

BEFORE THE CALIFORNIA HORSE RACING BOARD
OF THE STATE OF CALIFORNIA

In the Matter of the Fitness for Licensure of:

Case No. SAC-24-0007

KAYLA DUNNING

Appellant

DECISION

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

The Decision shall become effective on September 12, 2026.

IT IS SO ORDERED ON September 11, 2026.

CALIFORNIA HORSE RACING BOARD
Gregory L. Ferraro, DVM, Chairman

Scott Chaney
Executive Director

1 **EDWARD J. WEISS (CA SBN 136985)**
2 9663 Santa Monica Boulevard, #1194
3 Beverly Hills, CA 90210
4 Phone: 310-614-8064
5 ed@weissadr.com

6 **BEFORE THE CALIFORNIA HORSE RACING BOARD**

7 **STATE OF CALIFORNIA**

8 In the Matter of:

Case No. **SAC 24-0007**
9 **26SA-0114**

10 Fitness for Licensure against:

PROPOSED DECISION

11 **CHRB GROOM KAYLA DUNNING,**
12 **LICENSE 406847**

Hearing Date:
July 30, 2026, at 10:00 a.m.

13
14 **PROPOSED DECISION**

15 This matter was heard on July 30, 2026, by Edward J. Weiss, Esq., a Hearing Officer
16 designated by the California Horse Racing Board, in a Microsoft Teams audio and video
17 conference.
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20 Applicant Kayla Dunning (hereinafter “Dunning” or “Applicant”) appeared and
21 represented himself.
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24 The California Horse Racing Board (“CHRB” or “Respondent”) was represented by Staff
25 Counsel Jacquelyn Lloyd.

26 Dunning and the CHRB are at times below referred to collectively as the “Parties.”
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1 The proceedings were recorded by court reporter Michelle E. Derieg of Weinstein Court
2 Reporters, LLC.
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4 **PROCEDURAL BACKGROUND**

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6 Dunning is a former groom whose CHRB license has been in denied status since 2022.
7 On May 7, 2026, Dunning appeared at the CHRB licensing office at Santa Anita seeking to
8 renew her CHRB Stable Worker license (#406847). At that time, the licensing technician
9 determined that her license was in “Terminated” status. Dunning’s license, which was originally
10 issued on November 15, 2022, was terminated on December 8, 2022, for material
11 misrepresentations regarding Dunning’s criminal history. Specifically, in 2022 on her original
12 application, Dunning had checked “no” in response to Question 1 on her original application
13 which asked whether the applicant had ever been convicted of an offense by a court. Subsequent
14 review of criminal history revealed Dunning had in fact had been convicted of theft, narcotics
15 possession and shoplifting and she also had been arrested for burglary and possession of another
16 person’s identification with the intent to defraud. Further there were criminal actions pending
17 against her at that time. The CHRB terminated her license based on material misrepresentation
18 and sent Dunning a letter notifying her of this action.
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21 On May 7, 2026, Ms. Dunning advised the CHRB investigator that she had
22 misunderstood question 1 on her original (2022) application. The CHRB investigator gave her
23 the opportunity to reapply by completing a new CHRB-4 Application for License but also
24 advised that her eligibility would be up to the Board. In that application, Dunning explained the
25 circumstances of the charges on her record. Further CHRB investigation revealed additional
26 criminal history subsequent to the convictions, arrests and warrants that were reflected on her
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1 record at the time her license was terminated in December 2022. Specifically, Dunning’s updated
2 criminal record reflected additional criminal charges and convictions as follows: an arrest for
3 possession of another person’s identification, conviction for a misdemeanor under Penal Code
4 Section 530.5(c)(1) for possession of another person’s identification with intent to defraud
5 resulting in one day in jail, a felony burglary conviction and two pending criminal matters – an
6 arrest on January 17, 2026 for possession of a controlled substance, narcotic and possession of
7 drug paraphernalia and an arrest on February 2, 2026 for vehicle theft. The action was listed as
8 pending. See CHRB Investigative Report, dated May 28, 2026, CHRB Exhibit 1.
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11 On May 28, 2026, a Notice of Refusal to license was issued in response to her most
12 recent application and Dunning was informed that her original license had been terminated due
13 to a misrepresentation. Dunning was advised that she could request a fitness hearing. The
14 investigator explained the process, provided Dunning with a copy of her criminal history and the
15 original termination letter. Dunning requested a fitness hearing, which was set for hearing on
16 July 30, 2026. A fitness hearing was held on July 30, 2026, via Microsoft Teams.
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18 19 **LIST OF ADMITTED EXHIBITS**

20 The following exhibits were offered by the CHRB and admitted into evidence.

21 **CHRB EXHIBITS**

22 CHRB Exhibit 1: CHRB Investigative Report of Anne Dillon (two pages), dated May 28,
23 2026, 15 pages.
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25 **DUNNING EXHIBITS**

26 None.
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1 **LIST OF WITNESSES**

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3 The following witnesses testified at the hearing:

4 For Appellant: Applicant Kayla Dunning

5 For CHRB: CHRB Investigator Anne Dillon

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7 **APPLICABLE LAWS AND REGULATIONS**

8 **CHRB Rule 1488(a), Temporary Occupational License**, provides, in pertinent

9 part, as follows:

10 Pending completion of an investigation of the qualifications and fitness of an

11 applicant for license, any initial occupational license granted by the Board is

12 temporary, shall carry no presumption of the qualifications or fitness of the

13 applicant and may be summarily terminated by the Board....

