

APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

Alex Solis, Commissioner

Wendy Mitchell, Commissioner

Dennis Alfieri, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

STAFF

Scott Chaney, Executive Director

Cynthia Alameda, Assistant Executive Director

Amanda Brown, Staff Counsel

Amanda Drummond, Policy, Regulations, and Administrative
Hearings Manager

Shawn Loehr, Chief of Licensing and Enforcement

Darrel McHargue, Chief Steward

Francisco Gonzales, Audit Supervisor

Zachary Voss, Regulation Analyst

Mike Marten, Associate Analyst

ALSO PRESENT

Nate Newby, Santa Anita Race Track

Alan Balch, California Thoroughbred Trainers

APPEARANCES

PUBLIC COMMENT

Wayne Johnson

Jane Cartmill

Martha Sullivan, Kill Racing Not Horses

Patty Shenker, Kill Racing Not Horses

Lynn Freudenberg, Kill Racing Not Horses

Holly Wilson, Kill Racing Not Horses

Mary Johnson

Kimberly Marrs, Marrs Racing

Bonnie Croker, Kill Racing Not Horses

Elvia Sedano, Kill Racing Not Horses

Marla Zanelli, Friends of Thoroughbred Racehorses

Oscar de la Torre

Pavla Nygaard

Jenine Sahadi

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no further comments will be accepted. Each person will be limited to two minutes.

9. Closed Session: For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code. 83
- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as

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Closed Session:

authorized by Government Code section
11126(e).

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

Adjournment

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P R O C E E D I N G S

9:34 A.M.

TELECONFERENCE, THURSDAY, JANUARY 20, 2022

CHAIR FERRARO: This is the noticed meeting of the California Horse Racing Board conducted by teleconference pursuant to Executive Order N-29-20.

Participating in this meeting are myself, Dr. Gregory Ferraro, Chair; also, Oscar Gonzales, Vice Chair; Dennis Alfieri, Commissioner; Damascus Castellanos, Commissioner; Brenda Washington Davis, Commissioner; Wendy Mitchell, Commissioner; and Alex Solis, Commissioner.

We are joined by Scott Chaney, Executive Director of the CHRB; Cynthia Alameda, Assistant Executive Director; Robert Brodnik, Chief Counsel; Amanda Brown, Staff Counsel; Amanda Drummond, Manager of Policy and Regulations; Shawn Loehr, Chief of Licensing and Enforcement; Darrel McHargue, Chief Steward; Francisco Gonzales, CHRB Audit Supervisor; and Zachary Voss, Regulation Analyst.

The Board invites comments on matters appearing on the meeting agenda. Procedurally, the Board will first hear from those directly involved in the agenda item. I will then invite public comment on the agenda item. The Board will not answer questions. This item is for comment, not questions. Those wishing to speak must follow the

1 directions of the operator to have their individual phone
2 lines opened for comment.

3 Unsolicited speakers are limited to two minutes.
4 During all public comments, a bell will be rung after the
5 first 90 seconds, meaning the speaker will have 30 seconds
6 remaining to conclude his or her remarks. At two minutes a
7 more distinctive sound will be heard to indicate the
8 speaker's time is up. The Board may ask questions of
9 individuals who speak which may extend their two-minute time
10 limit.

11 I will insist that all speakers stay strictly on
12 the topic for each agenda item. If a speaker strays off
13 topic, I will ask the operator to move on to the next
14 caller. If a speaker repeats himself or herself, I will ask
15 if the speaker has any new comments to make. If there are
16 none, the speaker will be asked to let others make comments
17 to the Board.

18 If anyone has comments of a more general nature
19 that are not specific to earlier agenda items, those
20 comments must wait until agenda item number six, which is
21 the Public Comment period. There will be a 30-minute time
22 limit for the item number six, Public Comment. In order to
23 allow as many individuals to speak as possible within that
24 half-hour, I will strictly enforce the timer, two-minute
25 time limit for each unsolicited speaker.

1 And with that, we will begin the meeting with item
2 number one, approval of the minutes.

3 Do we have comments or questions from the Board
4 regarding the minutes?

5 I will entertain comments from the public if they
6 have corrections to any errors in the minutes. We will not
7 rehash the discussion of the items that were on the agenda
8 last month. But if there are corrections that need to be
9 made and the public is aware of them, we will accept those
10 now. Thank you.

11 Any, Operator?

12 OPERATOR: Yes, sir, we do have one queued up.
13 I'm going to go ahead and join them. It is -- I don't have
14 a name but it is a horse owner.

15 CHAIR FERRARO: Yeah. Go ahead.

16 OPERATOR: Okay, your line is now live.

17 CHAIR FERRARO: Go ahead, please.

18 UNIDENTIFIED FEMALE: You know, if you were
19 referring to me, I was wanting to speak at the end of the
20 meeting, not now. Sorry about that.

21 CHAIR FERRARO: Well, okay, you'll have to wait.

22 Can I have a motion to approve the minutes?

23 COMMISSIONER DAVIS: Davis moves.

24 COMMISSIONER CASTELLANOS: Castellanos. Motion.

25 CHAIR FERRARO: Davis motions, Alfieri seconds; is

1 that correct?

