: That's --

21 EXECUTIVE DIRECTOR BAEDEKER: -- horse that's lost  
22 in California within a CHRB inclosure must be necropsied.

23 MS. BARKLAY: Where?

24 EXECUTIVE DIRECTOR BAEDEKER: Doc?

25 EQUINE MEDICAL DIRECTOR ARTHUR: My goodness, this

1 program has been place for almost close to -- over 25 years.  
2 All horses are necropsied at a California Animal Health and  
3 Food Safety Laboratory facility that's operated by the  
4 School of Veterinary Medicine, University of California at  
5 Davis. They're pathologists, most of them are vet school  
6 faculty, and many of them are Board certified, most of them  
7 are Board certified. So in Southern California, it's done  
8 in San Bernardino. In Northern California, it's done at UC  
9 Davis. They have a facility there right next to the vet  
10 school. And at Fresno, we actually use the Turlock -- or  
11 Tulare facility there.

12 MS. BARKLAY: Okay. And, Dr. Arthur, are you not  
13 the Director of Veterinary Medicine at UC Davis?

14 EQUINE MEDICAL DIRECTOR ARTHUR: Excuse me?

15 MS. BARKLAY: Are you the Director of Veterinary  
16 Medicine at UC Davis?

17 EQUINE MEDICAL DIRECTOR ARTHUR: I'm not the  
18 Director of Veterinary Medicine. I'm the Equine Medical  
19 Director.

20 MS. BARKLAY: Equine Medical? I beg your pardon.  
21 Okay.

22 And have you received -- has UC Davis received  
23 approximately \$10 million from Monsanto for research  
24 facilities and research?

25 EQUINE MEDICAL DIRECTOR ARTHUR: I would have no

1 idea.

2 MS. BARKLAY: Okay. Very good.

3 EXECUTIVE DIRECTOR BAEDEKER: What does that have  
4 to do with the agenda item?

5 MS. BARKLAY: May I make the following  
6 recommendation that as part of the necropsies, there's  
7 growing evidence, there's almost 2,000 studies that show  
8 that food has an impact on health. And specifically, we're  
9 looking at items like glyphosate from Roundup that is  
10 sprayed on Roundup-ready crops.

11 CHAIR WINNER: I'm going to have to interrupt you  
12 because that is not relevant to the item that's on the  
13 agenda. There's no item on the agenda to deal with the  
14 chemical issues that you're talking about.

15 MS. BARKLAY: Very well. Well, I would just like  
16 to make the point that --

17 CHAIR WINNER: Yeah, go ahead, please.

18 MS. BARKLAY: Thank you, sir.

19 I would like to make the point that items  
20 should be included in that necropsy that take a look at bone  
21 density and also test the horse for the presence of  
22 glyphosate in their system, and also fluoride, calcium  
23 fluoride which is known to weaken bones. And that's all I  
24 have to say.

25 Thank you, sir.

1 CHAIR WINNER: Thank you. Thank you very much.

2 I hope I pronounce this right, Faramarz Nabori  
3 (phonetic). I apologize if butchered that.

4 MR. NABORI: Thank you, Mr. Chair. I'm a member  
5 of the public.

6 I would like to say that, with respect to the  
7 postmortem examination review, I'd like to ask the  
8 Commission to incorporate in that rule an identification of  
9 whether the cause of death was the accident itself or  
10 whether a decision was made to euthanize the animal. I  
11 think this is important because going forward, in terms of  
12 how the Commission regulates horse racing, it may be prudent  
13 to require the owners of racehorses to post a bond to pay  
14 for their medical care or to purchase an insurance policy in  
15 the event of a catastrophic injury that prevents them from  
16 racing in the future to pay for their treatment, rather than  
17 having those animals euthanized.

18 So to further that, I would like to make sure that  
19 this rule incorporates some tracking of what was the cause  
20 of death: Was it natural or was there a choice made to  
21 euthanize the animal?