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16 **CHRB Rule 1488(b)** provides, in pertinent part, as follows:

17 ...Termination of temporary license is without prejudice unless the Board finds

18 the applicant has made a material misrepresentation or false statement to the

19 Board to obtain a license privilege.

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22 **CHRB Rule 1489, Grounds for Denial or Refusal to License** - provides, in

23 pertinent part, as follows:

24 (a) The Board, in addition to any other valid reason, may refuse to issue or deny

25 a license to any person:

1 (1) Who has been convicted of a crime punishable by imprisonment in a
2 California state prison or a federal prison, or who has been convicted of a
3 crime of moral turpitude....

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5 (3) Who has made any material misrepresentation or false statement to the Board
6 or its agents in his or her application for license or otherwise, or who fails to
7 answer any material question on an application for a license.

8 (7) Who has committed an act involving moral turpitude, or intemperate acts
9 which have exposed others to danger, or acts in connection with horse racing
10 and/or a legalized gaming business which were fraudulent or in violation of a trust
11 or duty.

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13 (8) Who has unlawfully engaged in or who has been convicted of possession, use
14 or sale of any narcotic, dangerous drug or marijuana.

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17 **CHRB Rule 1489.2 – Criteria to Evaluate Rehabilitation of a Person When**
18 **Considering Denial, Suspension or Revocation of a License**

19 (a) When considering the denial of a license under Business and Professions
20 Code section 480, or the suspension or revocation Business and Professions
21 Code section 490, on the grounds that the person has committed an act or been
22 convicted of a crime, the California Horse Racing Board will evaluate the
23 rehabilitation of such person and his or her eligibility for licensure, and shall
24 consider the following criteria:
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- (1) The nature and severity of the act(s) and/or offense(s), including its relation to horse racing or pari-mutuel wagering and the protection of the public.
- (2) The total criminal record, including evidence of any act(s) and/or offense(s) committed subsequent to the act(s) or offense(s) under consideration as grounds for denial, suspension or revocation which also could be considered grounds for denial, suspension, or revocation under Business and Professions Code sections 480 or 490.
- (3) The time that has elapsed since commission of the act(s) or offense(s).
- (4) The extent to which the person seeking licensure, or the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the person or licensee.
- (5) The credibility of the person seeking licensure or the licensee, and his or her acceptance of responsibility and remorse for the conduct.
- (6) Evidence, if any, of rehabilitation submitted by the person seeking licensure or by the licensee....

FACTUAL FINDINGS

I.

On May 7, 2026, Dunning, formerly a groom whose CHRB license was in terminated status, applied for a CHRB Stable Worker License at the Santa Anita racetrack licensing office. Her license had been terminated in 2022 for misrepresentations about her criminal history in her original application. In her most recent application process, Dunning

1 admitted to several criminal convictions, explained the circumstances of charges reflected on her
2 criminal history after receiving and opportunity to edit her application. CHRB Exhibit 1.

3 4 5 II.

6 During her most recent attempt to apply, on May 7, 2026, Dunning provided the
7 CHRB investigator with the background of her various convictions. CHRB investigator Anne
8 Dillon summarized Dunning's explanatory statement, as follows:

9 "I thought I had just let my old license expires, I didn't know it was terminated
10 for not listing my convictions. I didn't realize the form was asking about that kind
11 of crime, but I'd be happy to list everything I need to on the form. In 2016 I got
12 caught shoplifting. I spent two days in jail and was put on probation. I had
13 trouble making it to my court dates, so they extended my probation. I spent 10
14 days in jail in 2018 for a drug charge. Then a year later I got caught shoplifting
15 again. I got 2 years' probation for that and had to pay restitution. In 2022 I found
16 a credit card on the ground and was carrying it around. I got caught with it in my
17 possession, so they charged me for having it. I don't know anything about a
18 warrant, but I took care of that whole ordeal. They ended up just having me do
19 community service. I've been in and out of court for other additional cases
20 recently, so I'm pretty sure I'm in good standing with them. I will try to provide
21 the CHRB with a document confirming I am in good standing. I have a few
22 pending cases with the LA County Court, but I'm working through it." See CHRB
23 Exhibit 1.
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1 III.

