



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

James Leal,  
Zafir Molina  
Elvia Sedano  
Nick Cosato  
Heather Wilson

APPEARANCESALSO PRESENT

Patty Shenker

Wendy Marcus Minovitz

Amanda Lundberg

Nick Hines

Jill Mulato

Wayne Johnson

April Montgomery

Jennifer Brown

Cliff Goodrich, California Thoroughbred Horsemen's  
Association

Anthony Lesser

Norberto Arroyo, Jr.

Jackie Munnerlyn

Karen Valko

Aaron Gryder

Karen Klawitter

Alan Balch, California Thoroughbred Trainers

Mike Machowsky, Fasig-Tipton

Eric Sindler, The Stronach Group

Greg Avioli, Thoroughbred Owners of California

Josh Rubenstein, Del Mar Thoroughbred Club

Jack Liebau, Los Alamitos Race Course

Rick Pickering, California State Fair and Cal Expo

Larry Swartzlander, Cal Expo

APPEARANCES

ALSO PRESENT

Joe Harper, Del Mar Thoroughbred Club

Tom Robbins, Del Mar Thoroughbred Club

David Jerkins, Del Mar Thoroughbred Club

Craig Dato, Del Mar Thoroughbred Club

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- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).
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clenbutrol in a horse test sample and to the  
change the title of CHRB Rule 1866.1 to Presence  
of Clenbutrol in Horses. (Note: This concludes  
the 45-day public comment period. The Board may  
adopt the proposal as presented.)

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P R O C E E D I N G S

9:37 A.M.

ARCADIA, CALIFORNIA, THURSDAY, MAY 23, 2019

CHAIR WINNER: Good morning. Ladies and gentlemen, this meeting of the California Horse Racing Board will come to order. Please take your seats. This is the regular noticed meeting of the California Horse Racing Board on Thursday, May 23rd, 2019 at Santa Anita Park, 285 West Huntington Drive, Arcadia, California.

Present at today's meeting are: myself, Chuck Winner, Chair; Madeline Auerbach, Vice Chair; Dennis Alfieri, Commissioner; Fred Maas, Commissioner; Araceli Ruano, Commissioner; and Alex Solis, Commissioner.

Before we go on to the business of the meeting, I need to make a few moments.

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

In order to ensure all individuals have an opportunity to speak and the meeting proceeds in a timely fashion, I'll strongly enforce the three-minute time limit rule for each speaker. The three-minute time limit will be

1 enforced during discussion of all matters as stated on the  
2 agenda, as well as during the public comment period.

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

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

15           When all the names have been called, I'll ask if  
16 there's anyone else who would like to speak on the matter  
17 before the Board. Also, the Board may ask questions of  
18 individuals who speak on any matter. If a speaker repeats  
19 himself or herself, I'll ask if the speaker if the speaker  
20 has any new comments to make. If there are none, the  
21 speaker will be asked to let others make comments to the  
22 Board.

23           At this point we will adjourn to executive session  
24 and we will be back in about 20 to 30 minutes.

25           (Off the record at 9:39 a.m.)

1 (On the record at 10:37 a.m.)

2 CHAIR WINNER: Thank you very much for your  
3 patience. Please have a seat everyone. Thank you.

4 We're going to begin with item number two, which  
5 is approval of the minutes of the April 18th meeting. Are  
6 there any additions, corrections? Is there a motion to  
7 approve?

8 COMMISSIONER ALFIERI: So moved.

9 CHAIR WINNER: Commissioner Alfieri moves.

10 COMMISSIONER SOLIS: Second.

11 CHAIR WINNER: Commissioner Solis seconds.

12 Commissioner Ruano?

13 COMMISSIONER RUANO: Yes.

14 CHAIR WINNER: Vice Chair Auerbach?

15 VICE CHAIR AUERBACH: Yes.

16 CHAIR WINNER: Chairman votes yes.

17 Commissioner Solis?

18 COMMISSIONER SOLIS: Yes.

19 CHAIR WINNER: Commissioner Maas?

20 COMMISSIONER MAAS: Yes.

21 CHAIR WINNER: Commissioner Alfieri?

22 COMMISSIONER ALFIERI: Yes.

23 CHAIR WINNER: The minutes are approved.

24 We'll go then to the Executive Director's Report.

25 EXECUTIVE DIRECTOR BAEDEKER: Thank you, Mr.

1 Chairman. With the Chairman's leave, I want to reiterate  
2 some of the comments that I made yesterday at the Joint  
3 Committee hearing in Sacramento.

4 I've said it before, some know, some others  
5 probably don't know, just a description of our staff. Our  
6 staff includes 18 stewards who are responsible for the  
7 conduct of the race meets. That includes six safety  
8 stewards. We're the only jurisdiction in the country to  
9 have safety stewards, whose responsibility is the safety and  
10 welfare of the racehorse. They're here every race day. We  
11 have nine official veterinarians supervised by Dr. Rick  
12 Arthur. We also have 13 sworn officers under the  
13 supervision of Shawn Loehr, our Chief of Enforcement.

14 And I think in the media frenzy over the last few  
15 months there's been very little interest in many of the  
16 facts about racing in California. The media has been full  
17 of stories about the rampant use of drugs in racing. That is  
18 the stigma attached to racing. That will probably always be  
19 there.

20 But the truth is that in California, unless a  
21 medication is specifically permitted, it is prohibited. All  
22 performance-enhancing substances are prohibited. Our  
23 testing procedures are among the most stringent in the  
24 world. We have the finest lab of any racing lab in the  
25 world right here in California.

1           In our last fiscal year the lab analyzed samples  
2 from horses before and after racing and out of competition  
3 between races. Each sample was tested for more than 1,800  
4 known substances. There were 41,125 samples tested during  
5 the '17-18 fiscal year. Of those, taken from more than 5,000  
6 races, six were positive for performance-enhancing  
7 substances, and two of those substances were sodium  
8 bicarbonate and caffeine.

9           Now some would look at that and say, six, boy,  
10 that's a lot. Others might look at it and say, so there  
11 were 41,119 samples with nothing prohibited in them. In my  
12 opinion, other sports don't hold a candle to the scrutiny  
13 that is applied to racing in California. Twenty-four major  
14 league teams play baseball on a given night, NBA games  
15 happening all the time, NFL. I doubt in any of those  
16 situations after any of those games that they line up the  
17 players and say, okay, we want samples from you and you and  
18 you and you, but we do that after every race every day.

19           Of course, there are new substances that may not  
20 as yet be detectable. It took years before Barry Bonds and  
21 Lance Armstrong were caught. So the Maddy Lab keeps our  
22 samples for two years for retroactive testing as new tests  
23 are developed.

24           Other sports are managed by league offices,  
25 managed, they have policies. We don't manage racing, we

1 regulate it under the laws of California and the CHRB rules  
2 and regulations. Every positive test is investigated by one  
3 of our investigators and a complaint filed against the  
4 licensee. The Board takes each one seriously.

5 A couple of years ago we filed a complaint against  
6 a trainer for his third clenbuterol violation. After the  
7 hearing the Board suspended that trainer's license through  
8 its term and fined him \$160,000.

9 Everything we do is above board and in the open.  
10 Every ruling is published. Every fatality is published. I  
11 think we pay a price for our transparency. I'm not saying  
12 that's wrong. That is the right thing to do, will always be  
13 the right thing to do, but I can't say that's necessarily  
14 the same for the other sports.

15 Just thought I'd get that off my chest. And I  
16 thank you for the permission to say it.

17 CHAIR WINNER: Thank you for saying it.

18 EXECUTIVE DIRECTOR BAEDEKER: Just a note about  
19 the numbers, the financials. The financials for April,  
20 obviously, we had many fewer racing programs now. We had 30  
21 before. We've got -- we had 15 programs a year ago, 14 this  
22 year, 12 at night, 11 during the day. The numbers are down  
23 13.4 percent. And similarly, January through April, we had  
24 131 programs last year versus 116 this year, so the numbers  
25 are down about 11 percent.

1           That's my report, Mr. Chairman.

2           CHAIR WINNER: Thank you very much.

3           You might -- yesterday, as some of you may know,  
4 there was a joint hearing in Sacramento on horse racing. And  
5 Vice Chair Auerbach and Executive Director Baedeker and Dr.  
6 Arthur attended, as well as a number of other people from  
7 the industry, many of whom are in the audience. And it may  
8 be helpful, Rick or Madeline, for you to just give a quick  
9 little summation of the -- of what happened yesterday.

10           EXECUTIVE DIRECTOR BAEDEKER: Yeah. It was a  
11 joint hearing of the two governmental organization  
12 committees, Assembly and Senate, chaired on the Senate side  
13 by Senator Dodd, on the Assembly side by Adam Gray. It's a  
14 very busy time in Sacramento right now. They're facing a  
15 deadline of May 31 when all of the bills that have been  
16 introduced must be heard on the floor. So you had  
17 legislators coming in and out of the meeting throughout its  
18 two-hour course. It was also delayed an hour. So it was a  
19 very difficult time for the meeting to be held in  
20 Sacramento.

21           But it was a good opportunity for many people in  
22 racing to answer questions that the legislators had. The  
23 Stronach Group was represented there. Alex Waldrop from the  
24 National Thoroughbred Racing Association was there, as well  
25 as Greg Fravel from the Breeders' Cup, Bob Baffert, Mike

1 Smith were there, others. Dr. Arthur and Dr. Knych from UC  
2 Davis were there as well. Others that aren't coming to mind  
3 right now. It was a lengthy agenda. And several of the  
4 legislators asked questions about the necropsy process. I  
5 gave them an update. I can give you the same update.

6 Of the 23 necropsy investigations that are going  
7 forward in the joint investigation with the Los Angeles  
8 County District Attorney's Office, 46 of the 67 interviews  
9 have been completed. That was following the return of  
10 documents required through nearly 70 subpoenas. Those  
11 interviews are continuing. We do anticipate that the  
12 investigations will be completed, probably by the middle of  
13 June, within about 30 days.

14 These are legal investigations, a joint  
15 investigation, one from the perspective of Horse Racing Law,  
16 the other from the District Attorney's perspective. So,  
17 obviously, they're very thorough. Our sworn police officers  
18 are conducting the investigations, along with the official  
19 veterinarians, safety stewards interviewing owners,  
20 trainers, jockeys and so forth, and attending veterinarians,  
21 so they take time. But we've made a lot of progress and we  
22 expect that they will be finished within about 30 days.

23 So the legislators asked questions relative to  
24 those necropsy investigations, asked questions about  
25 medication, about Lasix, about the testing procedures at the

1 Maddy Lab, asked questions about dealing with the public  
2 perception of the use of the riding crop, about the public  
3 perception of the use of Lasix, and so forth. And the  
4 responses from the witnesses, the responses were honest,  
5 direct. It was a good opportunity to answer their  
6 questions.

7 Any time that we have the ability to talk about  
8 the depth of racing and some of the things that people don't  
9 know, whether they agree or not, it's still, in our view,  
10 productive.

11 So it was a productive, productive hearing. I  
12 think the legislators were pleased. They were frustrated  
13 that it was rushed because of the circumstances at the  
14 capitol yesterday. And maybe it's the first of others to  
15 come.

16 CHAIR WINNER: Madeline?

17 VICE CHAIR AUERBACH: What he said. I mean, we're  
18 going to go on for long enough but it was quite productive.

19 And it's amazing how little most people know and sometimes  
20 it's difficult to share things that go on in racing in  
21 perspective. But we found that people there really wanted  
22 to be educated, which was a good thing.

23 CHAIR WINNER: Thank you.

24 Let me announce, before we go on to the public  
25 comment period, that item number six is going to be taken

1 off of this agenda and moved to the Medication Committee  
2 meeting which will be head the day -- I think it's the day  
3 before our June Board meeting. So item number six, and I  
4 know there are a couple of cards from people who wanted to  
5 speak on that issue, will not be heard at this meeting. It  
6 will be heard at the June Medication Committee meeting.

7 All right. Let's go on then to public comment.  
8 And because there are so many people who do want to speak,  
9 I'm going to strictly the three-minute time-limit rule, so  
10 please keep your comments to that limit.

11 And I'm going to start with Jams Leal.

12 Mr. Leal? Thank you.

13 MR. LEAL: Good morning. I'm here today strictly  
14 as a racing fan, somebody who's been at this track my entire  
15 life. Two things I wanted to mention and the first one I'll  
16 just touch very briefly regarding the use of the riding  
17 crop.

18 As a young boy, I wanted to be a jockey. As you  
19 can see, Mother Nature didn't allow that. But with regard  
20 to use of the whip, I don't believe it's my right or anybody  
21 who's never ridden in a race to talk about it because we  
22 don't know the dangers that these jockeys have to face while  
23 they're on horseback. In fact, if you look back at the  
24 Kentucky Derby, we could have had one of the ugliest spills  
25 ever. And if the jockeys didn't have use of the crop, that

1 could have been a disaster, so please don't take it away  
2 from the riders. Let them decide what's the appropriate use  
3 of it.

4           Regarding the situation that we've been having  
5 here, you know, I've heard a lot of people come up here and  
6 talk about horses not being able to speak for themselves and  
7 I disagree with that. I've never owned a racehorse, I've  
8 never been in the stall with a racehorse, but they talk to  
9 you. You could look in their eyes, their body language,  
10 their behavior, it tells you everything you need to know  
11 about the horse. Now sometimes we run a horse and they  
12 don't run well, but that doesn't mean that the horse was  
13 injured, it just didn't feel like running that day.

14           People think that horses do not have a choice to  
15 run. I harken you back to Saturday's Preakness Stakes when  
16 Bodie Express through his rider at the start. He didn't  
17 stay in the gate and wait for them to take him back to his  
18 barn. He ran around the track chasing the other horses.  
19 That's what they do. That's what they are born to do.  
20 That's what they are bred to do. And that's what they love  
21 to do.

22           While sometimes they do get injured, horses are  
23 thankful that they have us to take care of them, to treat  
24 them when they are sick in their stalls, when they have the  
25 night watchman there when a horse develops colic in the

1 middle of the night. Those horses that are born in the  
2 wild, those same things happen to them out there but there's  
3 no humans to help them to survive. And racehorses do not  
4 have to lay down in their stalls at night in fear of a  
5 predator coming in there and taking their lives.

6           So I thank you, Commission, for everything you're  
7 doing to help protect the sport. And anybody in this sport  
8 who is doing harm towards animals, towards horses, needs to  
9 be taken out of the sport. And I think the moves that are  
10 being made at this time with this Commission is a step in  
11 the right direction.

12           Thank you.

13           CHAIR WINNER: Thank you very much.

14           Are there any questions?

15           Thank you very much.

16           Zafir Molina. I hope I said that right. Zafir  
17 Molina.

18           Good morning.

19           MS. MOLINA: Good morning. How are you doing? My  
20 name is Zafir Molina. I'm here as an advocate for Freedom  
21 for All.

22           So I was here at the last meeting and I think we  
23 just keep going around in circles of, you know, what is a  
24 compromise to continue this, quote unquote, "sport." And if  
25 we, again, go back to the horses and the horses only, not

1 ourselves, not our pockets, not our money, not our sport,  
2 not our wanting, not our fans, not anything else, this is  
3 not for the horses.

4           As I was walking here, actually, unexpectedly I  
5 saw some horses. And I said, you know what, I'm going to  
6 leave an open mind. You know, I'm going to walk in here and  
7 I'm going to look at them and I'm going to see where they're  
8 being held, how they're being held. You know, what are they  
9 doing? And you know what, these horses are not free. No  
10 one here can say that these horses are free. They are being  
11 held captive. Whether we like it or not, whether we want to  
12 believe it or not, they're not here by their own will.

13           If you go out there, there's two horses in a very  
14 small, small place. You think they'd rather be there than  
15 running around freely? And, yes, they do love to run but  
16 not with a whip, not as fast as they are so their insides  
17 are bursting; right? So we have to start being honest with  
18 ourselves.

19           I know it's difficult but there's a reason why so  
20 many racetracks have closed down. If we continue to make  
21 this about us, about what we want, we're going to have these  
22 meetings over and over again. And guess what's going to  
23 happen? Horses are going to keep dying, that's it, that's  
24 all we're getting accomplished. Nobody can put their egos  
25 aside. And we're going to say, oh, again, this horse,

1 because of this, because of this. They're dying. And if  
2 they were not here they would not be dying. Yes, some of  
3 them die in nature, many animals die in nature, but not like  
4 this, not on our terms.

5           We are the ones. In fact, human beings are the  
6 reason 16 percent of wildlife is disappearing, and we're  
7 concerned about some horses? We need to look at our own  
8 actions that are actually ruining the oceans and the  
9 forests. And that's why most wildlife cannot live  
10 sustainably on this planet; it's because of us.

11           So again, I ask you, if you ask yourself, is this  
12 for the horse, is this really, this racetrack, this sport  
13 for the horse or is it for the jockey to get first place?  
14 We need to start being honest with ourselves.