22 Thank you very much.

23 CHAIR WINNER: Thank you. Let me just comment,  
24 and, Doctor, I'll let you comment.

25 Your point is well taken. I don't think it fits

1 this particular agenda item, though I'll let Dr. Arthur  
2 comment on it. But I do think it's an issue that can be  
3 raised at the next Medication Committee meeting, as I  
4 understand your point and I do think it's well taken.

5 Dr. Arthur?

6 EQUINE MEDICAL DIRECTOR ARTHUR: Yeah. I think  
7 there's some misunderstanding of what we're talking about.

8 There's two processes here. One is the  
9 investigation of a fatality and the Executive Director can  
10 discuss how that has changed recently. These are --  
11 actually, what we're talking is taking the necropsy report,  
12 sitting down the trainer, and going over it as an  
13 educational process. We currently have a voluntary process  
14 that works fairly well but it's not mandated, it's -- and  
15 this would allow us to do it in a more systematic way and  
16 use it as an educational process.

17 The investigation is an entirely different  
18 process. It's not going to be handled as an enforcement  
19 process in the near future, rather than an academic  
20 educational process which is what we're proposing here.

21 VICE CHAIR AUERBACH: May I ask the speak, could  
22 you come back up? I'm sorry, sir, I don't -- I'm not doing  
23 well with names today.

24 MR. NABORI: I have a tough name. Yes.

25 VICE CHAIR AUERBACH: Please say it for me.

1 MR. NABORI: Faramarz.

2 VICE CHAIR AUERBACH: Faramarz.

3 MR. NABORI: Thank you.

4 VICE CHAIR AUERBACH: Faramarz is your first name.  
5 I hope you don't mind me using it.

6 I believe that the intent behind what you're  
7 suggesting, and correct me if I'm taking the wrong spin on  
8 it, I don't want to, I believe that what you're concerned  
9 about is that when some of these horses are injured you're  
10 concerned that we do not look at the medical necessities as  
11 something that would preclude someone taking lifesaving  
12 measures. I think that's what you're concerned with; am I  
13 right?

14 MR. NABORI: Partially, yes.

15 VICE CHAIR AUERBACH: Okay. Because I just wanted  
16 to assure you that those considerations, especially in light  
17 of many of the things that have happened now, the financial  
18 consideration is not one that we even address. The only  
19 thing that we address right now, and I can only speak for  
20 Santa Anita because, I mean, I'm sure the other tracks will  
21 probably have the same attitude, that if there is the  
22 viability of saving that horse's life, it is not a matter of  
23 money now. If it is possible to save that horses life, then  
24 the horse will undergo whatever is medically necessary to  
25 keep that horse viable.

1           That is kind of a change. At one point it was  
2 more of a financial decision. I think that's out of the  
3 equation now. I think whatever is possible will be  
4 attempted with the horse. And I hope that helps in relation  
5 to what you're talking about.

6           MR. NABORI: Thank you for clarifying that.

7           CHAIR WINNER: I think, just also to just follow  
8 up on that, as I understood your question, it was whether or  
9 not these horses are putting down -- being put down for  
10 economic reasons. And there are two ways -- there are two  
11 concerns. If a horse is insured, then you could make an  
12 argument that the horse is being put down in order to get  
13 the insurance, or if it isn't insured, then you can make an  
14 argument that it's being put down because it's going to cost  
15 you a lot of money to operate on the horse surgically, et  
16 cetera, and to do the kinds of things to keep it alive. And  
17 that's always a very tough decision because you don't want  
18 the horse to suffer during that period.

19           I had a horse, some ten years ago, and I gave up  
20 the insurance because it was life insurance. I gave that up  
21 and chose to go through the surgical process. It was a  
22 major-major process. It cost me tens of thousands of  
23 dollars. I could afford it; other people couldn't. And we  
24 were able to save the horse and it's still alive. So that's  
25 ten years ago.