2 On May 12, 2026, CHRB Investigator Anne Dillon conducted follow up
3 investigation that included reviewing Dunning's updated criminal history. That criminal history
4 as of that time reflected, in addition to the convictions listed above, convictions and open matters
5 subsequent to the time of her original application. See CHRB Exhibit 1.
6

7 IV.

8 The additional matters in Dunning's criminal history as of May 12, 2026 were as
9 follows:
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- 11 1. An arrest for possession of another person's ID with intent to defraud, which resulted in a
12 conviction of one misdemeanor count of California Penal Code Section 530.5(c)(1).
13 Dunning was sentenced to one day in jail.¹
- 14 2. On February 1, 2023, Dunning was convicted of felony burglary in the second degree,
15 sentenced to one year of probation, one day in jail and restitution. CHRB Exhibit 1.
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17 V.

18 The additional matters in Dunning's updated criminal history also included an
19 arrest on January 12, 2026 for possession of a controlled substance, possession of a narcotic, and
20 possession of drug paraphernalia. That matter is pending. Further, on February 2, 2026, Dunning
21 was arrested for vehicle theft, which can be charged as either a misdemeanor or felony, and
22 possession of a controlled substance. That matter is also pending. CHRB Exhibit 1.
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28 ¹ The investigative report (CHRB Exhibit 1) does not list a date for this matter.

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2 VI.

3 A Notice of Refusal to License dated May 24, 2026, was issued, indicating
4 the CHRB based its denial of Dunning’s application for license and notified her of the following
5 two reasons: “You have made material misrepresentations or false statements to the Board or its
6 agents in your application for license, or have failed to answer any material question on an
7 application for license”; and “You have unlawfully engaged in or have been convicted of
8 possession, use or sale of a narcotic, dangerous drug, or marijuana.” CHRB Exhibit 1.
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12 VII.

13 At the hearing on July 30, 2026, Dunning testified that she misunderstood
14 Question 1 on her original application. RT 6:23-7:2. On May 7, 2026, when Dunning returned to
15 the CHRB office seeking clarification, she was allowed to modify her application after being
16 shown her criminal history by CHRB Investigator Anne Dillon. RT 16. Dunning did not initially
17 include the items from her 2026 criminal history (which are listed above in Factual Finding IV).
18 RT 18.
19

20 VIII.

21 At the fitness hearing on July 30, 2026, Dunning expressed great
22 enthusiasm for working in the horse racing industry. Dunning has a “passion for horses”, hopes
23 to be a groomer and “would love to work at Santa Anita.” RT 7:17; 7:21. Dunning is currently
24 attending online school pursuing a degree in equine studies. She is earning grades of A’s and
25 B’s. RT 19:1-6.
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IX.

Dunning is volunteering at T.E.S., The Equestrian Center in Burbank/Glendale, which focuses on “kids [with] special needs.” She volunteers there when she can while she pursues her license as a groomer at Santa Anita. RT 19:7-12.

X.

Dunning presented herself at the fitness hearing as candid and honest. She also seems sincere that she wishes to be productive and engage in lawful activities. She expressed a strong desire to be employed in the horse racing industry. She loves horses and it “would mean a lot” to get her license and work at Santa Anita as a groomer. RT 20:9-16

XI.

Dunning is remorseful to the extent that she testified that she did not understand the application in 2022, and did not understand the types of things the question was asking to be included. She had difficulty recalling all the details of her various matters. She is seeking to work through and resolve her current criminal matters. She is trying to “go on the right track and be on the right track and “do the right thing. RT 19:13-16.

XII.

The Hearing Officer finds that Dunning is making an effort to be on the right track and recognizes the effort to live a more productive life. Her volunteer work with children with special needs at the Equestrian Center is commendable.

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DISCUSSION OF THE ISSUES

A. Dunning’s License Was Properly Terminated in 2022 and Request to Reapply Denied in 2026 Because She Made Material Misrepresentations (CHRB Rule 1489(a)(3)) and Has Convictions for Narcotics (CHRB Rule 1489(a)(8)).

In December 2022, the CHRB investigator properly terminated Dunning’s provisional license after determining Dunning had made several misrepresentations on her application in response to Question 1 and had a narcotics conviction. The termination was based on CHRB Rules 1489(a)(3) and (a)(8), which provide that misrepresentations and narcotics convictions, respectively, provide a basis for license termination or denial. See CHRB Rule 1489(a)(3) and (8).