15           You can't even look at me when I say this because  
16 it's real and because we're human and because it comes from  
17 the heart. We don't speak from the heart. We speak from  
18 what we've been taught. We speak from greed, from  
19 selfishness. And I understand because I was there too.  
20 I've been to these races. But that does not give us an  
21 excuse to continue looking away past what is really  
22 important and that is freedom. These horses are not free  
23 and that we cannot deny.

24           CHAIR WINNER: Thank you very much.

25           Any questions? Comments?

1 (Applause.)

2 CHAIR WINNER: No. Let's keep the applause on  
3 either side. You can all applaud at the end of the meeting  
4 if you want to. But in order to get through this pretty  
5 quickly, let's hold off on the applause.

6 Thank you very much and thank you for keeping it  
7 to three minutes.

8 Elvia Sedano. Again, if I'm mispronouncing names,  
9 I apologize.

10 MS. SEDANO: Good morning.

11 CHAIR WINNER: Good morning.

12 MS. SEDANO: Good morning. My name is Elvia  
13 Sedano and I'm here as a private citizen. And I wanted to  
14 remember Spectacular Music. He was so young, only three  
15 years of age, when the jockey Jorge Velez pulled up on the  
16 backstretch shortly after leaving the gate. This was  
17 Spectacular Music's first race. He suffered a pelvis  
18 injury. And according to the attending vet, on Monday the  
19 horse was not doing well. He was starting to go into shock  
20 so they elected to euthanize the horse.

21 But a few days before Spectacular Music was  
22 euthanized, on Friday, Commander Coil, also a young three-  
23 years-of-age horse was euthanized. Commander Coil suffered  
24 a shoulder injury while galloping during training.

25 I will say that for anyone that cares about the

1 horses that have to be sacrificed due to these cruelty  
2 events for the gamblers and spectators should not lose focus  
3 on all the horses that have been euthanized here at Santa  
4 Anita and that the horse racing industry has caused and will  
5 always continue to cause the cruelty and death of the horses  
6 involved. I say cruelty because I have seen photos of the  
7 injuries and the simple fact that horses have to be  
8 euthanized because they are in the hands of the humans that  
9 make them -- that make choices for them.

10 And I please want to ask everybody to choose not  
11 to ignore all the over 500 horses that have died here over  
12 Santa Anita over the last decade and over 5,000 horses that  
13 have died across California racetracks. Please let there be  
14 a ballot measure.

15 Thank you.

16 CHAIR WINNER: Thank you very much.

17 Any questions or comments?

18 Thank you very much.

19 Nick Cosato.

20 MR. COSATO: Good morning.

21 CHAIR WINNER: Good morning.

22 MR. COSATO: I'm here as an owner and a fan of  
23 this game. We currently have 20-some-odd horses here right  
24 now. And while it's nice to come to a meeting like this,  
25 it's just -- it's so frustrating that people are uneducated

1 about the sport. You know, I hear the lady that came up two  
2 people ago saying if the horses are kept captive, well, my  
3 dogs would probably leave my backyard if I left the gate  
4 open.

5           While it's been a tough winter for us, the  
6 condition of the track and horses being put down, I think  
7 our euthanasia rate is right around two percent. Yet PETA  
8 puts down about 1,700 to 2,200 animals per year and I would  
9 love to know for what reason those animals are put down.

10           Unfortunately, in this game there will be  
11 injuries, as there are in the NFL every week. We do make  
12 decisions for animals because they can't make decisions for  
13 themselves. I think it's humiliating to see people come up  
14 here and speak about this that are not educated. I welcome  
15 anyone in the room to come back and see how these animals  
16 are taken care of. Because if you spent a day on the  
17 backside, your perspective would change, I promise you that.

18           So thank you for hearing me.

19           CHAIR WINNER: Thank you.

20           Any questions? Comments?

21           COMMISSIONER SOLIS: Yeah.

22           CHAIR WINNER: Yes, Alex?

23           COMMISSIONER SOLIS: No. I just wanted to add to  
24 what Mr. Cosato said.

25           I don't know if the people in the room are aware

1 of all the charities that we have for horses. Out of every  
2 horse that runs in every race is a percentage taken out of  
3 each trainer and every jockey for retirement fund for the  
4 horses that all of us donated to make sure that the horses  
5 have some place to go after they finish running.

6 Thank you.

7 CHAIR WINNER: Thank you.

8 I'm going to ask this young lady, ma'am, please,  
9 when the people are speaking, don't get up and move around  
10 because it's very distracting for all of us. You're welcome  
11 to stay there and film as much as you want but when people  
12 are speaking, please, don't do that. Thank you.

13 Heather Wilson.

14 MS. WILSON: Good morning everybody. My name is  
15 Heather Wilson.

16 At last month's meeting, you all voted unanimously  
17 to keep this track open for the rest of the season. These  
18 horses deaths are now on your hands.

19 If we look at Equibase, we have Commander Coil  
20 foaled March 10th, 2016, killed from a shoulder injury on  
21 May 17th, 2019. And last night when I was looking at his  
22 profile I actually burst into tears. This horse has all  
23 zeros, zero starts, zero firsts, zero dollars earned. This  
24 horse is more famous dead than alive. And on here we see  
25 his workout schedule. Santa Anita, date, 5/10. He was --

1 it describe it as handly (phonetic), and there is no note  
2 from his workout on the 17th.

3           Then we have Spectacular Music. This is another  
4 gelding. He was foaled February 22nd, 2016, killed from a  
5 pelvis injury on May 19th, one start, earnings, a whopping  
6 \$351. And this was his maiden claiming. And it says DFN,  
7 did not finish.

8           I called the Governor's Office and I confirmed  
9 that the California Horse Racing Board is budgeted by the  
10 State of California through the Department of Finance. This  
11 is from the California Department of Finance from  
12 Businesses, Consumer Services, and Housing, section 1750,  
13 "California Horse Racing Board." It's right here.

14           I do not want to contribute so much as one penny  
15 to you. I do not want any of my hard-earned money funding a  
16 so-called sport that routinely kills innocent sentient  
17 horses, horses that do not care about coming in first,  
18 horses that have no choice. Both of these horses, like all  
19 the others, were just babies. Commander Coil and  
20 Spectacular Music were both geldings on three years old.

21           Sadly, as with most of these fatalities, I was  
22 unable to find any photos of these individual horses. I  
23 conducted several internet searches using their names and  
24 the only items that popped up over and over were articles  
25 about the killings at Santa Anita.

1           How many more horses will it take to be killed in  
2 order to convince you that horse racing is wrong? What is  
3 the required threshold of lives lost to generate a proper  
4 action potential? Is 30 not enough? Would it be 40? Would  
5 it be 50? But for some reason you think it's okay to keep  
6 this track open.

7           At least two of you have earned millions off of  
8 the breeding and the owning of thoroughbreds. This is a  
9 huge conflict of interest that needs to be exposed and  
10 explored. You have way too much to lose. You have way too  
11 much skin in this game. Your interests clearly lie in your  
12 wallets and not with these poor horses.

13           Again, I have a lot of profiles here from  
14 Equibase, that's E-Q-U-I-Base, if the media are interested,  
15 and it's all right here, millions of dollars earned. So you  
16 might only get 100 bucks in a stipend for coming to this  
17 meeting but you're earning a lot more off of this industry.

18           Thank you very much.

19           CHAIR WINNER: Thank you. I just want to clarify.  
20 I don't know who you're speaking about but I doubt there's  
21 anybody on this Board who has earned a nickel from horse  
22 racing. You don't make money --

23           MS. WILSON: It's all right here, Mr. Winner.

24           CHAIR WINNER: Yeah, I understand.

25           MS. WILSON: It's all right her.

1 CHAIR WINNER: But what you don't see are the  
2 expenses that are not right there. You don't understand the  
3 expenses and how much it costs but thank you very much.

4 MS. WILSON: And you are making --

5 CHAIR WINNER: Patty Shenker.

6 MS. WILSON: -- a lot of money off this.

7 CHAIR WINNER: You're wrong. I'm sorry.

8 MS. WILSON: No, I'm not.

9 CHAIR WINNER: Patty Shenker?

10 EXECUTIVE DIRECTOR BAEDEKER: Can I clarify one  
11 thing about the remarks that were just made?

12 The Horse Racing Board is special funded. We are  
13 paid for by the racing industry itself.

14 VICE CHAIR AUERBACH: So we don't -- it doesn't  
15 cost you a cent. Don't worry.

16 EXECUTIVE DIRECTOR BAEDEKER: So there is no --

17 VICE CHAIR AUERBACH: Sleep well.

18 EXECUTIVE DIRECTOR BAEDEKER: -- there is no  
19 taxpayer dollars involved in the support of the horse.

20 MS. WILSON: It's all right here. I spoke with  
21 the Governor's Office --

22 VICE CHAIR AUERBACH: But --

23 MS. WILSON: -- 1750, I have it right here.

24 EXECUTIVE DIRECTOR BAEDEKER: Well, if you'd like  
25 to get the truth --

1 VICE CHAIR AUERBACH: They never want --

2 EXECUTIVE DIRECTOR BAEDEKER: -- I can have  
3 the --

4 MS. WILSON: You're saying that the Governor's  
5 Office was lying to me? Okay. That's awesome.

6 EXECUTIVE DIRECTOR BAEDEKER: No, no, no, no, no.

7 CHAIR WINNER: Wait a second. Let --

8 EXECUTIVE DIRECTOR BAEDEKER: If you just --

9 CHAIR WINNER: Calm down, folks.

10 EXECUTIVE DIRECTOR BAEDEKER: -- if you'd just let  
11 me explain, I'd be happy to.

12 Our budget does run through the Department of  
13 Finance. Every nickel for every department like ours in the  
14 state is run through the Department of Finance. The total  
15 is about \$14 million. That money is -- that amount is then  
16 assessed to the racing industry to return that money to the  
17 General Fund.

18 So, yes, it does circulate through the Department  
19 of Finance but all the money is paid by the racetracks, by  
20 the horsemen. It's taken out of the money that is -- that  
21 comes from the players from the wagering. And don't take my  
22 word for it. Pursue it with the Department of Finance and  
23 you'll find that that's the truth.

24 CHAIR WINNER: Wendy -- oh, I'm sorry.

25 MS. SHENKER: Patty Shenker.

1 CHAIR WINNER: Yeah, Patty Shenker.

2 MS. SHENKER: I am here today to voice my  
3 opposition to horse racing, not just here at Santa Anita but  
4 everywhere, due to the unimaginable deaths on and off the  
5 tracks of so many horses, and to remind you that your  
6 industry is also dying. The majority of Americans no longer  
7 tolerate animals being mistreated for entertainment. The  
8 public now know that thousands of horses are killed yearly  
9 in America and the same outrage is starting to happen with  
10 the horses as it did with dog racing.

11 Thirty-seven American horse tracks have closed  
12 since 2000. Horse racing is American's favorite sport to  
13 one percent of the population. And that one percent, horse  
14 racing's last hope, is a dwindling demographic and mostly  
15 aren't members like me, who will also be dying out soon.

16 These racetracks have become slaughterhouses  
17 themselves. There is only one sure bet in horse racing,  
18 more horses will be killed, and it is criminal.

19 The United States Department of Agriculture  
20 calculated that 92.3 percent of the horses sent to slaughter  
21 could live long, healthy lives if only they could find  
22 homes.

23 According to Forbes, quote, more than 10,000 U.S.  
24 thoroughbreds are sold at auction, shoved into cramped  
25 trucks, and shipped to slaughterhouses in Mexico and Canada

1 each year. The U.S. ban on horse slaughter merely serves as  
2 a way for our nation to get rid of our extra horses without  
3 taking responsibility for the fact that we are breeding them  
4 for racing at unsustainable rates, all for human profit and  
5 amusement.

6           Investigators followed a trailer from a meat  
7 buyer's property in Iowa to a slaughterhouse in Quebec.  
8 They witnessed how 33 horses, one an ex-racehorse, aboard  
9 the transport endured an 1,100-mile, 36-hour journey in  
10 subfreezing conditions and were never given food, water, or  
11 a chance to unload and rest. Don't tell me those horses are  
12 loved.

13           Horse racing is indeed a dying business, so I  
14 advise you to get out now gracefully. If Florida can ban  
15 greyhound racing, which they have done, surely California, a  
16 much more animal-friendly state, can and will ban horse  
17 racing.

18           Thank you.

19           (Applause.)

20           CHAIR WINNER: Okay. Come on. Let's not. Thank  
21 you. Let's not have the applause and not have the comments  
22 and let's let everybody have their say with dignity and  
23 appreciation for their thoughts and their comments.

24           Let's move on to Wendy Marcus Minovitz please.

25           MS. MARCUS MINOVITZ: Good morning.

1 CHAIR WINNER: Good morning.

2 MS. MARCUS MINOVITZ: My name is Wendy Marcus  
3 Minovitz and I'm an animal rights activist here on behalf of  
4 the horses that I believe don't have voices here.

5 "The greatness of a nation can be judged by the  
6 way its animals are treated." These profound words were  
7 spoken by Mahatma Gandhi, a man who believed in compassion  
8 and nonviolence.

9 It is absolutely unacceptable that in 2019 in the  
10 United States blatant cruelty to animals has never been more  
11 apparent. And this is horrifically demonstrated on a daily  
12 basis at California and other racetracks.

13 There have been 30 horse deaths here just since  
14 December 26th, 2018, 25 on the track and 5 off the track.  
15 When athletes are injured in their chosen sport, football  
16 players have been brought up before, or unfortunately  
17 killed, of course, it's a sad occurrence, but they have  
18 freewill and make the choice whether or not to participate.

19 The understand the complexities and repercussions that are  
20 inherent in their sport. Horses do not have the freedom to  
21 choose whether or not they want to experience the life of  
22 being a racehorse.

23 In addition, horse racing is not just a sport,  
24 it's an industry where racetracks are directly supported by  
25 legal gambling. These horses are not companions. They are

1 a commodity who are exploited through their racing careers  
2 which often ends tragically. They are the victims of  
3 breeding, selling, buying and training that does not make  
4 allowances for the individual needs that are inherent in  
5 horses.

6           There are so many reasons why I believe horse  
7 racing is cruel but the most shocking ones are that, quite  
8 simply, horse racing is hard on their bodies. They are  
9 often only about two years old when they start racing and  
10 their bones are still growing. Their bodies aren't ready  
11 for the pressure of running full speed on a hard track.

12           If you look at the ages of the horses that are  
13 killed here you will see that they are babies. They haven't  
14 even had a chance to live. But regardless of age it's still  
15 unacceptable.

16           Horses are herd animals but in racing they're in  
17 isolation for up to 23 hours a day in a stall. In addition,  
18 they're always being dragged to different racetracks and  
19 don't have freedom to be with other horses.

20           Horses are given drugs, both legal and illegal, to  
21 mask the pain of existing injuries and conditions and to  
22 keep them running when they should be allowed to rest,  
23 recover, and to receive treatment.

24           Horses are often abused by their jockeys and are  
25 considered replaceable and dispensable.

1           And the most horrific result of horse racing, in  
2 my opinion, is that horses that don't win are too old or  
3 just not profitable enough or often shipped to countries  
4 that are slaughtered for their meat. What a way to say  
5 thank you for your hard work and sacrifice that you didn't  
6 choose.

7           Thank you.

8           CHAIR WINNER: Are there any questions?

9           Thank you very much.

10          Moving on, Amanda Lundberg. Good morning again.

11          MS. LUNDBERG: Good morning. Well, Ms. Auerbach  
12 is not here but I wanted to correct a couple of things.

13          CHAIR WINNER: She's right here.

14          MS. LUNDBERG: I wanted you in front of me, is  
15 what I wanted.

16          Good morning, Board Members. My name is Amanda  
17 Lundberg. I spoke at your last meeting and I'm here today  
18 to clarify or maybe educate you on some facts that you, Ms.  
19 Auerbach, are apparently ignorant about. I will be quoting  
20 from several reliable sources which are for and against  
21 horse racing that can shed light on your dirty secrets of  
22 your industry which you profit from.

23          Your industry desperately tries to downplay the  
24 extent of the problem with Band-Aid-type measures which are  
25 designed to try to fool the public into thinking you are

1 actually doing something. Let's be honest, you are not.

2 But let's get into some facts.

3 According to the Equine Welfare Alliance, using  
4 USDA data, in the nine-year period between 2008 and 2016  
5 over 1.2 million American horses were sent to slaughter. Let  
6 me just remind you, the last equine slaughterhouse on U.S.  
7 soil was closed in 2007. Now we simply ship them in  
8 horrible inhumane conditions to Canada and Mexico to be  
9 slaughtered. That 1.2 million translates to over 134,000  
10 every year.

11 A Wild for Life Foundation study, again using USDA  
12 data, found that from 2002 to 2010, 19 percent of the  
13 American horses slaughtered were thoroughbreds. That is  
14 your industry, Ms. Auerbach.