1           So the point being that there is this issue but,  
2 as Commissioner Auerbach, Vice Chair Auerbach just  
3 explained, we're taking that whole consideration out and  
4 it's important to take it out. I mean, never should a horse  
5 be put down for economic reasons in my opinion.

6           MR. NABORI: Thank you very much. Thank you for  
7 clarifying and thank you, also, for taking your own personal  
8 measures to save your horse's life.

9           Just to clarify, I was not speaking about life  
10 insurance but rather veterinary insurance so that --

11          CHAIR WINNER: Yeah.

12          MR. NABORI: -- there would be money available for  
13 the treatment of the animal.

14          And I would like to express my support for the  
15 viewpoint of the Chair and the Vice Chair that this  
16 Commission and the racetracks and the horse owners that it  
17 regulates should not be euthanizing animals based on a  
18 financial consideration.

19          CHAIR WINNER: Right.

20          VICE CHAIR AUERBACH: That's what we're talking  
21 about.

22          CHAIR WINNER: Thank you.

23          VICE CHAIR AUERBACH: And the truth is now it is  
24 very common practice, just so that you know, when you have  
25 insurance on a horse, there is now a major medical

1 component. And it's up to the ownership but there is now a  
2 lot of major medical which, unfortunately, I've had to use a  
3 few times to help with the bills. But it is becoming less  
4 of an economic burden and more of a shared responsibility  
5 for all of us and we are trying to do that.

6 Thank you.

7 MR. NABORI: Thank you. And I hope the Commission  
8 in the future makes it mandatory.

9 Thank you.

10 CHAIR WINNER: Thank you. Thank you very much.

11 All right, is there a motion or any other  
12 discussion?

13 Is there a motion, Vice Chair Auerbach?

14 VICE CHAIR AUERBACH: Yes.

15 CHAIR WINNER: No, you have to move.

16 VICE CHAIR AUERBACH: So moved. I'm sorry.

17 CHAIR WINNER: Vice Chair Auerbach moves.

18 Is there a second?

19 COMMISSIONER MAAS: Second.

20 CHAIR WINNER: Commissioner Maas seconds. Any  
21 discussion?

22 Commissioner Alfieri?

23 COMMISSIONER ALFIERI: Yes.

24 CHAIR WINNER: Commissioner Maas?

25 COMMISSIONER MAAS: Yes.

1 CHAIR WINNER: Commissioner Solis?

2 COMMISSIONER SOLIS: Yes.

3 CHAIR WINNER: Chair votes yes.

4 Vice Chair?

5 VICE CHAIR AUERBACH: Yes.

6 CHAIR WINNER: And Commissioner Ruano?

7 COMMISSIONER RUANO: Yes.

8 CHAIR WINNER: Commissioners, it passes

9 unanimately. Thank you.

10 Moving on then to item number 13, discussion and  
11 action by the Board regarding the proposed addition of CHRB  
12 Rule 1866.2, Use of --

13 VICE CHAIR AUERBACH: Bisphosphonates.

14 CHAIR WINNER: -- yeah -- Bisphosphonates --

15 EQUINE MEDICAL DIRECTOR ARTHUR: Bis. Bis.

16 VICE CHAIR AUERBACH: Bis.

17 CHAIR WINNER: -- bis, okay, Bisphosphonates

18 Restricted, to set restrictions and conditions on the use of  
19 bisphosphonates in horses racing and training within CHRB  
20 inclosures.

21 Go.

22 EQUINE MEDICAL DIRECTOR ARTHUR: This will be  
23 brought over -- this item will be brought over -- brought  
24 back next meeting. The proposal here was to match the IFHA  
25 and British Horseracing Authority proposals for

1 bisphosphonates. After discussion at the Medication  
2 Committee the decision was to make it a prohibited practice  
3 in California. And I certainly have no objection to that  
4 and that's what the -- Rob Brodник and I will work on the  
5 language for that.

6 CHAIR WINNER: Thank you. I think this is the  
7 issue that you raised in conversation with me; is that  
8 correct, Commissioner Solis?