B. Dunning Has Not Demonstrated Rehabilitation Under CHRB Rule 1489.2

Dunning does not appear eligible for a CHRB license at this time. While she is engaged in some productive and laudable pursuits things – bettering herself by pursuing a further education in equine studies, volunteering to assist those with “special needs” and showing a real passion to be involved in horse racing and work at Santa Anita - she nevertheless has not yet sufficiently distanced herself from a consistent pattern of criminal activity, including crimes of involving moral turpitude and narcotics. Recently, earlier this year, she was twice accused of committing offenses, including one involving narcotics, and those criminal matters are currently pending and have not been resolved. Insufficient time has elapsed between the last of her criminal matters and the present time for her now to be considered rehabilitated under the applicable factors

1 set forth in CHRB Rule 1489.2. Those factors and the facts of Dunning’s background are discussed
2 further below.

3 While she presents herself as sincerely wanting to “go on the right track”, she has
4 not sufficiently demonstrated she has yet done so and sufficiently distanced herself from her
5 criminal record and involvement with activities that involve illegal narcotics.
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8 **(1) The nature and severity of the act(s) and/or offense(s), including**
9 **its relation to horse racing or pari-mutuel wagering and the**
10 **protection of the public.**
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12 The crimes for which Dunning has been convicted and charged are numerous and
13 reflect a life of consistently engaging in criminal conduct through 2023. That lifestyle may may
14 even have continued into the current year, given that Dunning has two open criminal cases. The
15 nature of the offenses show that she is not fit for licensure at this time. Her offenses include
16 those involving narcotics, burglary, car theft and identify theft. While she has not been
17 convicted again, she has two open criminal cases including charges that involve narcotics. While
18 her offenses may not be characterized as “severe”, the nature of them do not weigh in her favor
19 or show fitness for a CHRB license.
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21 **(2) Dunning’s Total Criminal Record**
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23 Dunning’s record is fairly extensive and shows criminal conduct continuing
24 beyond 2022 when her license was originally terminated. She now has two pending matters that
25 arose just this year. The totality of her record weighs against finding that she has been
26 rehabilitated, and Dunning has not satisfied this prong.
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(3) The Time Elapsed

Dunning's most recent conviction was in 2023. She also currently has two criminal cases pending. She has not shown that a significant amount of time has passed to weigh in favor of a finding of rehabilitation.

(4) Compliance with Terms of Probation

While her record shows she had a period of probation extended, Dunning appears ultimately to have satisfied all terms of her probation. She has not produced any documentary evidence but testified that she is making her court dates. She appears to be in good standing with meeting her obligations at this time. This factor is in her favor.

(5) Dunning's Credibility

Dunning testified and appeared to be sincere in her desire to be on the "right track", do the right thing and participate in the horse racing industry at Santa Anita. Her activities assisting children with special needs are commendable and reflect well on her character. However, the sheer volume of her past criminal conduct involving matters of moral turpitude (including burglary, vehicle theft and identify theft) as well as her failures initially to be forthcoming on her application make it difficult to find that she is credible at this time. This factor at best is neutral if it does not affirmatively weight against her.

(6) Evidence of Rehabilitation

Dunning was remorseful to the extent she seems to regret the misrepresentation (which she characterizes as a misunderstanding) on her application. She testified that she is trying to do the right things. Finding of Fact X; RT 19. She seems to be on a better path generally, but has two criminal matters from this year that currently are pending.

1 While she did not present written evidence of rehabilitation, she did testify that she is pursuing
2 an education and is doing good volunteer work in the community.

3 Overall, while Dunning appears sincerely to desire to be on a more righteous path,
4 she has led a life replete with criminal conduct and offenses with a conviction three years ago
5 and two open criminal matters, one involving a narcotic charge and one involving an allegation
6 of theft. On this record and weighing the factors under CHRB Rule 1489.2, the Hearing Officer
7 declines to find that Dunning has been rehabilitated at this time.
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9 10 **CONCLUSION/PROPOSED DECISION**

11 For the reasons set forth above, while Dunning made what seemed to be a sincere
12 presentation that she has rehabilitated herself, is doing good, productive things in the community,
13 including involving horses and children with special needs, she has not done enough over a
14 sufficient period of time to separate herself from a consistent pattern of criminal conduct to be
15 considered for a CHRB license at this time.
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17 She has pending criminal charges and has drug convictions on her record, the most
18 recent of which involve narcotics charges that make her unsuitable for a license at this time. If
19 she resolves her current charges, is a productive, law-abiding citizen for a longer period of time
20 and continues to desire to work in the horse racing industry, she might reapply for a CHRB
21 license in the future. While Dunning appears to be trying to go on the “right track”, the factors
22 to be considered for rehabilitation under CHRB Rule 1489.2, on balance, do not weigh in favor
23 of finding that she has been rehabilitated yet.
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25 For the foregoing reasons, the Hearing Officer hereby respectfully recommends that the
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1 denial of Kayla Dunning's eligibility to apply for a CHRB Stable Worker's license be affirmed
2 and her request for a license remain denied.
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5 Dated: August 31, 2026
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8 Edward J. Weiss, Hearing Officer
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