2 COMMISSIONER CASTELLANOS: Castellanos.

3 COMMISSIONER DAVIS: Castellanos.

4 CHAIR FERRARO: Okay. All right.

5 COMMISSIONER ALFIERI: Yeah, I think it was
6 Castellanos.

7 CHAIR FERRARO: Okay. Mr. Gonzales?

8 VICE CHAIR CONZALES: Yes.

9 CHAIR FERRARO: Mr. Alfieri?

10 COMMISSIONER ALFIERI: Yes.

11 CHAIR FERRARO: Ms. Mitchell?

12 COMMISSIONER MITCHELL: Yes.

13 CHAIR FERRARO: Mr. Solis?

14 COMMISSIONER SOLIS: Yes.

15 CHAIR FERRARO: Mr. Castellanos?

16 COMMISSIONER CASTELLANOS: Yes.

17 CHAIR FERRARO: Ms. Davis?

18 COMMISSIONER DAVIS: Yes.

19 CHAIR FERRARO: And the Chairman votes yes.

20 Minutes approved.

21 Moving on to item number two, this is discussion
22 and action by the Board regarding the delegation of
23 authority to the Executive Director pursuant to California
24 Business and Professions Code section 19428 for one year.

25 Mr. Brodnik, can you elucidate that for us,

1 please?

2 MR. BRODNIK: Good morning, Commissioners. Robert
3 Brodник, California Horse Racing Board.

4 Agenda item two pertains to the delegation of
5 authority to the Executive Director for common
6 administrative matters that require timely attention. This
7 item comes up annually. And staff is bringing these to you
8 today for formal approval for increased transparency.

9 The delegated actions include: one, that the
10 Executive Director shall have the authority to approve a
11 change to the first post time; two, that the Executive
12 Director shall have the authority to approve the cancelation
13 of a place or show pool; and three, that the Executive
14 Director, with the approval of the Chairman and Vice
15 Chairman of the Board, shall have the authority to permit an
16 authorized racing day which has been canceled to be run on a
17 non-racing day within the license period.

18 With that, this item is up for your approval.

19 Thank you.

20 CHAIR FERRARO: Questions or comments from the
21 Board, please? A routine matter.

22 Do we have a queue on this, Operator?

23 OPERATOR: Yes, we do have Wayne Johnson.

24 CHAIR FERRARO: Go ahead, please.

25 MR. JOHNSON: Good morning, Chairman Ferraro.

1 Good morning, Board.

2 Mr. Chaney has not shown the independent judgment,
3 balance, concern for justice, nor compassion to have these
4 new powers.

5 Thank you.

6 CHAIR FERRARO: Anyone else, Operator?

7 OPERATOR: There are no further comments at this
8 time.

9 CHAIR FERRARO: Can I have a motion from the
10 Board?

11 BOARD MEMBER SATIN: I move. Alex Solis.

12 CHAIR FERRARO: Second?

13 COMMISSIONER ALFIERI: Second. Alfieri.

14 CHAIR FERRARO: Commissioner Gonzales?

15 COMMISSIONER GONZALES: Yes.

16 CHAIR FERRARO: Commissioner Alfieri?

17 COMMISSIONER ALFIERI: Yes.

18 CHAIR FERRARO: Commissioner Mitchell?

19 COMMISSIONER MITCHELL: Yes.

20 CHAIR FERRARO: Commissioner Solis?

21 BOARD MEMBER SATIN: Yes.

22 CHAIR FERRARO: Commissioner Castellanos?

23 COMMISSIONER CASTELLANOS: Yes.

24 CHAIR FERRARO: Commissioner Davis?

25 COMMISSIONER DAVIS: Yes.

1 CHAIR FERRARO: And the Chairman votes yes. The
2 motion is approved.

3 Moving on to item number three, discussion and
4 action by the Board regarding fire clearance status of San
5 Luis Rey Downs auxiliary training facility, pursuant to CHRB
6 Rule 1927, Fire Prevention.

7 Amanda Drummond?

8 MS. DRUMMOND: Yes. Good morning, Commissioners.
9 Amanda Drummond, Policy, Regulations, and Administrative
10 Hearings Manager at the CHRB.

11 Agenda item three is the discussion and action by
12 the Board regarding fire clearance status of San Luis Rey
13 Downs auxiliary training facility.

14 At the July 2021 Board meeting the Board approved
15 an extension to the San Luis Rey Downs fire clearance until
16 January 2022 to allow time to bring their historic barns
17 into compliance.

18 San Luis Rey Downs has provided an update that 353
19 of the 476 stalls will have sprinklers installed by the end
20 of January, as well as a new fire inspection.

21 Due to COVID, some delays have occurred and the
22 remaining sprinkler installations will be completed in
23 February of 2022.

24 The new inspection, as well as a letter detailing
25 the current installation is included in the packet for

1 reference. And Nate Newby is available for, should the
2 Board have any questions.

3 Thank you.

4 CHAIR FERRARO: Does the Board -- I mean, they've
5 received their fire clearance from the fire inspector, what,
6 in November?