9 COMMISSIONER SOLIS: Yes. Correct.

10 CHAIR WINNER: Okay.

11 EQUINE MEDICAL DIRECTOR ARTHUR: I --

12 CHAIR WINNER: And we're comfortable with moving  
13 it on to the --

14 VICE CHAIR AUERBACH: Absolutely.

15 CHAIR WINNER: -- moving it over to the next  
16 meeting?

17 COMMISSIONER SOLIS: Next meeting, yeah.

18 CHAIR WINNER: Okay.

19 VICE CHAIR AUERBACH: Actually --

20 EQUINE MEDICAL DIRECTOR ARTHUR: I --

21 COMMISSIONER SOLIS: Actually --

22 VICE CHAIR AUERBACH: -- what happened was the  
23 original language was to restrict it. And in questioning  
24 Dr. Arthur, we were trying to figure out why it's even here,  
25 what is the legitimate purpose of that within the horse

1 population? And the truth is there is not legitimate  
2 purpose. There is no reason for it to be at the  
3 racetrack --

4 EQUINE MEDICAL DIRECTOR ARTHUR: I --

5 VICE CHAIR AUERBACH: -- and we want it gone.

6 EQUINE MEDICAL DIRECTOR ARTHUR: -- I certainly  
7 don't see a legitimate reason. There are some veterinarians  
8 that are going to have to defend it when -- at the next  
9 meeting and I've told them that. I'm fine prohibiting it.  
10 I don't think it fits.

11 And if anybody wants to know why we're concerned,  
12 go on the CHRB website and under the Veterinary heading,  
13 there's actually a video and an educational module we put  
14 together on bisphosphonate use.

15 COMMISSIONER SOLIS: I think it's very important  
16 to get them out of the backside. This is a drug that cannot  
17 be detected. It stops the remodeling process. And I don't  
18 see it as really no use to have it.

19 CHAIR WINNER: Okay. So we're going to move this  
20 then to the next meeting.

21 Thank you for raising this, Commissioner Solis.  
22 And thank you to the Committee.

23 We'll go on then. Did you -- did -- Ms. Barklay,  
24 since we moved this to the next meeting, then I believe  
25 there's no reason to speak on it. I don't know if you're

1 still here.

2 VICE CHAIR AUERBACH: No, she left.

3 CHAIR WINNER: Okay.

4 Go on to item number 14, discussion and action  
5 regarding the proposed addition of CHRB Rule 1368 [sic],  
6 Authorized Medication During Workouts, to establish  
7 threshold limits for the presence of certain drug substances  
8 and medication in official test samples taken from horses  
9 after they complete a timed workout.

10 Dr. Arthur, are you going to speak on this?

11 EQUINE MEDICAL DIRECTOR ARTHUR: Yes, I am.

12 This is a proposal that we put forth at the  
13 Medication Committee several years ago. There was a lot of  
14 resistance. Santa Anita has implemented a house rule for a  
15 48-hour stand-down that matches their -- the current  
16 proposals for nonsteroidal anti-inflammatories. And what  
17 we're going to be proposing here, is what the Committee  
18 discussed, is setting thresholds consistent with the RCI 48-  
19 hour stand-down requirements.

20 So in other words, the horse can't be treated with  
21 nonsteroidal anti-inflammatories within 48 hours of racing.

22 That would mean that 1868(b)(1), phenylbutazone, would be  
23 300 nanograms, 1869(b)(2), flunixin, would be 3 nanograms,  
24 1868(b)(3), ketoprofen, would be 1 nanogram, all those in  
25 blood, plasma or serum. And that would establish,

1 essentially statewide, a restriction on horses working out,  
2 timed workouts, that couldn't be treated within 48 hours,  
3 which is what our goal was for nonsteroidal anti-  
4 inflammatory in our previous action.