15 A separate study --

16 CHAIR WINNER: I'm stopping --

17 MS. LUNDBERG: These are my three minutes.

18 CHAIR WINNER: No.

19 MS. LUNDBERG: These are my three minutes.

20 CHAIR WINNER: I'm sorry.

21 MS. LUNDBERG: I want my three minutes.

22 CHAIR WINNER: I am stopping you.

23 MS. LUNDBERG: I want my three minutes.

24 CHAIR WINNER: I'm going to ask that someone

25 remove you.

1 MS. LUNDBERG: Am I going to get my three minutes?

2 CHAIR WINNER: You're going to get your three  
3 minutes but I'm going to stop you and I'm going to ask you  
4 to please use common courtesy. You are allowed to say  
5 anything you want, anybody else in this room can say  
6 anything they want, about what you think about the industry  
7 and what you think about horses and what you think about  
8 animal rights and what you think about almost anything, but  
9 please do not make it personal. Please do not make it  
10 personal. We won't do that to you. We ask that you don't  
11 do that to us. You can say anything you want about your  
12 concerns and we're happy to listen and to take that into  
13 consideration but don't get personal.

14 MS. LUNDBERG: I just said --

15 CHAIR WINNER: Now go ahead.

16 MS. LUNDBERG: -- I just said --

17 CHAIR WINNER: You have your three --

18 MS. LUNDBERG: -- this is your industry --

19 CHAIR WINNER: -- you have your three minutes.

20 MS. LUNDBERG: -- which this is her industry.

21 CHAIR WINNER: No. You were talking about an  
22 individual. You were being personal.

23 MS. LUNDBERG: This is her industry.

24 A separate study by Colorado State University puts  
25 that percentage at 16. But even if we were to use a far

1 lower number, let's say 12 percent, we're still left with  
2 over 15,000 thoroughbred racehorses butchered annually.

3 For comparison, the Jockey Club's official  
4 registry for new thoroughbred, the fall crop, as you call  
5 it, has numbered roughly 21,000 in each of the past seven  
6 years. In other words, that's around 20,000 baby  
7 thoroughbred horses being born in the U.S. per year and  
8 15,000 thoroughbred horses being sent out via slaughter.  
9 Therefore, slaughter has been and remains your industries  
10 primary method of disposing spent racehorses, and that's  
11 just thoroughbreds, mind you.

12 Standardbred and Quarter horses meet the same  
13 brutal end. And what is that brutal end? Sold at auction  
14 to kill buyers, shipped hundreds, if not thousands, of miles  
15 in cramped trailers where the USDA has determined they can  
16 go up to 36 hours without food, water or rest. Their final  
17 destination, a cold, concrete abattoir. Here, amid  
18 terrifying sights, sounds and smells of death, they will be  
19 shot. As they panic they are difficult targets, a fact  
20 worsened by floors made slippery with blood, shackled by  
21 their hind legs, hoisted and hung upside down, slashed  
22 through their throats and bled out. And, yes, sometimes  
23 will still conscious. And finally, butchered for their  
24 meat.

25 And that, Ms. Auerbach, are the facts you are so

1 unforgivably ignorant about.

2 VICE CHAIR AUERBACH: And I am going to respond in  
3 just this way. Had you paid attention to anything I said,  
4 but you weren't paying attention and maybe you will now, I  
5 spoke about California, I spoke about our thoroughbreds, and  
6 I spoke about what we do if we ever find out that anybody  
7 has shipped a horse, one of our thoroughbred, to slaughter,  
8 and that is banning them from the sport.

9 I know you think I'm powerful. But if you think I  
10 can control what goes on in the rest of this country and be  
11 responsible for it, I can't. The only thing that I am able  
12 to do is to make sure that in California we take not only  
13 care of our thoroughbreds, keep them away from any harm, but  
14 ban people who would cause harm to them. That's why we are  
15 the only state that has a program that when these horses  
16 retire, we have a way to take care of them, make sure they  
17 go to good homes. We do not, we will not allow slaughter  
18 for our thoroughbreds in California.

19 And, no, I'm not powerful enough to talk for the  
20 rest of the country. I never said I was. What I can speak  
21 to is California. That's what I know. I don't -- the rest  
22 of it is deplorable and horrible. Do you think we're happy  
23 with it?

24 MS. LUNDBERG: It's still an industry that you  
25 support. And if you sit there --

1 VICE CHAIR AUERBACH: It is an industry --

2 MS. LUNDBERG: -- and say --

3 CHAIR WINNER: Whoa.

4 MS. LUNDBERG: -- and if you sit there and

5 say --

6 CHAIR WINNER: Easy.

7 MS. LUNDBERG: -- that no horse --

8 CHAIR WINNER: Easy. You had your three minutes.

9 MS. LUNDBERG: -- no racehorse --

10 VICE CHAIR AUERBACH: That's it.

11 MS. LUNDBERG: -- no racehorses from

12 California --

13 VICE CHAIR AUERBACH: I --

14 MS. LUNDBERG: -- go to slaughter, you are lying

15 to every single person in this room.

16 CHAIR WINNER: Wait a minute.

17 MS. LUNDBERG: You know it's true. You know that

18 you're lying or you are unforgivably ignorant.

19 CHAIR WINNER: All right. Will you please sit

20 down?

21 (Applause.)

22 CHAIR WINNER: Now let me just make one point

23 clear to everyone in this room --

24 VICE CHAIR AUERBACH: Wow.

25 CHAIR WINNER: -- and everyone who may be

1 listening. If you know of any horse from our jurisdictions  
2 that are taken to slaughter, please bring that to our  
3 attention.

4 VICE CHAIR AUERBACH: Absolutely.

5 CHAIR WINNER: Those people will be banned for  
6 life.

7 So you can stand up here and talk about all the  
8 numbers and do everything that you want with respect to  
9 slaughter but I don't think you know the facts about  
10 California and what we do for aftercare.

11 If you know of any horse that is taken to a  
12 slaughterhouse, if you know of any horse that's taken to a  
13 kill auction, any of them, please come inform us and I can  
14 assure you we will take action against the people that are  
15 doing that. We absolutely prohibit it. We don't want it.  
16 We will not allow it to happen, period.

17 EXECUTIVE DIRECTOR BAEDEKER: It's also a felony.

18 CHAIR WINNER: Nick Hines please.

19 MR. HINES: Good morning. First and foremost, I  
20 would like to say thank you for giving the public an  
21 opportunity. I know this is a hard --

22 CHAIR WINNER: Please identify yourself, Nick.

23 MR. HINES: My name is Nick Hines. Some of you  
24 may know me as the Sarg. I also work at TVG and have been  
25 an analyst there for approximately 15 years. I'm a former

1 horse trainer of 14 years. I've been in the game my entire  
2 life. My father was a Nevada State Race Commissioner back  
3 in the 1970s, in addition to being an attorney, in addition  
4 to my mother, who was a horse lover and animal lover at  
5 heart. In fact, my mother hated horse racing, she hated it.  
6 My father was a horse owner, owned horses here in the state  
7 of California.

8 I personally, since leaving training in 2007, as  
9 many of you know, I ran probably one of the cleanest barns  
10 on the backside and took very good care of my horses and  
11 made sure they had a good afterlife care. And they would go  
12 on to some wonderful careers as hunter-jumpers and show  
13 horses and whatnot. Horses are my life. They're also my  
14 livelihood. They're my life blood.

15 I want to echo the sentiments of Nick Cosato with  
16 Slam Dunk Racing. I run under Battle Born Racing Stable.  
17 I'm very, very careful about -- obviously, with the horse  
18 industry as where it stands today. It's horse racing. It's  
19 competitive. It's a sport. But at the end of the day when  
20 you think about what we see happening here at the racetrack  
21 -- and I want to commend Ms. Stronach for taking those  
22 measures and trying to make this, from a perception  
23 standpoint, a better place to be.

24 The one thing that I think people really need to  
25 understand is that we're here for the State of California. I

1 mean, honestly, the nation has had enough issues as it is in  
2 regards to horse racing. TVG, I probably cover anywhere  
3 from 10 to 20 tracks in one given day. I see breakdowns  
4 happen all the time and it affects me quite emotionally.  
5 I've had horses of my own, as a trainer, that got injured,  
6 but always made sure that they were well taken care of and  
7 looked after.

8           The point is here in the state of California, 1.4  
9 million acres is used for equine purposes. That's a lot of  
10 land. And when you think about it, 4.5 million direct to  
11 the contribution of the gross domestic product, just  
12 strictly here in California, so you have to think, at the  
13 same time, it's not just the horse racing thoroughbred  
14 industry but it's the Quarter horses and it's other  
15 industries outside of just horse racing itself. There's  
16 120,000 jobs that are impacted each year.

17           What I'm getting at in reference to horses in  
18 general, this is what horses have done, this is what they  
19 were bred to be, they were bred to be racehorses. This game  
20 was predicated back -- it's 700 B.C. This is long before  
21 horse racing began. They say it was invented in the 1600s  
22 but the knights in the 1200s, horse racing. This is what  
23 these horses are bred for. I don't know what the activists  
24 seem to think but these horses aren't brought in from the  
25 wild and domesticated as thoroughbred racehorses. This is

1 what they were bred to do.

2           And I can tell you that the measures that have  
3 been taken over the course of the last year, I left training  
4 in 2007, I can tell you the actions and whatnot that have  
5 taken place over the last 12 months, for that matter. I  
6 have to commend -- I'm going to commend Santa Anita right  
7 now for the measures taken and the medications that have  
8 been ruled out.

9           But for me, personally, I would welcome the  
10 opportunity for any one of these folks that feel these  
11 horses aren't well taken care of and looked after. There's  
12 exceptions to every rule and we're trying to get rid of  
13 those exceptions each and every day, as I am. If I had a  
14 horse that can't compete, they won't compete. They'll find  
15 another lifestyle. And I've donated thousands upon  
16 thousands, as have my clients. I manage 30 horses. I  
17 probably manage 20 different owners. We make sure that  
18 these horses are looked at each and every day, looked after.

19           And, you know, again, I would just, I would hope  
20 that we'd come from this myopic sense of these horses not  
21 being taken care of and open it up because it opened my eyes  
22 on both ends. I see their perspective. But let's not be  
23 hypocritical. If we're going to be what we were, we would  
24 have walked in here naked today, I can guarantee you that.  
25 Let's take a note and do what's right for the game and the

1 industry and continue to help each other.

2 But the point of this meeting today, it's not  
3 about what happens in Kentucky. It does have an impact.  
4 We're here for California. And you think about the amount  
5 of jobs that it's effecting and the fact that these horses  
6 are -- we're all they got.

7 Thank you very much.

8 CHAIR WINNER: Thank you.

9 Questions?

10 Jill Mulato. Good morning.

11 MS. MULATO: Good morning.

12 CHAIR WINNER: Can you identify yourself please?

13 MS. MULATO: My name is Jill Mulato.

14 CHAIR WINNER: Thank you.

15 MS. MULATO: I'm speaking today as a concerned  
16 citizen who is deeply troubled by the horse racing industry.  
17 I am disgusted that in 2019 we are still exploiting animals  
18 for our so-called entertainment and, of course, the almighty  
19 dollar.

20 Throughout history, horses have been by our side,  
21 allowing humans to succeed in transportation, farming, wars,  
22 et cetera. They have allowed us to evolve to where we are  
23 today. The following details on confirmed horse deaths at  
24 California tracks during 2018 is how we so generously thank  
25 them.

1           We have favorite, March 10th, comminuted complete  
2 displaced slab fracture of radial carpal, intermediate  
3 carpal, ulnar carpal and carpal three, plus osteochondral  
4 fragmentation of the palmar aspect of the proximal articular  
5 surface of the third metacarpal bone. A comminuted fracture  
6 is a break or splinter of the bone into more than two  
7 fragments. Since considerable force and energy is required  
8 to fragment bone, fractures of this degree occur after high-  
9 impact trauma.

10           She also had chronic cartilage lipping, which is  
11 bone deformation, and osteochondral disease in both front  
12 limbs. She was three years old.

13           An unidentified 12-year-old, March 18th, fracture,  
14 open, complete, severely comminuted, subcutaneous and  
15 intramuscular hemorrhage, severe, hemorrhagic puncture wound  
16 of skin, and she was pregnant with a five-to-six-week  
17 gestation embryo, pregnant.

18           Now, due to the limited time constraints I won't  
19 continue to read all of the medical jargon for the next few  
20 catastrophic deaths. Here are the basics.

21           Breaking of splintering of bones of ruptures,  
22 always. And notably, gastric ulcers. Gastric ulcers,  
23 looking into veterinary research, they're common in 90  
24 percent of racehorses and can be caused by stall  
25 confinement, strenuous exercise, and environmental and

1 physical stress. So in order to prevent gastric ulcers the  
2 experts suggest limiting stressful situations, frequent  
3 feedings, and free-choice access to grass or hay, which I  
4 don't think any of that is happening.

5 So again, this is how we thank them. This is how  
6 we treat the horses that we love so dearly. We need to be  
7 better than this. We need to be better than this.

8 End horse racing now.

9 Thank you.

10 CHAIR WINNER: Any questions?

11 Thank you very much.

12 Wayne Johnson.

13 MR. JOHNSON: Morning. In the May issue of --

14 CHAIR WINNER: Identify yourself please.

15 MR. JOHNSON: I'm Wayne Johnson. I'm an animal  
16 rights activist.

17 In the May issue of Real Sports on Home Box  
18 Office, or HBO, a show that has one 40 sports Emmys, a show  
19 that, unlike the apologists for the racing industry, like  
20 *Sports Illustrated* and the *New York Times*, that show this  
21 month is on horse racing. And I want to commend Belinda  
22 Stronach for watching that show and for keeping an open mind  
23 while watching that show. I hope you all watch it because  
24 it's a very, very powerful expose on the horse racing  
25 industry and it's the third time they've done a show on

1 that.

2 I want to begin with three short items. For one,  
3 I want to thank you for having the coffee and the treats for  
4 us and thank you for inviting us into your business. I  
5 meant -- I was rude last time, eating that and not thanking  
6 you for that. It's a very nice thing for you to do.

7 Secondly, I want to say that, in general, my  
8 experience, and I've been around, I'm an old guy, I've been  
9 around a lot of horse racing people and a lot of tracks in  
10 my activism business, and I always run into the nicest  
11 people. So this is not personal. What we're doing here is  
12 not personal.

13 Thirdly, we do not, for the most part, we do not  
14 represent PETA. The gentleman that got up here and  
15 criticized PETA for putting animals down is 100 percent  
16 right. They shouldn't be putting any of those animals down.

17 PETA wants to reform this industry. Many of us do not  
18 believe in that and so we do not speak for PETA.

19 We don't have any stereotypes about you. People  
20 are coming up to me and saying, don't you know we pamper our  
21 horses? I get it, you pamper the horses. I'm not surprised  
22 that you pamper the horses but they still die.

23 I ran into my new friend Norberto here. He  
24 rescued a dog. He introduced me to his dog. Would he hate  
25 horses or hate dogs if he was rescuing a dog? Obvious, you

1 like animals. That is not the issue.

2 The issue is: Why don't the horses have their  
3 three minutes here? If Commander Coil and Spectacular Music  
4 and Congrats Gal, who died at Pimlico on Friday, were here  
5 would they say, go ahead with it, keep this track open?  
6 Keeping this track open, knowing that horses are going to  
7 continue to die, is premeditated murder.

8 Thank you.

9 CHAIR WINNER: Thank you, Mr. Johnson.

10 Any questions?

11 UNIDENTIFIED MALE: (Off mike.) Yes.

12 CHAIR WINNER: I'm sorry. Any questions from the  
13 Board?

14 UNIDENTIFIED MALE: Oh. Sorry.

15 CHAIR WINNER: It's all right.

16 MR. JOHNSON: Mr. Baedeker, by the way, can I just  
17 ask you, if you're interested in transparency, can you give  
18 us the names of the horses that are dying? You withhold  
19 those names across the board.

20 EXECUTIVE DIRECTOR BAEDEKER: That's a legal  
21 question that I'd have to get help from the attorneys on.

22 MR. JOHNSON: Thank you.

23 CHAIR WINNER: April Montgomery.

24 Mike, she's right behind you.

25 Good morning.

1 MS. MONTGOMERY: Good mornings, Members of the  
2 Board. My name is April Montgomery. I'm a California  
3 resident and independent animal rights activist.

4 The death toll is now 25 horses at Santa Anita  
5 Race Track since December 30th and this Board still have no  
6 explanation for the public, or does it?

7 These deaths are not only indefensible but they're  
8 unconscionable. Even more disturbing is that it took 19  
9 dead horses in a two-month span before racing was  
10 temporarily suspended to prevent more horse deaths. This  
11 track alone averages 50 dead horses every year for the past  
12 10 years but the problem is not Santa Anita. The problem is  
13 horse racing.