5 VICE CHAIR AUERBACH: Dr. Arthur, would you please  
6 share with everybody the results that make this kind of  
7 another no-brainer please?

8 EQUINE MEDICAL DIRECTOR ARTHUR: Yeah. Through  
9 last April 7th, when we have been doing this we have had no  
10 violations. That's over 60 horses. Unfortunately, this  
11 morning, I got a report of one horse that actually had what  
12 would be a violation under this. I contacted the trainer.  
13 It's -- CHRB is doing this. It's not the Santa Anita. And  
14 he was embarrassed and apologized, so he said he would  
15 correct the problem.

16 VICE CHAIR AUERBACH: At this moment in time and  
17 it's where we are all trying to do the right thing, and it's  
18 evident, and this is the time to continue.

19 CHAIR WINNER: Did you make a motion?

20 VICE CHAIR AUERBACH: I am now making a motion.

21 EXECUTIVE DIRECTOR BAEDEKER: Excuse me.

22 CHAIR WINNER: Excuse me.

23 EXECUTIVE DIRECTOR BAEDEKER: Before that, I just,  
24 Doc, it seems to me that the levels that you talked about a  
25 moment ago are different than what's in the proposed

1 language.

2 EQUINE MEDICAL DIRECTOR ARTHUR: Yes. Yes, they  
3 are.

4 EXECUTIVE DIRECTOR BAEDEKER: So do we need to  
5 hold this over?

6 EQUINE MEDICAL DIRECTOR ARTHUR: No, no. All we  
7 do is amend those to what we've -- what I'm suggesting is  
8 you amend the proposal to what I just read here.

9 CHAIR WINNER: Well, then the motion has to have  
10 those -- that language.

11 EQUINE MEDICAL DIRECTOR ARTHUR: That's right. Do  
12 you want to read it or do you want me to read it for you  
13 again?

14 EXECUTIVE DIRECTOR BAEDEKER: Can you just -- I  
15 think it's a simple correction there. Can you put it on the  
16 proposed language and give it to --

17 CHAIR WINNER: Here.

18 EXECUTIVE DIRECTOR BAEDEKER: -- or, here, we have  
19 it.

20 CHAIR WINNER: Rob's got it.

21 Give it to Madeline, who is making the motion,  
22 please.

23 By the way, while they're doing that, Eric, I  
24 noticed that you had a card on item 13, Eric Sandler. And  
25 since we moved that to the next meeting, do you still want

1 to speak on that? I didn't mean to skip over you there.

2 MR. SINDLER: It's not a problem. Eric Sindler on  
3 behalf of The Stronach Group.

4 All we were going to say is we completely support  
5 this. And in the interim, while it's working through the  
6 regulatory process, we're looking into it to see if we can  
7 make it a house rule in the interim.

8 CHAIR WINNER: Thank you.

9 MR. SINDLER: You're welcome.

10 CHAIR WINNER: That was item 13 you were speaking  
11 about?

12 MR. SINDLER: Correct.

13 CHAIR WINNER: Thank you.

14 VICE CHAIR AUERBACH: So do I have to read this  
15 whole thing?

16 EQUINE MEDICAL DIRECTOR ARTHUR: No. I would just  
17 read --

18 EXECUTIVE DIRECTOR BAEDEKER: No, just the  
19 changes.

20 VICE CHAIR AUERBACH: Okay. Number one, the  
21 phenylbutazone in a dosage amount that the test samples  
22 shall contain no more than -- is that 300? --

23 EQUINE MEDICAL DIRECTOR ARTHUR: 300 nanograms.

24 VICE CHAIR AUERBACH: -- 300 nanograms. It's  
25 called micrograms here.

1 EQUINE MEDICAL DIRECTOR ARTHUR: No. It --

2 VICE CHAIR AUERBACH: And then the flunixin in a  
3 dosage amount that the test samples shall contain no more  
4 than 3 nanograms. And the ketoprofen -- wow --