14 The ugly vile truth is that horse racing is a  
15 deadly game of Russian roulette. It's a lethal game of  
16 chance. The only difference between Russian roulette and  
17 horse racing is that the victims are animals. They're  
18 moving targets forced to race against a clock and win at all  
19 costs for human entertainment and the almighty dollar.

20 The public is sick and tired of hearing from this  
21 industry that the safety and the security of the horses are  
22 of utmost concern or that horses are fed and bathed better  
23 than the trainers. I'm sure they are. We don't need any  
24 more equine investigators to study the soil from heavy  
25 rains, which was your sole focus into these deaths. It's a

1 farce and it's also a distracter. It's humiliating.

2 No more D.A. investigations, not another task  
3 force, no more necropsies, no more subpoenas for 70  
4 documents, no more Board investigators, because you can  
5 never regulate horse boarding -- or horse racing because  
6 horse racing will always subject horses to a foreseeable  
7 risk of injury and death, make no mistake.

8 This industry and trainers, like Bob Baffert, are  
9 also responsible for the sudden deaths of racehorses,  
10 typically associated with a heart attack. And this is  
11 important for the media and the people in this audience.  
12 Like the seven horses that died in 16 months, I just found  
13 this out, between 2011 and 2014 -- 2013, cardiovascular  
14 pulmonary failure. And if Dr. Rick Arthur is here, correct  
15 me if I'm wrong, but two of these Bob Baffert trained horses  
16 were linked to rat poisoning from toxicology reports. They  
17 were found positive for legal thyroid medication. They  
18 didn't even need the thyroid medication but Baffert  
19 requested it. It wasn't prescribed by a veterinarian. This  
20 is pure and simple doping.

21 Mr. Baffert was absolved, I wanted to make sure  
22 that this is known, from any wrongdoing. But this Board's  
23 Equine Medical Director, Dr. Arthur, concluded in his report  
24 that there's something wrong here, a highly unusual death  
25 clustering, just like we've seen in the last three, four,

1 five months here, 25 dead horses. Just like that, though,  
2 it's over. Business as usual.

3 But at the end of the day, horse racing kills  
4 because it's a gambling operation. Animals bearing the  
5 mortal risks.

6 So this is my question: What number of horse  
7 deaths or catastrophic injuries determines whether horse  
8 racing is safe enough to continue. Is it eight fatal heart  
9 attacks? Maybe three? What about one fatal collision on  
10 the racetrack, ten broken legs or four? How about 2  
11 exercise-induced pulmonary hemorrhages or 20? What about  
12 severe internal bleeding or severe pulmonary edema?

13 Whether you're paid \$100 to serve on this Board or  
14 you're paid \$2 million for all your race winnings over the  
15 years, you all work for the State of California to make sure  
16 that this deadly game continues. Why? Because it is and it  
17 always will be about the almighty dollar.

18 The State of California rakes in billions of  
19 dollars off the backs of these horses, \$3 billion alone last  
20 fiscal year, and that's from your Board reports.

21 I'm almost done.

22 The horse racing industry is dying, which is why  
23 California State Legislature, and I'm aware of this, Senate  
24 Bill 469 introduced a bill and why Federal Bill H.R.1754 has  
25 been introduced, but these are worthless. They're worthless

1 bills and they do nothing for horses. I've read it all.  
2 I've read every single word of them. But man has created  
3 this vile horse racing industry. Man is going to end it.

4 No more wait and see games. Make no mistake,  
5 Californians will end horse racing at the ballot box. This  
6 isn't to end your careers, not at all, it's to save lives.  
7 It's only a matter of time because we're going to get  
8 600,000 signatures on a petition and we're going to end it  
9 and it's going to start with California.

10 (Applause.)

11 CHAIR WINNER: No applause please. We're trying  
12 to be courteous to everybody. Thank you.

13 Any questions?

14 Jennifer Brown.

15 I can't see the -- I can't see that the way you  
16 have it.

17 MS. BROWN: Hi. My name is Jennifer Brown. I'm a  
18 private citizen and I work in horse rescue.

19 I will start by saying we know exactly what we're  
20 talking about. And if you want to know where slaughter is  
21 happening, it's happening right here in your backyard.

22 The life of a racehorse is a miserable existence.  
23 The glamour portrayed trackside hides many dark secrets that  
24 aren't so secret anymore. Many undercover investigations  
25 have shown us a different side of this brutal industry.

1 Horses are clearly viewed as nothing more than commodities  
2 to profit from, much in the same way that animals on factory  
3 farms are viewed.

4 Horses are abused by trainers and others in order  
5 to make them run as fast as possible, drugged and whipped to  
6 keep a horse going, even when their lungs and legs are  
7 screaming, stop, keep running, no matter the consequences to  
8 their health, wellbeing, longevity or happiness.

9 You are fooling only yourselves if you think the  
10 whole world isn't aware of an repulsed by what nasty  
11 business you've allowed to go on inside your sport. The  
12 entire industry is guilty of letting it get this far.

13 Horse racing simply cannot survive if the general  
14 public knows the truth of these abuses, neglect and,  
15 ultimately, the slaughter. That's what we're here for. Our  
16 mission is to expose these matters and call for abolition.

17 The Cruelty to Animals Act defines cruelty as a  
18 person who wounds, mutilates, tortures, overrides,  
19 overworks, abuses, beats, worries, torments or terrifies an  
20 animal. The horse racing industry is guilty of all of these  
21 and more on a daily basis. Hell, 25 horses have been killed  
22 here just this year.

23 Veterinarians have said that working in this  
24 industry has forced them to question if it's possible to do  
25 their job and still uphold their professional oath to

1 protect animals and end suffering. And you can sit here and  
2 claim, as you're used to doing, that this isn't for profit.

3 You can mock us and applaud our passion. You can blame  
4 PETA for what? I don't know. You can pretend this problem  
5 of abuse and torture doesn't even exist. And you can claim  
6 that the problem is under control but we know better.  
7 Californians know better.

8 The public is waking up, we're paying attention,  
9 and I know that's a very scary reality to all of you because  
10 no one individual -- I'm sorry.

11 With all of this in question the thoroughbred  
12 industry continues to turn out 20,000 foals annually. An  
13 estimated 10,000 unprofitable or unwanted thoroughbreds are  
14 shipped to slaughter, many of them ex or potential  
15 racehorses. Because no one individual is committed to a  
16 horse throughout its entire lifetime, each day brings new  
17 uncertainty for those animals. They are truly at our mercy.

18 And it's appalling, what's allowed to happen to  
19 them right before our eyes for your greed, entertainment,  
20 vanity, and your addictions. Their lives are being gambled  
21 on. They are literally racing for their lives and being run  
22 into the ground.

23 I work in horse rescue. It's what I do. I've  
24 seen thoroughbreds who've shipped to slaughter, that they've  
25 slipped through the racing ranks, sold to the Amish for a

1 life of slavery, auctioned at a low price to abusers and  
2 meat buyers. I know for certain that there are fates worse  
3 than death. The life of a racehorse is a fate worse than  
4 death.

5 Look around you. Look at us. We are the future.  
6 Our numbers are growing. And in the future there is no  
7 horse racing.

8 CHAIR WINNER: Ms. Brown, thank you. And again,  
9 if you know of any horse that's being sent to slaughter in  
10 California --

11 MS. BROWN: (Off mike.) (Indiscernible.)

12 CHAIR WINNER: -- okay, you let us know.  
13 Cliff Goodrich.

14 MR. GOODRICH: Mr. Chairman, Commissioners, I'm  
15 Cliff Goodrich. I'm the Executive Director of the  
16 California Thoroughbred Horsemen's Foundation. We look  
17 after the medical needs of backstretch workers, the people  
18 who love and care for the horses.

19 And I'm just sitting here, and I've been in the  
20 industry over 50 years, so I admit I have a bias, what the  
21 animal lovers and activists are saying today makes good  
22 headlines. Fortunately or unfortunately, headlines seem to  
23 drive the world nowadays. What the animal rights activists  
24 have to say will make such headlines, even, at times, if  
25 they are ill-informed.

1           One sports spokesperson said we need to do better.  
2       But you know what? After this public comment period is  
3 over the cameras will fold up and leave, the horse lovers  
4 will get up and leave, and this Board will continue, as they  
5 do every meeting, to discuss with shareholders, what can we  
6 do in the best interest of the horse? But when that happens  
7 the people who want to make this sport better, or claim to,  
8 they'll be gone. They will have left along with the cameras  
9 as this Board and its stakeholders go about their business.

10           I find it hypocritical. I find it unfair. Those  
11 that want to shut down the industry, there's not much I can  
12 say, that's just their belief and they are entitled to that.

13       But for those animal lovers who want to see things better,  
14 they need to be part of the process and not get up and leave  
15 when this agenda item is over.

16           Thank you.

17           CHAIR WINNER: Thank you. Thank you, Mr.  
18 Goodrich.

19           Andrew Lesser.

20           MR. LESSER: Board Members, Directors, thank you  
21 very much for the opportunity to speak. You may remember  
22 that I spoke at the CHRB meeting last month. I told you  
23 that my family, actually my dad, owned Standardbred horses  
24 and he was the president of the SOA of New York. But the  
25 legacy of horse racing did not carry down to me.

1           In fact, for the next 50 years of my life, I paid  
2 no attention at all to horse racing until the slew of horse  
3 deaths in such a short period of time triggered the  
4 attention of the news media.

5           I heard on KNX Radio this morning that Ms. Belinda  
6 Stronach said -- owner of the Santa Anita  
7 Track -- said that horse racing in California, including  
8 Santa Anita, is now the safest in the nation. That is  
9 little consolation to the 25 horses that have been killed on  
10 this track since the start of the racing season, two in just  
11 the past few days, and those that will inevitably be killed  
12 until the end of the season.

13           Horse racing is not safe for horses. With 50 dead  
14 at Santa Anita on average every year and more than 700 dead  
15 nationwide every year, rain, mud, drugs, riding crops,  
16 whips, notwithstanding, this still is not a safe sport if  
17 none of those factors were involved. It was a dirty secret  
18 that injuries resulting in euthanasia of horses has been and  
19 still is business as usual in this industry, and it is an  
20 industry.

21           Horse owners say they love their horses. They  
22 pamper them, they bathe them, they groom, every day provide  
23 them with veterinary care, give them the best hay and oats  
24 available. This is not unlike how gladiators were pampered,  
25 revered, even loved by the crowds in the Coliseum. Then the

1 contestants were sent out to compete and, well, some died,  
2 or most died then.

3           Do you love horses as much as you love, say, your  
4 Labrador Retrievers, your Golden Retrievers, other companion  
5 animals? Would you have your pet compete or participate in  
6 an event with the knowledge that an injury to a leg is a  
7 death sentence for the animal, so why would you do this for  
8 your horses. Horse racing as an industry, as others have  
9 said, is on the decline. I don't call it a sport. It's an  
10 industry. It feeds gambling.

11           Tracks are closing every year and no new tracks  
12 are being opened. The handwriting is on the wall. Horse  
13 racing popularity, especially with those under 30, is in  
14 steep decline. They recognize that horse racing causing the  
15 deaths of so many of these majestic creatures is just  
16 another form of animal cruelty.

17           Thank you very much.

18           CHAIR WINNER: Thank you.

19           Any questions? Comments?

20           Thank you very much.

21           Norberto Arroyo.

22           MR. ARROYO: Good morning.

23           CHAIR WINNER: Do you want to identify yourself?

24           MR. ARROYO: My name is Norberto Arroyo, Jr., a  
25 jockey in California.

1 CHAIR WINNER: Hi, Norberto.

2 MR. ARROYO: How you doing, sir? Thank you.

3 I'd like to say -- I'd like to comment on -- first  
4 of all, I'd like to say that I'm a father of a son and three  
5 daughters. And through the love of my children I associate  
6 a lot with horses when it comes to getting along with them  
7 to get the best. I'm a jockey, like I said, and my job is  
8 to ride horses and win races and make them go fast because  
9 that's what they love to do.

10 Somebody came earlier and said jockeys abuse  
11 horses. Just to let you know how wrong you are, not only  
12 about that but about everything that's being said here this  
13 morning from that side, from this side, through the love of  
14 my children, I know now to treat a boy. I know what a son,  
15 okay, a boy likes to be treated, just like a colt does. And  
16 I know what a little girl likes to be treated, how they like  
17 to be treated, just like the fillies here, the horses.

18 I am very passionate when it comes to horses,  
19 animals. I speak to them when I'm on them. You treat a  
20 colt, like I said, like I treat my son, like a boy.  
21 Fillies, they like to be loved, they liked to be talked to  
22 very sweet. I'm sure you all -- I'm sure you like that,  
23 right, you women? Because all I see here is a bunch of  
24 single women, a bunch of single women criticizing what we do  
25 here. And then you go back and sit down --

1 (Indiscernible chatter from the audience.)

2 CHAIR WINNER: Let's --

3 MR. ARROYO: You got it.

4 CHAIR WINNER: Please sit down. Please sit down.  
5 Let's, again, let's not make this personal or let's not make  
6 comments that are offensive.

7 And you can continue. You still have a minute  
8 left.

9 MR. ARROYO: Yes, sir.

10 CHAIR WINNER: And, please, do not make  
11 comments --

12 MR. ARROYO: The reason --

13 CHAIR WINNER: -- that are --

14 MR. ARROYO: Yes, sir.

15 CHAIR WINNER: -- offensive to people.

16 MR. ARROYO: The reason I won't --

17 CHAIR WINNER: Please sit down, ma'am.

18 MR. ARROYO: -- apologize to about that is because  
19 after they speak here, they go and sit back, they go back to  
20 their seats and sit down and pat each other on the shoulder  
21 and laugh, like this is a joke. You try to stop horse  
22 racing but then you go back to your seat and start laughing,  
23 patting each other on the back, okay?

24 We take care of these horses better than anybody  
25 does.

1 Thank you.

2 CHAIR WINNER: Thank you.

3 MR. ARROYO: Thank you.

4 CHAIR WINNER: All right, let's calm down now.

5 We're trying to let everybody speak and we're trying to pay  
6 respect to everyone who speaks, so calm down.

7 Jackie Munnerlyn please. Jackie Munnerlyn. Thank  
8 you.

9 MS. MUNNERLYN: Hi. My name is Jackie Munnerlyn.  
10 I am an avid horse person. I was born and raised with  
11 horses. My mother was also involved with horse racing, as  
12 were my grandparents.

13 I believe that our horses are treated like  
14 royalty. I go back to the barns. I feed them peppermints.  
15 I feed them apples. I see the interaction between the  
16 hotwalkers, the grooms and the trainers, the assistants. If  
17 you watch any television cameras, when they load them into  
18 the gate the gatemen are so loving toward them.

19 I disagree with ending horse racing. I think that  
20 we need to make some changes. I agree with that. We can  
21 always do better in life. We're never perfect. We have our  
22 faults. But ending horse racing isn't the answer.

23 The answer is to work together to make the  
24 establishment a better place for the public, but most  
25 importantly, for the horses. I'm just, I'm passionate about

1 this sport. I will -- I actually, probably, would give my  
2 life for this sport, that's how much it means to me. And  
3 I'll be damned if I'm going to let the other side win.

4 Thank you very much for hearing me.

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

6 Next -- let me put my glasses on -- Karen Valko.

7 Karen Valko.

8 DR. VALKO: Good morning.

9 CHAIR WINNER: Good morning.

10 DR. VALKO: My name is Karen Valko. I'm a private  
11 veterinarian on the backside, worked back here for 32 years  
12 plus as a veterinarian. I've seen a lot of good, I've seen  
13 a lot of bad in the business, but by and large what's been  
14 done recently to try to improve it and to make things better  
15 is a big step that everybody should be proud of because we  
16 need to do that.

17 That being said, it's -- we need to move forward.  
18 The people here that are against horse racing, when they  
19 cite statistics, I've been listening to it, a lot of the  
20 statistics are in the past, they're not what's happening  
21 right now. And their argument needs to focus on what's  
22 being done now. What are we doing positive? How are we  
23 moving forward? And they need to look at that and see what  
24 positive steps are being made because we are trying to  
25 improve.

1           And it has been said that we can always do better  
2 and we are trying to move that way, but they keep looking in  
3 the past and only at the past and their arguments would be  
4 better if they would focus on fact as opposed to what maybe  
5 they've read, research those facts themselves, make sure  
6 it's accurate before they get up and just quote it verbatim  
7 because they don't know who came up with that figure and  
8 things.

9           So their arguments would be stronger, even if the  
10 argument by the numbers they find doesn't hold water to what  
11 they want the facts to show, at least they need to look at  
12 the truth and to educate themselves as to what is being done  
13 and what are the true facts of the situation.

14           And we are moving and I want to commend you for  
15 your -- for moving forward on things, for your respect that  
16 you're giving everybody, and I wish we, in the racing  
17 industry, got the same respect in return because we are not  
18 getting that and that needs to be done.

19           CHAIR WINNER: Thank you, Doctor.

20           Are there any other questions? Comments?

21           Thank you very much.

22           Aaron Gryder.

23           MR. GRYDER: My name is Aaron Gryder. I've been  
24 in love with horses since I was a child. I'm a big fan of  
25 horse racing. I used to come here with my grandparents from

1 the time I was probably two years old. I feel in love with  
2 the excitement, the fun, the beauty of the horses, seeing  
3 them in the paddock, how close you can get to them as a fan.

4 And I have always been excited about the way they've been  
5 taken care of.

6           When I was 13 years old I had an opportunity to  
7 move to a farm. And it wasn't about me, it was about  
8 learning about them, about how they were taken care of, how  
9 to respect them. Horses taught me about life, about  
10 responsibility, what they needed. It's taught me to be a  
11 better person in my own life.

12           And I know I said I'm a horse lover, but I didn't  
13 mention, I've also been a jockey for 32 years. I love this  
14 sport more today than I ever loved it. I love the people  
15 that surround it, the people that spend their lives, maybe  
16 10, 15 feet away from their horses that they take care of.  
17 Each groom may have three horses they spend 24 hours a day  
18 watching after. If there's a problem they've got a  
19 veterinarian, they've got a masseuse, they've got a dentist,  
20 they've got somebody that's coming, an acupuncturist, a  
21 farrier that comes and trims their nails or does their  
22 manicures, whatever it is that they may be called. They are  
23 the best taken care of that is humanly possible and I love  
24 that.

25           Beyond that, I've been able to travel around the

1 world. I've ridden everywhere there is to ride, and I've  
2 been blessed in those opportunities, but I always come back  
3 home to Santa Anita and California racing. I know that  
4 everybody takes care of their horses here. And I also climb  
5 on these horses, partnering up with them, becoming one with  
6 them. It's not just for my glory. It's not for me to make  
7 the money. As a matter of fact, a lot of us are broke.  
8 It's perception that we're rich.

9           But what makes me rich is when I get out there and  
10 become one with these animals and you can move together and  
11 know that you're communicating with them and understanding  
12 what they want. It's their signals that teach me how to be  
13 a better person, a better rider.

14           And I do risk. I do have risks. I risk my life.  
15 If I thought there was something wrong with this racetrack,  
16 if I thought there was something wrong with these horses,  
17 I'm at risk. If one of them falls, I don't stay in the air,  
18 I fall with them. I know they're well taken care of.

19           I thank Santa Anita for all the measures that  
20 they've taken, all the horsemen. It's very tough times  
21 we've had. We don't make any excuses for losing one animal,  
22 one horse. We try and find solutions so that we don't lose  
23 more.

24           I'm not up here about it's us against them. I  
25 don't know who them is and I don't know who us is. I'm up

1 here because I love horses. I'm a jockey because I love  
2 horses.

3 CHAIR WINNER: Thank you, Aaron.

4 Any questions? Comments?

5 Thank you.

6 Karen -- I'm going to get this wrong -- Karen  
7 Klunicky [sic]. Please correct me. And, again, I  
8 apologize.

9 VICE CHAIR AUERBACH: Klawitter.

10 CHAIR WINNER: Oh, Klawitter. Now I can read it.

11 Karen Klawitter, I apologize. I couldn't read it.  
12 It was my fault. I apologize.

13 DR. KLAWITTER: Oh, that could be, too. Hi. I'm  
14 Karen Klawitter. I'm with the Equine Hospital here at Santa  
15 Anita. I absolutely hate public speaking so, sorry, I'm  
16 nervous.

17 I just thought it was important to get up. I  
18 think us race-trackers should be better at gathering  
19 together and coming up and expressing our opinion about our  
20 life and what we do. If we were as well prepared as the  
21 other side we would be able to present our side of racing  
22 that we love better for all to see.

23 I think the world doesn't know the preventative  
24 measures that have been taken throughout the years for horse  
25 racing. Dr. Arthur could present a whole list. We have a

1 lab here at the racetrack where we check for the bloodwork  
2 so we know instantly when the horses are sick and they need  
3 to be taken care of.

4 We have a nuclear medicine facility where within a  
5 day, maybe two, they're able to go in and be scanned to see  
6 if there are any injuries that we weren't able to find on x-  
7 rays that we've already taken.

8 And we have x-rays that we take to find any  
9 fractures. So if the horse is sore they come to us and we  
10 find out if there's anything wrong before they go out on the  
11 track. I'm not saying some things aren't missed, and they  
12 are, but we try really hard to find the problems.

13 We all hate it when horses break down. We  
14 probably hate it more than the PETA people or these people  
15 who aren't from PETA.

16 UNIDENTIFIED FEMALE: (Off mike.) We're not from  
17 PETA.

18 MS. KLAWITTER: So -- well, I know, that's what  
19 you say. That's why I emphasized it.

20 So anyway, I just wanted to point out all the  
21 preventative measures.

22 UNIDENTIFIED FEMALE: (Off mike.)  
23 (Indiscernible.)

24 MS. KLAWITTER: Excuse me. I didn't talk when you  
25 were talking.

1 So we wanted to point out.

2 CHAIR WINNER: Can you please -- excuse me. Can  
3 you please keep your voices down and allow other people to  
4 speak, as we allowed you to speak?

5 Go ahead please.

6 MS. KLAWITTER: Well, she emphasized that were  
7 lies and that's -- I can verify that very easily, so that's  
8 kind of silly.

9 Anyway, I just wanted to point that out, all the  
10 things that we try to do for the horses for preventative  
11 measures to keep them well and safe and racing. That's all.

12 CHAIR WINNER: Thank you.

13 Any questions?

14 Thank you.

15 Alan Balch. Good morning.

16 MR. BALCH: Good morning. Alan Balch, California  
17 Thoroughbred Trainers, but really speaking for myself.

18 I just wanted to put on the record, given some of  
19 the comments we're heard today, some opinions that were  
20 published by Dr. Larry Bramlage, who is an internationally-  
21 recognized and decorated equine orthopedic surgeon. And he  
22 addressed the question of, "Does the racing of horses  
23 carelessly force them into a danger zone?"

24 Backing up what Karen said, and I think it's often  
25 overlooked, that equine medicine in horses and horse racing,

1 probably 90 percent of the advancements in veterinary  
2 medicine related to horses worldwide has come from research  
3 generated by horse racing and funding of horse racing, very,  
4 very important for all equestrian pursuits, racing, non-  
5 racing, pleasure riding, breeding, whatever, the veterinary  
6 engine comes from racing.

7 Now to Dr. Bramlage.

8 "Does the racing of horses carelessly force them into a  
9 danger zone? No. Horses love to run and compete.

10 They do it naturally. From the day they are born,  
11 thoroughbreds run in fields. When the foals are weaned  
12 and grouped they race each other naturally to see who  
13 is better at what they do best. It is what they love to  
14 do. It is what they are bred to do. It's the whole  
15 reason they exist.

16 "As they grow and develop they move up the performance  
17 ladder. The best ones achieve high-profile racing  
18 venues.

19 "Spend a day on a breeding farm and you will see mares,  
20 foals and yearlings getting daily attention to their  
21 every need.

22 "Spend a morning in the barn area at the track and you  
23 will see horses receiving specialized care from  
24 passionate horse-loving people who spend long hours  
25 each day grooming, preparing stalls, feeding them. All

1 of this is to enable them to do what they love to do  
2 and do it impeccably.

3 "Undeniable passion for the wellbeing of horses  
4 permeates throughout the industry, as well as the  
5 public. It's this passion that led to significant  
6 safety improvements long before the publicity we've  
7 just seen.

8 "In 2006," for statistical people, "the first annual  
9 Safety and Welfare Summit was held and it's  
10 consistently led to safety innovations. Since they've  
11 started collecting data for North America there has  
12 been a 16 percent drop in injury rates across all  
13 surfaces, an 11 percent drop on dirt, a 38 percent drop  
14 on turf, and a 17 percent drop on synthetic surfaces.  
15 "Many, many other important changes include progress  
16 toward uniform medication rules and testing, race  
17 cancellation policies for inclement weather, and  
18 consistent management of racing surfaces."

19 I hear that my time is up so I just want to  
20 emphasize that the combined average for a Tapeta track at  
21 Woodbine is less than one-tenth-of-one-percent of race-day  
22 starters, almost half of the North American one percent  
23 injury rate. This is the kind of statistical data we need  
24 to make further advancements to get as close to zero as we  
25 possibly can in terms of serious injuries.

1 Thank you.

2 CHAIR WINNER: Thank you, Alan.

3 Any questions or comments? Okay.

4 I have no other cards, so if there's anybody in  
5 the audience who has not spoken who would like to speak on  
6 any issue that is not on the agenda, you're welcome to come  
7 up now. Please let me know. Raise your hand if there's  
8 anyone who wants to speak who hasn't spoken. Okay.

9 Seeing none, we're going to move on then to item  
10 number five, discussion and action by the Board regarding a  
11 report and status update on SB 469, which authorizes the  
12 Board, at any time, upon a vote of at least four members of  
13 the Board, or, if fewer than four members present, a  
14 unanimous vote of those members present, to immediately  
15 suspend a license to conduct a horse racing meeting, when  
16 necessary to protect the health and safety of horses and  
17 riders present at a horse racing meeting.

18 This gets to the issue that some of you have  
19 raised with respect to making a decision to suspend racing  
20 for one reason or another. This is state legislation, SB  
21 469, which would give the Board more authority to move more  
22 quickly to suspend racing if the Board determines that  
23 that's necessary for the safety of horses and riders.

24 It talks about action on the page but I don't  
25 think there's any action for us to take, is there, other

1 than to vote to support?

2 MR. BRODNIK: Yes.

3 CHAIR WINNER: Rob?

4 MR. BRODNIK: Good morning, Chairman and Members  
5 of the Board. Robert Brodnik, California Horse Racing  
6 Board.

7 This item was placed on the agenda. Senate Bill  
8 469, which is authored by Senator Dodd, has passed the first  
9 House and is currently on the desk of the second House.  
10 This item was placed on the agenda to allow the Board, if it  
11 would so choose, to write a letter in support of the bill as  
12 the language is currently written.

13 CHAIR WINNER: Okay.

14 MR. BRODNIK: So that's the action --

15 CHAIR WINNER: Thank you. That's the action?

16 MR. BRODNIK: -- to be taken.

17 CHAIR WINNER: Okay. Thank you.

18 Is there any discussion on this item?

19 VICE CHAIR AUERBACH: Can I ask Rob --

20 CHAIR WINNER: This --

21 VICE CHAIR AUERBACH: -- a couple of questions?

22 CHAIR WINNER: Yeah, you can.

23 Let me just make the point that this bill was  
24 written at the request of Executive Director Baedeker and  
25 myself. And as Rob said, it passed unanimously through the

1 Senate G.O. Committee; correct, Rob?

2 MR. BRODNIK: Correct.

3 CHAIR WINNER: So -- and the question is whether  
4 we, as a Board, want to take a position and write a letter  
5 of support for the bill?

6 MR. BRODNIK: Current -- typically, the Board  
7 doesn't necessarily take positions on pending --

8 CHAIR WINNER: Right.

9 MR. BRODNIK: -- legislation. However, this is a  
10 bill which, as you've stated, would directly affect the  
11 authority of the Board to act in certain situations --

12 CHAIR WINNER: Right.

13 MR. BRODNIK: -- especially in light of the  
14 climate. So this is an opportunity for the Board to voice  
15 its opinion and allow the author to know what the Board's  
16 position is moving forward.

17 CHAIR WINNER: Thank you.

18 Yes, Madeline?

19 VICE CHAIR AUERBACH: I read it all. And on  
20 five -- page five, for you, Rob, when you go down one, two,  
21 third -- bottom of the third paragraph where it says,  
22 "because the violation of those prohibitions would be a  
23 crime, this bill imposed," what does that mean?

24 MR. BRODNIK: Yeah. That's kind of legalese. But  
25 in essence, you can't run a horse race meeting unless your

1 licensed by the California State Horse Racing Board.

2 VICE CHAIR AUERBACH: Uh-huh.

3 MR. BRODNIK: And so if the Board were to suspend  
4 a license and someone were to continue to run a race meet  
5 while that license was suspended --

6 VICE CHAIR AUERBACH: Okay.

7 MR. BRODNIK: -- that would be a crime.

8 VICE CHAIR AUERBACH: So that's a state mandated  
9 local program? Is that -- that's the -- this bill would  
10 impose -- be a crime? This bill would impose a state-  
11 mandated local program. It just doesn't -- I mean, I  
12 understand it's legalese but it doesn't make a lot of sense.

13 MR. BRODNIK: I would -- I can clarify that but I  
14 believe that means because of violation, wherever it would  
15 occur within the county, would then be prosecuted by --

16 CHAIR WINNER: Within that jurisdiction.

17 MR. BRODNIK: -- that jurisdiction.

18 VICE CHAIR AUERBACH: Okay.

19 MR. BRODNIK: But I can clarify that.

20 VICE CHAIR AUERBACH: All right. Then at the very  
21 bottom of the same page where it says there would be imposed  
22 modified notice requirements, do we know what they are? Are  
23 they 24 hours? Do we --

24 MR. BRODNIK: Yeah. So --

25 VICE CHAIR AUERBACH: What was it specified at?

1 MR. BRODNIK: Well, it's not actually specified in  
2 the bill but the emergency provisions in Bagley-Keene allow  
3 a one-hour notice provided to media outlets before a meeting  
4 is called, and so this would echo that same.

5 VICE CHAIR AUERBACH: So it would be the same that  
6 it is right now? That wouldn't change?

7 MR. BRODNIK: Well, I don't know what you mean by  
8 the same as it is. Right now, currently, the Board --

9 VICE CHAIR AUERBACH: You said Bagley-Keene, and  
10 this is diametrically opposed to Bagley-Keene, so that's why  
11 I'm asking.

12 MR. BRODNIK: So to be clear, the Open Meeting  
13 Act, as it's written under Bagley-Keene, requires a ten-day  
14 notice for the Board to take any action.

15 VICE CHAIR AUERBACH: Right.

16 MR. BRODNIK: There are exemptions to that. The  
17 Board can call a special meeting with 48-hour notice --

18 VICE CHAIR AUERBACH: Right.

19 MR. BRODNIK: -- if certain -- you know, for  
20 license applications or to deal with other specified items,  
21 or it can call an emergency meeting, only under very limited  
22 circumstances. This bill would allow the Board to call an  
23 emergency meeting which would only require one-hour notice  
24 to media outlets before being called in situation where the  
25 health and safety of the horse or rider necessitates calling

1 that meeting.

2 VICE CHAIR AUERBACH: So it's one hour?

3 MR. BRODNIK: Right.

4 CHAIR WINNER: Right now, as I understand it,  
5 correct me if I'm wrong, the only way we could call an  
6 emergency meeting is if the public safety was at risk. And  
7 what this bill does is it says that if the horse and rider  
8 are at risk it allows us to do that; is that correct?

9 MR. BRODNIK: Yes. This clarifies the Board's  
10 authority to call an emergency meeting so that it is crystal  
11 clear.

12 CHAIR WINNER: Right.

13 VICE CHAIR AUERBACH: Thank you.

14 CHAIR WINNER: Thank you. All right.

15 Any discussion? Any further discussion? Any  
16 questions? Is there a motion to approve the Board's support  
17 with a letter of support to the State  
18 Legislature --

19 COMMISSIONER RUANO: So moved.

20 CHAIR WINNER: -- informing them that we support  
21 this legislation?

22 It's moved by Commissioner Ruano. Is there a  
23 second?

24 COMMISSIONER MAAS: Second.

25 CHAIR WINNER: Seconded by Commissioner Maas. Any

1 discussion?

2 VICE CHAIR AUERBACH: Maybe we should close the  
3 doors because they're a little bit loud out there?

4 CHAIR WINNER: Yeah. Can somebody back there  
5 close the doors please?

6 UNIDENTIFIED MALE: (Off mike.) (Indiscernible.)

7 CHAIR WINNER: Oh, okay. One door?

8 VICE CHAIR AUERBACH: Well, we need to close -- to  
9 make those people move down.

10 COMMISSIONER RUANO: Or just ask them to --

11 VICE CHAIR AUERBACH: You have to keep a door --  
12 you have to keep a door open, according to the guys here.  
13 Maybe we could ask those folks to move down?