5 EQUINE MEDICAL DIRECTOR ARTHUR: Ketoprofen.

6 VICE CHAIR AUERBACH: -- in a dosage amount that  
7 the test sample should contain no more than 1 nanogram.

8 EQUINE MEDICAL DIRECTOR ARTHUR: Right.

9 CHAIR WINNER: So the language now reads with  
10 those changes.

11 VICE CHAIR AUERBACH: And I move those changes.

12 CHAIR WINNER: And you've moved?

13 VICE CHAIR AUERBACH: Yes, I have.

14 CHAIR WINNER: Is there a second?

15 EXECUTIVE DIRECTOR BAEDEKER: May I ask one more  
16 question?

17 CHAIR WINNER: Yes, you may.

18 EXECUTIVE DIRECTOR BAEDEKER: Just to be --  
19 Commissioner Solis asked the question, and I don't know the  
20 answer, in Paragraph A it refers to 24 hours. Should that  
21 be changed to 48 or is that still applicable?

22 EQUINE MEDICAL DIRECTOR ARTHUR: That's still  
23 applicable for the drugs that they're talking about, and  
24 those are local anesthetics and narcotic analgesics.

25 EXECUTIVE DIRECTOR BAEDEKER: Okay.

1 EQUINE MEDICAL DIRECTOR ARTHUR: And those drugs  
2 would -- none of those drugs, if we can find them, would  
3 still be -- have an effect. In other words, if we can't  
4 find them there the residues aren't going to be a problem.

5 COMMISSIONER RUANO: Can I ask a quick question,  
6 just --

7 CHAIR WINNER: Please do.

8 COMMISSIONER RUANO: -- regarding -- the changes  
9 seem kind of drastic for phenylbutazone, whatever, from 2 to  
10 300. It has --

11 EQUINE MEDICAL DIRECTOR ARTHUR: 2 micrograms to  
12 300. A microgram is 1,000 nanograms.

13 COMMISSIONER RUANO: Okay.

14 EQUINE MEDICAL DIRECTOR ARTHUR: Okay. So, yes,  
15 what it does is it takes it from -- the original proposal  
16 was drafted at the time that we still had a 24-hour stand-  
17 down for nonsteroidal anti-inflammatories. We now are  
18 shooting for a 48-hour stand-down. And these are the --  
19 consistent with the RCI 48-hour --

20 COMMISSIONER RUANO: Okay.

21 EQUINE MEDICAL DIRECTOR ARTHUR: -- thresholds.

22 COMMISSIONER RUANO: Okay.

23 EQUINE MEDICAL DIRECTOR ARTHUR: After the first  
24 24 hours, they drop rather dramatically.

25 CHAIR WINNER: All right. I'll ask again because

1 I have a card, Debbie Barklay, are you still here and, if  
2 you are, do you still want to speak on this issue? And I  
3 think she is not here.

4 So there is a motion by Vice Chair Auerbach,  
5 seconded by --

6 COMMISSIONER RUANO: Second.

7 CHAIR WINNER: -- Commissioner Ruano. Any  
8 discussion?

9 Commissioner Ruano?

10 COMMISSIONER RUANO: Yes.

11 CHAIR WINNER: Vice Chair Auerbach?

12 VICE CHAIR AUERBACH: Yes.

13 CHAIR WINNER: Chair votes yes.

14 Commissioner Solis?

15 COMMISSIONER SOLIS: Yes.

16 CHAIR WINNER: Commissioner Maas?

17 COMMISSIONER MAAS: Yes.

18 CHAIR WINNER: Commissioner Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 CHAIR WINNER: Commissioner Alfieri votes yes.

21 Thank you.

22 And for everybody who is here, thank you very,  
23 very much for your attendance. We will be going into  
24 Executive Session. For those of you on the Board, and for  
25 the rest of you, thank you very much.

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This meeting is adjourned.  
(The regular meeting of the California Horse Racing Board  
concluded at 12:36 p.m.)

## 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 21st day of April, 2019.



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 21, 2018