14 CHAIR WINNER: Commissioner Alfieri?

15 COMMISSIONER ALFIERI: Yes.

16 CHAIR WINNER: Commissioner Maas?

17 COMMISSIONER MAAS: Yes.

18 CHAIR WINNER: Commissioner Solis?

19 COMMISSIONER SOLIS: Yes.

20 CHAIR WINNER: Chairman votes yes.

21 Vice Chair Auerbach?

22 VICE CHAIR AUERBACH: Yes.

23 CHAIR WINNER: Commissioner Ruano?

24 COMMISSIONER RUANO: Yes.

25 CHAIR WINNER: Yes. Motion carries unanimously.

1 Thank you very much.

2 We'll move on. Six has been put, as I mentioned  
3 earlier.

4 We'll move on then to item seven. You know what?  
5 Eric?

6 MR. SINDLER: I'm good.

7 CHAIR WINNER: Are you good? I didn't notice that  
8 we had a card. Did you want to speak on that issue?

9 MR. SINDLER: No.

10 CHAIR WINNER: Okay. Thank you. Again, I  
11 apologize.

12 Item number seven, discussion by the Board  
13 regarding required changes to CHRB rules with respect to the  
14 limitations of furosemide, Lasix, use beginning in --

15 VICE CHAIR AUERBACH: No, no, no.

16 CHAIR WINNER: -- no, no, no. I'm on the wrong  
17 one.

18 VICE CHAIR AUERBACH: You're on the wrong spot.

19 CHAIR WINNER: Sorry.

20 Discussion and action by the Board regarding  
21 Fasig-Tipton's request for authorization of its upcoming  
22 horse sale, pursuant to CHRB Rule 1807, Authorized Horse  
23 Sales.

24 Sorry about that. Go ahead.

25 MR. MACHOWSKY: Hi. Good afternoon. Thank you

1 for having me.

2 CHAIR WINNER: Do you want to --

3 MR. MACHOWSKY: Yeah.

4 CHAIR WINNER: -- identify yourself?

5 MR. MACHOWSKY: I'm Mike Machowsky. I represent  
6 Fasig-Tipton.

7 CHAIR WINNER: How are you, Mike?

8 MR. MACHOWSKY: Good. And you?

9 CHAIR WINNER: Good. Did you want to speak on the  
10 issue?

11 MR. MACHOWSKY: Yeah. We've -- we're going to  
12 host two auctions out here in California this year. We have  
13 a Two-Year-Old's in Training Auction here June 5th at Santa  
14 Anita with a Breed Show on June 3rd. And then September  
15 25th, we have a Yearling Sale here at Santa Anita.

16 EXECUTIVE DIRECTOR BAEDEKER: And you might have  
17 noticed, Commissioners, I don't know if you came in that  
18 way, but the stalls that are set up for the sale or on the -  
19 - I guess that's the eastern edge of the property --

20 MR. MACHOWSKY: Yeah.

21 EXECUTIVE DIRECTOR BAEDEKER: -- over the by Turf  
22 Club admission --

23 MR. MACHOWSKY: Right.

24 EXECUTIVE DIRECTOR BAEDEKER: -- and really appear  
25 to be really well done.

1 And are you happy with those accommodations?

2 MR. MACHOWSKY: Oh, very happy. Santa Anita has  
3 done a fantastic job helping us set it all up and have been  
4 a very accommodating host and everything. And horses  
5 started moving in as of yesterday.

6 CHAIR WINNER: Is there any discussion? The issue  
7 is to approve the sales.

8 COMMISSIONER MAAS: So moved.

9 CHAIR WINNER: Commissioner Maas moves.

10 COMMISSIONER SOLIS: Second.

11 CHAIR WINNER: Commissioner Solis seconds. Any  
12 discussion?

13 Commissioner Ruano?

14 COMMISSIONER RUANO: Yes.

15 CHAIR WINNER: Vice Chair Auerbach?

16 VICE CHAIR AUERBACH: Yes --

17 CHAIR WINNER: The Chair --

18 VICE CHAIR AUERBACH: -- and good luck.

19 CHAIR WINNER: -- the Chair votes yes and good  
20 luck.

21 Commissioner Solis?

22 COMMISSIONER SOLIS: Yes.

23 CHAIR WINNER: Commissioner Maas?

24 COMMISSIONER MAAS: Yes

25 CHAIR WINNER: And Commissioner Alfieri?

1 COMMISSIONER ALFIERI: Yes.

2 CHAIR WINNER: Thank you.

3 Thanks, Mike. Good to see you.

4 MR. MACHOWSKY: Thank you.

5 CHAIR WINNER: Good luck.

6 MR. MACHOWSKY: Thank you.

7 CHAIR WINNER: Okay, item number eight. Let me  
8 put my glasses on. There's a lot of stuff here. Discussion  
9 and action by the Board regarding  
10 approval of an agreement, pursuant to Business and  
11 Professions Code section 19604(f)(5)(E), to alter the  
12 distribution of market access fees from California residents  
13 advanced deposit wagering, ADW, placed on all live and  
14 imported races hosted by the signatory racing associations,  
15 by the creation of an additional deduction to be used to  
16 fund a co-op marketing program.

17 Who's speaking on this?

18 VICE CHAIR AUERBACH: Greg?

19 EXECUTIVE DIRECTOR BAEDEKER: Greg?

20 CHAIR WINNER: Mr. Avioli, beard and all.

21 MR. AVIOLI: We, perhaps, have a representative of  
22 our partners in crime on this one with --

23 CHAIR WINNER: Anybody you would like.

24 MR. AVIOLI: -- I think somebody from Del Mar and  
25 someone from Santa Anita would be good.

1 CHAIR WINNER: Here is Mr. Josh.

2 VICE CHAIR AUERBACH: Somebody from Santa Anita is

3 --

4 CHAIR WINNER: Yeah. Eric Sindler will be here  
5 from Santa Anita. All right. We'll let you all identify  
6 yourselves as you speak.

7 MR. AVIOLI: Greg Avioli, Thoroughbred Owners.

8 We, for those of you who don't remember, CMC, the  
9 California Marketing Committee, sunsetted by statute on  
10 December 31st last year. That was a program where money was  
11 deducted from simulcast handle to go towards joint marketing  
12 programs that were agreed upon by the tracks and the  
13 horsemen. While there is enough challenges with that  
14 program that a lot of people, including the legislature,  
15 didn't want to extend it, there were some benefits to the  
16 program. And those benefits were that it provided an  
17 additional source of funds for some important activities  
18 that the horsemen wanted and continue to want to do with the  
19 tracks.

20 The two biggest of those programs involve Ship and  
21 Win where additional purse money bonuses are paid to horses  
22 who come from out of state, which I'm sure you're very  
23 familiar with, and the second was incenting big players, or  
24 whales, as they're known, to wager on track, so there would  
25 be, whether you want to call them bonuses or rebates for on-

1 track wagering.

2           So these programs have been co-funded by the  
3 horsemen and the racetracks for many years, I'd say at least  
4 a decade. And with CMC sunseting, we developed a plan  
5 under the ADW Law which allows for percentages of ADW wagers  
6 to be used for programs of any sort that are agreed to by  
7 the track and the horsemen, subject to CHRB approval.

8           So what you have before you in the book is  
9 essentially a joint request from the Stronach Group, from  
10 Del Mar and the TOC. We have reached an agreement. We are  
11 going to fund these ongoing programs that are, again, Ship  
12 and Win and high-volume on-track rebates. And in order to  
13 that we need the Board to bless the percentages that we are  
14 asking to deduct from ADW. Those percentages have been  
15 calculated by Bernie Thurman at CRIMS. They are  
16 projections. They are projections of what ADW will  
17 generate. And if it turns out those are not sufficient,  
18 we'll be back again to ask for a potential increase in those  
19 percentages.

20           CHAIR WINNER: Thank you, Greg.

21           Josh?

22           MR. RUBENSTEIN: Yeah. The only thing I'll  
23 add --

24           CHAIR WINNER: Well, first identify yourself.

25           MR. RUBENSTEIN: Josh Rubenstein, Del Mar

1 Thoroughbred Club.

2 I don't want to steal Craig Dato's thunder because  
3 it will be covered in our marketing presentation but we will  
4 be using these funds, as Greg said, as we've traditionally  
5 used them, for rebates and for Cal Care. But working in  
6 conjunction with the TOC, we have a significant  
7 communications plan to highlight all of the safety  
8 initiatives that are in place in California. So you'll hear  
9 some more details when we -- in our license application.

10 MR. SINDLER: Eric Sindler on behalf of Santa  
11 Anita and Pacific Racing Association.

12 We've got nothing more to add. These guys covered  
13 it perfectly.

14 CHAIR WINNER: All right.

15 VICE CHAIR AUERBACH: I have a question. I always  
16 have questions.

17 CHAIR WINNER: Vice Chair Auerbach has a question.

18 VICE CHAIR AUERBACH: Yeah. When I looked at  
19 these, are these the same that used to come out before,  
20 these amounts?

21 MR. AVIOLI: Yes. They might not be the same to  
22 the dollar but they're substantially the same.

23 VICE CHAIR AUERBACH: They're -- so --

24 MR. AVIOLI: We looked at what the allocation was  
25 for each track last year.

1 VICE CHAIR AUERBACH: So you've taken the  
2 sunsetted clause and taken that little slice of the pie, so  
3 to speak, and written it into this; is that correct?

4 MR. AVIOLI: Just with one clarification. They're  
5 the amount of funding that came out for these programs.

6 VICE CHAIR AUERBACH: Right.

7 MR. AVIOLI: There are other programs --

8 VICE CHAIR AUERBACH: Right.

9 MR. AVIOLI: -- such as the Two-Year-Old Cal-Bred  
10 Series that is not being funded as a result. These are just  
11 the programs we've agreed to carry on. So it will be  
12 significantly less funding for this overall than it was for  
13 CMC last year.

14 VICE CHAIR AUERBACH: So -- but you're still going  
15 to have the website and the Cal Racing and the Cal Cares.  
16 And is that going to come out of this or is  
17 that --

18 MR. AVIOLI: So we -- in time, it will, but this  
19 year, it probably will not need to. When CMC sunset, on the  
20 eve of sunseting the parties go together and there were, I  
21 think, about \$300,000 of reserves that had not been spent.

22 VICE CHAIR AUERBACH: So that just went --  
23 the --

24 MR. AVIOLI: That money was put into a trust for  
25 the purpose of funding Cal Racing Cares going forward.

1 VICE CHAIR AUERBACH: Okay.

2 MR. AVIOLI: So that money has -- that is funded  
3 for this year and probably into next year. And if at some  
4 point in time that runs out of money, we expect that we'll  
5 continue to fund it via this ADW.

6 VICE CHAIR AUERBACH: This way? Okay.

7 MR. AVIOLI: Yes, ma'am.

8 VICE CHAIR AUERBACH: Thank you.

9 CHAIR WINNER: Greg, we've had some discussions  
10 about some research. Would that money come out of this?

11 MR. AVIOLI: There is a potential for that to come  
12 out of this. It's not budgeted within that currently. I  
13 believe the program, I'm happy to discuss it, we have,  
14 separate and apart from this, we've agreed with most all the  
15 racing associations and the horsemen and the breeders and  
16 CARF to separately fund some money this year to do some  
17 economic impact research and possibly some consumer research  
18 on the impact of sports betting in California. Right now we  
19 have enough funding for that but either we will voluntarily  
20 contribute from our assets, that, or we will come back and  
21 ask for (indiscernible).

22 Just to put a fine point on it is I wasn't here  
23 for that. I believe the credit goes to Greg Fravel. Most  
24 of the wagering money in the state, actually, all of it is  
25 specifically limited to where it goes. And when they came

1 around with the ADW Law they essentially opened up a safety  
2 valve that now says -- and it just so happens that's not  
3 most of the wagering; right? Revenue from that can be used  
4 for other things subject to track, horsemen, CHRB approval.

5 So we'll be back for more, I'm certain, in the future.

6 CHAIR WINNER: Okay. Thank you.

7 Any other --

8 EXECUTIVE DIRECTOR BAEDEKER: Just to --

9 CHAIR WINNER: Go ahead.

10 EXECUTIVE DIRECTOR BAEDEKER: Can I clarify one  
11 thing? Because I know that this has been misunderstood in  
12 the past sometimes by players.

13 When you talk about the money coming out of  
14 wagering, there's no change to takeout. These are funds  
15 that ordinarily would net to purses and to commissions. But  
16 instead, you're coming back before the Board and saying you  
17 want to direct those funds to this program?

18 MR. AVIOLI: And, in fact, again, the money that  
19 had come out of purses last year to support CMC in the  
20 aggregate, it's going to be less money that's going to come  
21 out of purses this year because we're not doing all of the  
22 programs.

23 CHAIR WINNER: Any other questions? Is there a  
24 motion?

25 Commissioner Alfieri?

1 COMMISSIONER ALFIERI: So moved.

2 COMMISSIONER MAAS: Second.

3 CHAIR WINNER: Commissioner Maas seconds.

4 Commissioner Alfieri?

5 COMMISSIONER ALFIERI: Yes.

6 CHAIR WINNER: Commissioner Maas?

7 COMMISSIONER MAAS: Yes.

8 CHAIR WINNER: Commissioner Solis?

9 COMMISSIONER SOLIS: Yes.

10 CHAIR WINNER: The Chair votes yes.

11 Vice Chair?

12 VICE CHAIR AUERBACH: Yes.

13 CHAIR WINNER: And Commissioner Ruano?

14 COMMISSIONER RUANO: Yes.

15 CHAIR WINNER: Commissioner Ruano?

16 COMMISSIONER RUANO: Yes.

17 CHAIR WINNER: Yes. Okay.

18 MR. AVIOLI: Thank you.

19 CHAIR WINNER: Thank you --

20 MR. RUBENSTEIN: Thank you.

21 CHAIR WINNER: -- very much gentlemen.

22 MR. SINDLER: Thank you.

23 CHAIR WINNER: Discussion and action by the Board

24 on the Application for License to Conduct a Horse Racing

25 Meeting of the Los Alamitos Horse Racing Association at Los

1 Alamitos Race Course, commencing June 26, 2019 through June  
2 [sic] 16th, 2019.

3 Are there items that are missing?

4 MR. BRODNIK: Yes.

5 CHAIR WINNER: I noticed that there were on our  
6 documents.

7 MR. BRODNIK: Robert Brodник, California Horse  
8 Racing Board.

9 Today we received the TOC race meet agreement.  
10 But the audited financials and a response to question nine  
11 is still outstanding.

12 EXECUTIVE DIRECTOR BAEDEKER: Mr. Chairman, Staff  
13 was recommending that because the audited financials are in  
14 progress or process that if you were so inclined to approve  
15 the race meet application, you could do it contingent upon  
16 submission of those financials once completed.

17 CHAIR WINNER: And what about the answer to --

18 VICE CHAIR AUERBACH: Number nine.

19 CHAIR WINNER: -- number nine?

20 EXECUTIVE DIRECTOR BAEDEKER: Number nine, I think  
21 that would be the same way.

22 It's in -- you're working on it; right, Jack?

23 MR. LIEBAU: Well, we've handed it in. I  
24 mean --

25 EXECUTIVE DIRECTOR BAEDEKER: Okay.

1 MR. LIEBAU: -- my understanding was that we were  
2 supposed to hand in the telephone numbers of the various  
3 veterinarians --

4 CHAIR WINNER: Vets, yeah.

5 MR. LIEBAU: -- at the places and that has been  
6 handed in. And, in fact, there's another track that's  
7 making use of our list, so I think we're okay.

8 CHAIR WINNER: Name and phone numbers.

9 EXECUTIVE DIRECTOR BAEDEKER: Yeah. So what --  
10 the issue here, it's not really an issue. It's really an  
11 effort by Staff to pay more attention to this information in  
12 the race meet application. In the past some applications  
13 have just referenced that the information is on file. And  
14 so in discussing this at a staff level we felt like we  
15 needed to be more specific about that. Granted, we really  
16 kind of changed the requirements for the application late in  
17 the game. So I can tell the Board that each of the  
18 applicants here today has been working, if they haven't  
19 already supplied the information, they've been working on  
20 it. I have been working with Dr. Arthur. I have no doubt  
21 that the information is forthcoming.

22 So I'd say that we can be very confident that, as  
23 a matter of fact, that omission will be --

24 CHAIR WINNER: Thank you.

25 EXECUTIVE DIRECTOR BAEDEKER: -- fixed.

1 CHAIR WINNER: Jack, you want to identify yourself  
2 and --

3 MR. LIEBAU: Yes. Jack Liebau from Los Alamitos  
4 Racing Association.

5 CHAIR WINNER: You want to tell us why we should  
6 approve?

7 MR. LIEBAU: I urge you to approve our license  
8 application. I think that with respect to the financials  
9 that are outstanding they are historically outstanding at  
10 this time of the year. The auditors were in two weeks ago  
11 and we should have the final audit done by July 1st. And as  
12 soon as we get it we'll send it in, has been in the case in  
13 the past.

14 CHAIR WINNER: Thank you. Any questions?  
15 Comments? Motions?

16 COMMISSIONER RUANO: So moved pending --

17 CHAIR WINNER: Pending receipt?

18 COMMISSIONER RUANO: -- financials by July 1st or  
19 15th or --

20 VICE CHAIR AUERBACH: Whatever.

21 COMMISSIONER RUANO: -- around there.

22 CHAIR WINNER: Okay.

23 MR. LIEBAU: We'll have it July 1st.

24 CHAIR WINNER: That's --

25 MR. LIEBAU: There won't be a problem.

1 CHAIR WINNER: That's very specific.  
2 VICE CHAIR AUERBACH: That was a great motion.  
3 CHAIR WINNER: All right.  
4 VICE CHAIR AUERBACH: I love it.  
5 CHAIR WINNER: Is there a second?  
6 VICE CHAIR AUERBACH: I'll second it.  
7 CHAIR WINNER: Okay. It's been moved and  
8 seconded.  
9 Commissioner Alfieri?  
10 COMMISSIONER ALFIERI: Yes.  
11 CHAIR WINNER: Commissioner Maas?  
12 COMMISSIONER MAAS: Yes.  
13 CHAIR WINNER: Commissioner Solis?  
14 COMMISSIONER SOLIS: Yes.  
15 CHAIR WINNER: The Chair votes yes.  
16 Vice Chair? Vice Chair?  
17 VICE CHAIR AUERBACH: Oh, I'm sorry, yes.  
18 CHAIR WINNER: Commissioner Ruano?  
19 COMMISSIONER RUANO: Yes.  
20 CHAIR WINNER: Thank you. Have a great meet,  
21 Jack.  
22 MR. LIEBAU: Thank you very much.  
23 CHAIR WINNER: Thank you.  
24 VICE CHAIR AUERBACH: Actually, I kind of wanted  
25 to ask --

1 EXECUTIVE DIRECTOR BAEDEKER: Might as well stay  
2 there, Jack, for the next one.

3 VICE CHAIR AUERBACH: -- Mr. Baedeker a question.

4 Mr. Baedeker, I noticed that on several of the  
5 applications a question on nine exists. So can we ignore  
6 that from now on --

7 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

8 VICE CHAIR AUERBACH: -- because we just covered  
9 it?

10 EXECUTIVE DIRECTOR BAEDEKER: That's what I was  
11 talking about.

12 VICE CHAIR AUERBACH: Can we give that a pass now?

13 CHAIR WINNER: Yeah.

14 VICE CHAIR AUERBACH: Okay.

15 EXECUTIVE DIRECTOR BAEDEKER: It's all  
16 forthcoming.

17 VICE CHAIR AUERBACH: Thank you.

18 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

19 MR. LIEBAU: I think the confusion on number nine  
20 was what information we were supposed to supply as to the  
21 times that the private vets were available. And my thought  
22 on that is that the private vets go work for the trainers  
23 and they come and go depending on the needs of those  
24 trainers.

25 EXECUTIVE DIRECTOR BAEDEKER: But there's policies

1 in place, probably, at each racetrack that rely on those  
2 private vets being available if there's an emergency --

3 MR. LIEBAU: Right.

4 EXECUTIVE DIRECTOR BAEDEKER: -- relative to one  
5 of the horses --

6 MR. LIEBAU: Right.

7 EXECUTIVE DIRECTOR BAEDEKER: -- in their care.

8 MR. LIEBAU: Exactly.

9 EXECUTIVE DIRECTOR BAEDEKER: So this won't be a  
10 perfect document when it's finished. It will be better than  
11 what we've had --

12 MR. LIEBAU: It's a work in process --

13 EXECUTIVE DIRECTOR BAEDEKER: -- in the past.

14 Yeah.

15 MR. LIEBAU: -- that we're all sort of struggling  
16 with and so --

17 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

18 CHAIR WINNER: All right. We're going to go on  
19 then to item number ten.

20 And probably, Greg, you also ought to come up on  
21 this one if you're still here.

22 Discussion and action by the Board regarding  
23 approval of an agreement, pursuant to CHRB Rule 1581, Racing  
24 Secretary to Establish California's -- I'm sorry,  
25 Conditions, between the Los Alamitos Horse Racing

1 Association and the Thoroughbred Owners of California  
2 regarding entry conditions and specific drug substances or  
3 medications to be implemented by the LARA at the Los  
4 Alamitos Racetrack.

5 Jack, or whoever wants to start?

6 MR. AVIOLI: Greg Avioli, Thoroughbred Owners.

7 This is substantially the same agreement that we  
8 reached with the Stronach Group. In fact, it is the same  
9 agreement that we've reached with the Stronach Group with  
10 the one exception that this does not address, for now, post-  
11 2019 Lasix. This is for this particular race meet  
12 agreement.

13 CHAIR WINNER: Right. Jack --

14 MR. AVIOLI: And we support it.

15 CHAIR WINNER: -- did you want to add to that?

16 MR. LIEBAU: No. We're all in agreement.

17 CHAIR WINNER: Okay. I appreciate CARF, Los  
18 Alamitos and Del Mar for reaching this agreement with the  
19 TOC. And I think all of those are before us today.

20 VICE CHAIR AUERBACH: Right. They are.

21 CHAIR WINNER: Is there a motion?

22 COMMISSIONER MAAS: So moved.

23 CHAIR WINNER: Commissioner Maas moves.

24 COMMISSIONER SOLIS: Second.

25 CHAIR WINNER: Commissioner Solis seconds.

1 Commissioner Ruano?

2 COMMISSIONER RUANO: Yes.

3 CHAIR WINNER: Vice Chair Auerbach?

4 VICE CHAIR AUERBACH: Yes.

5 CHAIR WINNER: The Chair votes yes.

6 Commissioner Solis?

7 COMMISSIONER SOLIS: Yes.

8 CHAIR WINNER: Commissioner Maas?

9 COMMISSIONER MAAS: Yes.

10 CHAIR WINNER: Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR WINNER: Thank you.

13 Moving right along, item number 11, discussion and  
14 action by the Board on the Application for License to  
15 Conduct a Horse Racing Meeting of the California Exposition  
16 and State Fair at Sacramento, commencing  
17 July 12, 2019 through July 28, 2019.

18 Gentlemen.

19 MR. PICKERING: Yes. Rick Pickering, CEO of your  
20 California State Fair and Cal Expo.

21 MR. SWARTZLANDER: Larry Swartzlander, Director of  
22 Racing at Cal Expo. I'd just like to start and go over the  
23 racing side of it and turn it over to Rick to cover the  
24 additional details of marketing, et cetera.

25 Again, this will be 11 days of racing during the

1 period of July 10th through 30th. As I mentioned last -- at  
2 the last meeting, we have raised overnight purses close to  
3 \$150,000, mainly in the mid-claiming areas and maiden  
4 special weights. We also have \$125,000 program for  
5 incentives for trainers, \$500 for five starts, \$1,000 for  
6 ten starts. And also we have the program, \$60,000 put aside  
7 to pay trainers who bring horses in from out of state. They  
8 get \$100 the first start, \$200 for the second start, and  
9 \$300 for the third start.

10 And at this point we have close to 150 horses at  
11 Pleasanton. The product looks good. And I think, as last  
12 year, we were up over \$100,000 in commissions at Cal Expo  
13 and I expect another great meet this year, even though it  
14 may be 100 degrees on seven of the ten days.

15 EXECUTIVE DIRECTOR BAEDEKER: It might rain.

16 MR. SWARTZLANDER: It might rain.

17 MR. PICKERING: It might rain, yes.

18 Honorable --

19 CHAIR WINNER: Rick, go ahead.

20 MR. PICKERING: Honorable Chairman Winner and  
21 distinguished Members of the Board and talented Executive  
22 Team, thank you once again for your consideration of your  
23 State Fair's racing license.

24 In light of earlier discussions today and over the  
25 last month, a bright spot is that the California Authority

1 of Racing Fairs that maintains five dirt racing surfaces in  
2 Northern California, we collectively, the fairs, have had  
3 zero fatalities in the last two years. Cal Expo alone,  
4 between the harness meet and the thoroughbred meet, has  
5 started more than 10,000 horses on dirt surface in the last  
6 two years with no breakdowns. We certainly recognize  
7 injuries can and do occur and we just hope that we'll be  
8 able to maintain that perfect record that we've had the last  
9 two years.

10 CHAIR WINNER: Just to clarify for the record,  
11 when you say no breakdowns you mean no catastrophic  
12 breakdowns?

13 MR. PICKERING: No catastrophic fatalities.

14 CHAIR WINNER: Yeah.

15 MR. PICKERING: Absolutely.

16 CHAIR WINNER: I just wanted to clarify that.  
17 Thank you.

18 MR. PICKERING: From a racing point of view, we  
19 were up seven percent in overall handle last summer in spite  
20 of the heat. And our heat protocols were greatly  
21 appreciated. We think it further contributed to the health  
22 and safety of the horses and the jockeys that were involved.

23 From a marketing point of view, this year, instead  
24 of doing fireworks in the center of our racetrack on Friday  
25 and Saturday nights, we're going to the first of its kind

1 light drone show at a state fair. So we're bringing in a  
2 light show of drones on Friday, Saturday, Sunday nights.  
3 Our horse population should be happier. These will be very  
4 quiet drones. But we'll see how that goes.

5 In keeping with silent, we also are expanding our  
6 silent disco, which is basically people dancing and you  
7 can't hear the music because you don't have the headphones  
8 on, but the young people can, so cross-marketing and  
9 promotion there.

10 We're creating the first of its time e-sports  
11 gaming tournament known as the California Bear Cup. So  
12 we'll be bringing in, again, millennials. We're partnering  
13 with Twitch. You'll have to look up and see who Twitch is  
14 if you're not familiar. You know who Twitch is. That's  
15 great. As well as ASOS will be providing all the gaming  
16 equipment. And we have some very influential gaming  
17 bloggers. And the intent is to, again, cross-pollinate with  
18 the sport of racing and introducing the sport to a younger  
19 audience.

20 We're also doing our second State of California  
21 Youth Mariachi competition from El Centro, though San Diego,  
22 up through Fresno, Bakersfield at the California State Fair.  
23 Mariachi Vargas will be working with all the young teams  
24 again. We're excited about that.

25 We've expanded our website to include nine

1 different languages now, so people can go to the State Fair  
2 and Cal Expo website and pull up all sorts of information in  
3 their language that they're most comfortable with.

4           And then we're also, on the concept of  
5 millennials, we've created a number of interactive selfie  
6 exhibits, some of which will include horse racing  
7 information.

8           So bringing people to the track, we hope to have  
9 700,000 to 800,000 people come out this summer at  
10 Sacramento.

11           And we also have two professional soccer matches  
12 that will take place during the State Fair on our property.

13           And again, it's 800 acres, so there's a lot of folks that  
14 come out and enjoy themselves and horse racing. More than  
15 36,000 people, we hope, will be at the track.

16           CHAIR WINNER: Thank you very much.

17           Is there any discussion, any further discussion?

18           VICE CHAIR AUERBACH: Just on the stuff that you  
19 guys still need, what is this about the 2019 agreements with  
20 you and the ADW providers? Is that -- do you want to  
21 explain that, Larry, please?

22           MR. SWARTZLANDER: Yes. I've been with CARF 20  
23 year and before we had this, the Monarch, who did our  
24 simulcasting contracts, no, they don't.

25           VICE CHAIR AUERBACH: Not anymore?

1 MR. SWARTZLANDER: They chose not to offer the  
2 service to us this year, so it was a learning experience  
3 from our part that we did the simulcasting, but there was  
4 discussion going back and forth between me and the CHRB and  
5 I thought we had this taken care of but we didn't.

6 But as I emailed you that we discussing, we've had  
7 two signed at this point. The other four are in discussion.  
8 There's no issues at all. It's just a matter of getting  
9 them complete.

10 VICE CHAIR AUERBACH: And the fire clearance, is  
11 that the normal thing we see --

12 MR. SWARTZLANDER: Yes. Yes.

13 VICE CHAIR AUERBACH: -- every single summer?

14 CHAIR WINNER: That's every year.

15 MR. SWARTZLANDER: Every year.

16 VICE CHAIR AUERBACH: Yeah.

17 CHAIR WINNER: That's right. Any other  
18 discussion?

19 A motion, Madeline?

20 VICE CHAIR AUERBACH: Yes, I so move.

21 COMMISSIONER RUANO: Second.

22 CHAIR WINNER: Vice Chair Auerbach moves.  
23 Commissioner Ruano seconds.

24 Commissioner Ruano?

25 COMMISSIONER RUANO: Yes.

1 CHAIR WINNER: And Vice Chair Auerbach?  
2 VICE CHAIR AUERBACH: Yes.  
3 CHAIR WINNER: The Chairman votes yes.  
4 Commissioner Solis?  
5 COMMISSIONER SOLIS: Yes.  
6 CHAIR WINNER: Commissioner Maas?  
7 COMMISSIONER MAAS: Yes.  
8 CHAIR WINNER: Commissioner Alfieri?  
9 COMMISSIONER ALFIERI: Yes.  
10 CHAIR WINNER: Have a great meet. Thank you.  
11 VICE CHAIR AUERBACH: Good luck keeping the  
12 records going.  
13 MR. PICKERING: Thank you very much.  
14 CHAIR WINNER: The next item, I don't think  
15 there's need for discussion. I have to read it for the  
16 record.  
17 Discussion and action by the Board regarding  
18 approval of an agreement, pursuant to CHRB Rule 1581, Racing  
19 Secretary to Establish Conditions, between the California  
20 Authority of Racing Fairs and the Thoroughbred Owners of  
21 California regarding entry conditions and specified drug  
22 substances or medications to be implemented by CARF at the  
23 California Exposition and State Fair.  
24 Is there a motion?  
25 COMMISSIONER MAAS: Move.

1 CHAIR WINNER: Commissioner Maas moves.  
2 COMMISSIONER RUANO: Second.  
3 CHAIR WINNER: Commissioner Ruano seconds.  
4 Commissioner Alfieri?  
5 COMMISSIONER ALFIERI: Yes.  
6 CHAIR WINNER: Commissioner Maas?  
7 COMMISSIONER MAAS: Yes.  
8 CHAIR WINNER: Commissioner Solis?  
9 COMMISSIONER SOLIS: Yes.  
10 CHAIR WINNER: The Chair votes yes.  
11 Commissioner Auerbach?  
12 VICE CHAIR AUERBACH: Yes.  
13 CHAIR WINNER: Commissioner Ruano?  
14 COMMISSIONER RUANO: Yes.  
15 CHAIR WINNER: Motion carries.  
16 Thank you both very much.  
17 MR. SWARTZLANDER: Do I have one more?  
18 EXECUTIVE DIRECTOR BAEDEKER: Yeah. You've got  
19 Alameda.  
20 MR. SWARTZLANDER: Alameda.  
21 CHAIR WINNER: Oh. Okay. Hang on.  
22 MR. SWARTZLANDER: Actually, the agreement with  
23 have with TOC covers all four of our meets.  
24 CHAIR WINNER: Yeah, it does.  
25 MR. SWARTZLANDER: Yeah.

1 CHAIR WINNER: I think we have to, just for the  
2 record, go through all of them.

3 Discussion and action by the Board regarding  
4 approval of an agreement, pursuant to CHRB Rule 1581, Racing  
5 Secretary to Establish Conditions, between the California  
6 Authority of Racing Fairs and the Thoroughbred Owners of  
7 California regarding entry conditions and specified drug  
8 substances or medications to be implemented by CARF at the  
9 Alameda County Fair.

10 Is there a motion?

11 COMMISSIONER MAAS: Moved.

12 CHAIR WINNER: Thank you, Commissioner Maas.

13 COMMISSIONER SOLIS: Second.

14 CHAIR WINNER: Commissioner Solis seconds.

15 Commissioner Ruano?

16 COMMISSIONER RUANO: Yes.

17 CHAIR WINNER: Vice Chair Auerbach?

18 VICE CHAIR AUERBACH: Yes.

19 CHAIR WINNER: The Chair votes yes.

20 Commissioner Solis?

21 COMMISSIONER SOLIS: Yes.

22 CHAIR WINNER: Commissioner Maas?

23 COMMISSIONER MAAS: Yes.

24 CHAIR WINNER: Commissioner Alfieri?

25 COMMISSIONER ALFIERI: Yes.

1 CHAIR WINNER: Thank you.

2 All right, Discussion and action by the Board on  
3 the Application for License to Conduct a Horse Racing  
4 Meeting of the Del Mar Thoroughbred Club at Del Mar,  
5 commencing July 17, 2019 through September 3, 2019,  
6 inclusive.

7 Gentlemen, thank you for waiting.

8 MR. HARPER: It's been a ball. Joe Harper, CEO of  
9 Del Mar Race Track. Let me just kick it off and let the  
10 other guys do their thing.

11 But I got to say that last year was a terrific  
12 meet for us. Everything was up that was supposed to be up  
13 and some things were down that were supposed to be down.  
14 Basically, catastrophic injuries were way, way down in the  
15 last two years. We've been very proud of that, mainly  
16 because it was things that we've done that we felt had a  
17 major impact on that between racetrack renovations and  
18 putting in rules and regulations that regulate training, and  
19 also the number of horses, and giving us more time after the  
20 fair to get the track ready. So things worked and it was a  
21 significant reduction, probably the lowest number of  
22 injuries that Del Mar had ever had in its history.

23 CHAIR WINNER: Thank you for that.

24 MR. HARPER: So we're very proud of that.

25 And I think, you know, basically, our number one

1 goal is to continue that. And I think over the past few  
2 months there have been tremendous strides in this industry  
3 recognizing and dealing with where this industry has to go.  
4 And we're proud of being part of that and we'll continue to  
5 work with our stakeholders --

6 CHAIR WINNER: Thank you.

7 MR. HARPER: -- to get it done.

8 Other than that, our business plan this year is to  
9 try not to screw it up. And, hopefully, we this year will  
10 be as successful as the last two.

11 Guys?

12 MR. RUBENSTEIN: Sure. Josh Rubenstein, Del Mar  
13 Thoroughbred Club.

14 We are requesting, basically, the same calendar we  
15 had last year, which is a 7-week, 36-day meet, racing 5 days  
16 a week, Wednesday through Sunday, opening July 17th, closing  
17 Labor Day, September 2nd.

18 As Joe mentioned, 2018 was a very strong year for  
19 us. And that will allow us to raise overnights in our Ship  
20 and Win Program. Tom and David will have the details on  
21 that shortly.

22 Also, as Joe mentioned, we've been working very  
23 closely with industry stakeholders on reforms that  
24 prioritize safety. And I'd like to acknowledge and thank  
25 the Stronach Group for taking the lead, excuse me, on many

1 of those reforms.

2           This summer, as you heard from CARF and Los  
3 Alamitos, at Del Mar it will be the same. We will have new  
4 medication rules in place very similar to the IFHA  
5 standards, 14-day stand-down on corticosteroids and 48 hours  
6 on anti-inflammatories.

7           We'll also have some new protocols in place for  
8 racing and stable security. Tom will get into those  
9 details.

10           Last point, our wagering menu will basically be  
11 the same as 2018. We will have a traditional \$2.00 Pick 6  
12 with 15 percent going to a jackpot pool. And we'll have the  
13 mandatory payout of that pool on Pacific Classic Day, August  
14 17th.

15           And I'll toss it over to Tom for racing.

16           MR. ROBBINS: Thank you, Josh.

17           Tom Robbins.

18           As Josh just mentioned, we have adopted several  
19 new racing and training protocols and continuing with some  
20 of the old ones that we have established in the last couple  
21 years.

22           Our medication reforms are going to match exactly  
23 what's currently in place at Santa Anita.

24           Regarding training, as we started a couple of  
25 years ago, we're going to continue with the workers only for

1 the first ten minutes after the first two renovation breaks.

2 We're also going to continue with our program of keeping  
3 our numbers down to a manageable number of horses stabled at  
4 Del Mar.

5 What's -- one of the things that we've been  
6 working with Dr. Arthur on is we're going to continue with  
7 the program of having regulatory veterinarians present seven  
8 days a week at the racetrack, not just looking at -- usually  
9 the customary protocol is to look at horses in the morning  
10 of the race day. But this program has been in place for the  
11 last two years in terms of looking at horses ahead of time,  
12 horses that they have interest in that need a little more  
13 scrutiny potentially.

14 What's new this summer is we're going to be adding  
15 two new regulatory vets, as well. And again, we're working  
16 with Rick on this. They're going to be used specifically  
17 for monitoring morning training activity and will be in  
18 radio contact with morning outriders.

19 Also, something new that we'll be doing is, as  
20 Santa Anita recently started, we'll be -- not be allowing  
21 the exercise riders to use the whips for striking purposes  
22 for training during the morning activity. They can use the  
23 riding crop but they just can't use it to whip the horses in  
24 the morning.

25 Our of competition testing is something else that

1 will be increased. We're working with, again, Dr. Arthur in  
2 this regard. We'll be doing additional random testing on  
3 horses that are training in the morning to make sure that  
4 the trainers are in compliance with the new 48-hour NSAIDs  
5 rule.

6 As Josh mentioned, we're going to be enhancing our  
7 backstretch security force. We're planning on adding  
8 another team to patrol the backstretch and just put some  
9 more eyes and ears back there.

10 One of the things that we're doing is we will be  
11 posting signs to basically see something, say something. If  
12 there's something that looks wrong to anybody back there,  
13 there will a phone number attached and people can call, and  
14 we will respond immediately.

15 All these things are, again, goals of ours to  
16 achieve a fair and safe environment for both horses and  
17 humans.

18 We're also going to be doing, just as Santa Anita  
19 did, creating a new Stakeholder Advisory Committee  
20 consisting of management, trainers, owners, jockeys to meet  
21 periodically and discuss anything, backstretch, front  
22 stretch, track conditions, turf course.

23 The two tracks this year, the main track and the  
24 turf course, are going to be managed again by Dennis Moore  
25 and Leif Dickinson, with Dr. Mick Peterson providing the

1 testing for both surfaces.

2           Since the last fall meet we have re-sodded a  
3 significant area of the turf course, the high-usage area of  
4 the turf course, and look forward to having both of the  
5 surfaces in optimum condition for the horses' return to Del  
6 Mar, which is going to be July 11th.

7           We realize times are different. And Josh  
8 mentioned that we're going to be racing five days a week. We  
9 want to return to some normalcy. And we know it's been  
10 very, very tough in Southern California and we want to get  
11 back to our regular program of five days a week. We do have  
12 a contingent plan of knowing that the horse population is a  
13 bit fluid and we are down a little bit in our numbers right  
14 now, we want to have a contingent plan of maybe running a  
15 few less races on certain days that correspond with days in  
16 2018, so we may run fewer races on certain days. But our  
17 goal, of course --

18           CHAIR WINNER: On certain days?

19           MR. ROBBINS: That's correct.

20           CHAIR WINNER: Races on some days?

21           MR. ROBBINS: That's correct. Our goal for  
22 everybody is to get back to the five-day program.

23           And with no questions, I'll toss it over to David.

24           CHAIR WINNER: Let me just clarify one thing.

25           When you talked about the crop, the riding

1 crop --

2 MR. ROBBINS: Right.

3 CHAIR WINNER: -- and you said that the limitation  
4 not to use the crop is only in the morning, just to clarify  
5 that any use in the afternoon would be consistent with the  
6 rules that we have implemented; correct?

7 MR. ROBBINS: That's correct.

8 CHAIR WINNER: Okay.

9 MR. ROBBINS: That's correct. Yes.

10 CHAIR WINNER: Thank you.

11 MR. ROBBINS: No change there.

12 David?

13 I'm going to toss it to David, our Racing  
14 Secretary, who's going to talk about some of the racing  
15 particulars of the meeting.

16 MR. JERKINS: Thanks Tom.

17 David Jerkins, Del Mar.

18 For the upcoming summer meet we're going to be  
19 presenting 40 stakes' races in 36 days. In typical Del Mar  
20 fashion, stakes' action will be offered pretty much daily.  
21 For the first time ever on Pacific Classic Day, we're going  
22 to offer five stakes' races on that day, our premier day, so  
23 we're going to try to, you know, go for it that day and put  
24 our best foot forward, which includes the Green Flash Stakes  
25 which was upgraded to a Grade III this summer.

1           We're happy to report a purse increase across the  
2 board on all levels for the upcoming summer meet which is a  
3 positive for our trainers and owners.

4           Our popular Ship and Win Program, which  
5 incentivizes horses from out of state to come to California,  
6 has been boosted with both components of the program. The  
7 participation bonus has increased from a year ago, as well  
8 as the purse bonus part of the program. So, again, we're  
9 being aggressive in terms of attracting horses to California  
10 for our summer meet.

11           We'll continue to offer popular horsemen perks  
12 that we've instituted the last couple of years regarding  
13 food and beverage. We'll have a Horsemen Welcome Back Party  
14 after the races on Thursday, our second day of our meet,  
15 just to welcome everybody back to Del Mar.

16           You know, we've been very active in our  
17 communication with horsemen and owners all year and out-of-  
18 state trainers as well. We recognize the challenges facing  
19 us but we're optimistic and excited to get started.

20           If there are no questions, I'll turn it to Craig  
21 for Marketing.

22           MR. DATO: Thank you.

23           Craig Dato from Del Mar.

24           Del Mar is about fun, events, Del Margaritas,  
25 fashion, and great racing. And I think it's extremely

1 important that our communications plan continues to  
2 emphasize that and it will.

3           However, we would be tone deaf if our  
4 communication plan did not address horse safety and welfare  
5 issues. We have a story to tell at Del Mar.

6           As Joe mentioned, recent changes have led to two  
7 of the safest years in Del Mar's history the last two years.

8           As Tommy mentioned, we're implementing more protocols this  
9 year to make racing even safer. So we're doing a number of  
10 things this year to get our message out.

11           First, we've hired multiple P.R. agencies to help  
12 us with our messaging and the strategic elements of the  
13 communication plan. We recently sent a letter from Joe to  
14 our database basically detailing what we've done over the  
15 last two seasons, highlighting the success we've had  
16 reducing injuries, and talking about the new initiatives  
17 we're adding this year.

18           We're also in the process of setting up meetings  
19 with almost every news outlet in San Diego so we can sit  
20 down with the one on one and let them know our story, let  
21 them know what we're doing to make the game as safe as  
22 possible. This one-on-one strategy prior to the season, as  
23 opposed to a reactionary and defensive posture during the  
24 season, has been effective in the past and we hope it will  
25 help us get positive news going forward this summer.

1           And then, finally, as always, social media will  
2 play a big role this summer between all Del Mar's channels  
3 of distribution, Cal Racing Cares, I Am Horse Racing, CARMA.

4       We have various ways to get our story out through the  
5 community.

6           So from an on-track marketing perspective, we will  
7 continue with our two-part strategy. One, we're going to  
8 provide value to our regular customers, half-priced  
9 admissions every day for Diamond Club members, Free and Easy  
10 Wednesdays, the \$30.00 for \$20.00 food and beverage offer  
11 which is available every day starting on your third visit  
12 which basically says you give us \$20.00, we'll give you  
13 \$30.00 in food credits that you can use anywhere at the  
14 track, and people can get those every day.

15           The second strategy, of course, is to attract new  
16 and occasional visitors via our Cool As Ever branding and a  
17 very, very extensive event schedule, which this year offers  
18 12 concerts, various food and beverage events, including a  
19 Taco and Beer Fest, a New Orleans Food Fest, Burgers and  
20 Brew, a wine festival, gourmet food trucks, Country Beer  
21 Jam. All in all, we have 40 different events this year in a  
22 36-day meet, so we're going to have a lot going on and I'm  
23 looking forward to a great meet.

24           So with that, happy to take any questions.

25           VICE CHAIR AUERBACH: Would you just mention one

1 event for me please? And you know which event that is.

2 MR. DATO: The Hoedown for Horses --

3 VICE CHAIR AUERBACH: The Hoedown for Horses.

4 MR. DATO: -- which is on opening Sunday in the  
5 paddock. It was a great success last year. I think it's  
6 going to be bigger and better this year.

7 VICE CHAIR AUERBACH: I think so too. And just to  
8 remind everybody, that's to take care of our retired horses,  
9 so let's start talking about that now and --

10 MR. DATO: Shameless plug. Very good.

11 VICE CHAIR AUERBACH: Yeah, shameless plug.

12 COMMISSIONER RUANO: I'd like to get a copy of  
13 Joe's letter. I'm sure other Commissioners might want it  
14 too.

15 MR. DATO: We will do that.

16 VICE CHAIR AUERBACH: I got mine.

17 COMMISSIONER RUANO: I didn't.

18 VICE CHAIR AUERBACH: Thank you.

19 CHAIR WINNER: And anyone who would like to  
20 participate in that Hoedown event, please see Madeline.

21 VICE CHAIR AUERBACH: Yeah. Anybody who'd like to  
22 ride the mechanical bull, let me know.

23 CHAIR WINNER: All right. Is there -- are there  
24 any questions? Is there a motion?

25 COMMISSIONER RUANO: So moved.

1 CHAIR WINNER: Moved by Commissioner Ruano.  
2 COMMISSIONER MAAS: Second.  
3 CHAIR WINNER: Seconded by Commissioner Maas.  
4 Commissioner Alfieri?  
5 COMMISSIONER ALFIERI: Yes.  
6 CHAIR WINNER: Commissioner Maas?  
7 COMMISSIONER MAAS: Yes.  
8 CHAIR WINNER: Commissioner Solis?  
9 COMMISSIONER SOLIS: Yes.  
10 CHAIR WINNER: Chair votes yes.  
11 Commissioner Auerbach?  
12 VICE CHAIR AUERBACH: Yes.  
13 CHAIR WINNER: Commissioner Ruano?  
14 COMMISSIONER RUANO: Yes.  
15 CHAIR WINNER: Have a great meet, guys. We look  
16 forward to being there.  
17 MR. DATO: Thank you.  
18 EXECUTIVE DIRECTOR BAEDEKER: This is going to be  
19 one still, Josh.  
20 CHAIR WINNER: Yeah, Josh.  
21 VICE CHAIR AUERBACH: Yeah. You have to stay one  
22 minute please.  
23 EXECUTIVE DIRECTOR BAEDEKER: We do have the  
24 letter, the letter on file, between the association and the  
25 horsemen relative to this next matter.

1 CHAIR WINNER: Discussion and action by the Board  
2 regarding approval of an agreement, pursuant to CHRB Rule  
3 1581, Racing Secretary to Establish Conditions, between the  
4 Del Mar Thoroughbred Club and the Thoroughbred Owners of  
5 California regarding entry conditions and specified drug  
6 substances or medications to be implemented by the DMTC at  
7 the Del Mar Racetrack.

8 Motion?

9 COMMISSIONER MAAS: So moved.

10 CHAIR WINNER: Commissioner Maas moves.

11 COMMISSIONER SOLIS: Second.

12 CHAIR WINNER: Commissioner Solis seconds.

13 Commissioner Alfieri?

14 COMMISSIONER ALFIERI: Yes.

15 CHAIR WINNER: Commissioner Maas?

16 COMMISSIONER MAAS: Yes.

17 CHAIR WINNER: Commissioner Solis?

18 COMMISSIONER SOLIS: Yes.

19 CHAIR WINNER: Chair votes yes.

20 Vice Chair --

21 VICE CHAIR AUERBACH: Yes.

22 CHAIR WINNER: -- votes yes.

23 And Commissioner Ruano?

24 COMMISSIONER RUANO: Yes.

25 VICE CHAIR AUERBACH: Do we have to deal with that

1 or not?

2 CHAIR WINNER: Item number 16? I think we do, do  
3 we not?

4 EXECUTIVE DIRECTOR BAEDEKER: We do.

5 VICE CHAIR AUERBACH: Yeah.

6 EXECUTIVE DIRECTOR BAEDEKER: Yeah.

7 CHAIR WINNER: Yeah.

8 EXECUTIVE DIRECTOR BAEDEKER: This has returned  
9 from 45 days.

10 CHAIR WINNER: Public hearing and action by the  
11 Board regarding the proposed amendment to CHRB Rule 1844,  
12 Authorized Medication, and proposed amendment to CHRB Rule  
13 1866.1, Presence of Clenbuterol in Quarter Horses, to  
14 prohibit the presence of clenbutrol in a horse test sample  
15 and to the change the title of CHRB Rule 1866.1 to Presence  
16 of Clenbutrol in Horses. This concludes  
17 the 45-day public comment hearing.

18 Were there any comments?

19 MR. BRODNIK: Robert Brodник, California Horse  
20 Racing Board.

21 There were no public comments.

22 CHAIR WINNER: No comments. So this is the final  
23 vote. There have been no comments. Any questions?

24 COMMISSIONER ALFIERI: So moved.

25 CHAIR WINNER: Moved by Commissioner Alfieri.

1 COMMISSIONER SOLIS: Second.

2 CHAIR WINNER: Seconded by Commissioner Solis.

3 Commissioner Solis, how do you vote?

4 COMMISSIONER SOLIS: Yes.

5 CHAIR WINNER: Commissioner Maas?

6 COMMISSIONER MAAS: Yes.

7 CHAIR WINNER: And Commissioner Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR WINNER: Commissioner Ruano?

10 COMMISSIONER RUANO: Yes.

11 CHAIR WINNER: Vice Chair?

12 VICE CHAIR AUERBACH: Yes.

13 CHAIR WINNER: Chair votes yes. Thank you very  
14 much.

15 I want to announce, before we adjourn, that going  
16 forward the public comment period will be held as the last  
17 item on the agenda. And the reason is so that people can  
18 have the opportunity to hear what has happened during the  
19 course of the meeting so that when they make their public  
20 comments they can take that into consideration. This is  
21 what's done in most legislative hearings and other boards  
22 and we think it's appropriate to do it here.

23 Is there a motion to adjourn?

24 VICE CHAIR AUERBACH: So moved.

25 COMMISSIONER RUANO: Yes.

1 CHAIR WINNER: This meeting is adjourned. Thank  
2 you.

3 (The regular meeting of the California Horse Racing Board  
4 concluded at 12:48 p.m.)  
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## CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of May, 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

May 31, 2019