7 MS. DRUMMOND: That's correct, yeah, dated from
8 November of 2021.

9 CHAIR FERRARO: So they are approved with their
10 fire inspection; is that correct?

11 MS. DRUMMOND: Correct.

12 CHAIR FERRARO: Any questions or comments from the
13 Board? Basically, they're asking for another month. Let's
14 get this done. No comments from the Board?

15 Do we have a queue on this, Operator?

16 OPERATOR: Yes, sir, we do. Our first comment --

17 CHAIR FERRARO: Go ahead, please.

18 OPERATOR: -- our first comment will come from
19 Jane Cartmill.

20 CHAIR FERRARO: Go ahead, please.

21 MS. CARTMILL: It's almost unbelievable that four
22 years have passed since the devastating Lilac Fire that killed
23 46 horses at San Luis Rey Downs, and yet the requirement for
24 automatic fire sprinklers in the barns has still not been
25 satisfied.

1 Even more unbelievable is the shameless
2 requirements from The Stronach Group for still another
3 extension. They have been out of compliance before the
4 fire, during the fire, and remain out of compliance four
5 years after the fire with 123 stalls without sprinklers.
6 They get away with this because the Board allows them to.

7 Problems related to COVID affecting personnel and
8 equipment supplies may be legitimately causing delays, but
9 that did not prevent Stronach Group from getting a new turf
10 chute at Santa Anita finished ahead of schedule. Where
11 there's a will there's a way.

12 I have no doubt that the Board will grant this
13 extension since, after all this time, what's another month
14 or two in the big picture; right? But these ongoing
15 extensions make the Board look weak and make the commitment
16 to safety for the horses very dubious.

17 If 46 horses and two badly burned human beings
18 fail to inspire immediate action, I don't know what ever
19 will.

20 Thank you.

21 CHAIR FERRARO: Next, please.

22 OPERATOR: Next we have Martha Sullivan with Kill
23 Racing Not Horses.

24 CHAIR FERRARO: Go ahead, please.

25 MS. SULLIVAN: Yes. Good morning.

1 Apart from wildfire, you know, danger, which we
2 know, you know, can happen very devastatingly, just in the
3 last month there have been three fires at racing facilities
4 and racing barns, Christmas Eve at Fair Hill Training Center
5 in Maryland destroyed a veterinary clinic and the barn of a
6 racing trainer. January 6th, Springcliff Farms, one of
7 Indiana's leading thoroughbred foaling farms, was destroyed
8 by fire. And Christmas Eve, a barn that was once home to
9 Glencrest Farms, a stallion, you know, famous stallion was
10 destroyed by fire Christmas morning.

11 So, you know, apart from the wildfire risk which
12 we know, tragically, from the Lilac Fire, there's also, you
13 know, other fires that we know happen in these facilities.
14 And it's just absolutely criminally negligent that this
15 Board continues to allow The Stronach Group to delay the
16 completion of compliance with the Board's rule. It's just,
17 it's mindboggling.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: Next we -- our next comment comes from
21 Nate Newby with Santa Anita Park.

22 CHAIR FERRARO: Go ahead, please.

23 MR. NEWBY: Good morning, Mr. Chairman and
24 Commissioners.

25 Yes, as the letter states, the team as San Luis

1 Rey has been making significant progress but, unfortunately,
2 they have hit some COVID-related delays. You know, as we've
3 mentioned in our update, we should have just two barns to
4 complete in February. And then it looks like they'll need
5 to do some additional electrical work and pressure testing
6 in early March.

7 So that's the current update. And, yeah, as
8 mentioned, we do have a recent inspection from North County
9 Fire. They've been meeting with our fire marshal, who has
10 been down at the facility weekly, so we have no -- we passed
11 that with no violations or follow-up recommendations.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: Our next comment comes from Patty
15 Shenker with Kill Racing Not Horses.

16 MS. SHENKER: Yes. good morning.

17 CHAIR FERRARO: Go ahead, please.

18 MS. SHENKER: At last month's meeting I inquired
19 about the San Luis Rey sprinklers and was extremely
20 disappointed and angry to learn that they are not finished
21 yet. Forty-six horses died in the Lilac Fire of December
22 2017 and it's been three-and-a-half years since that
23 tragedy.

24 You cannot blame the pandemic for this delay as
25 Stronach has been able to add a new turf chute, which was

1 mentioned already, and much construction is happening with
2 them now in Southern California.

3 Your CHRB Rule 1927 requires this facility to have
4 automatic fire sprinklers and not three-and-a-half years
5 later.

6 Please make sure that this is done now so no more
7 horses will be burned to death. I expect this to be
8 finished by your next meeting in March and I will ask about
9 it to make sure it has been.

10 Thank you.

11 CHAIR FERRARO: Thank you.

12 Next, please.

13 OPERATOR: Our next question -- or our next
14 comment comes from Wayne Johnson.

15 CHAIR FERRARO: Go ahead, please.

16 MR. JOHNSON: This is going to be the absolute
17 perfect example of what a rubberstamp this Board is. We
18 warned you that they were going to ask for another
19 extension. They've asked for another extension. It's not
20 done yet.

21 In memory of the 46 horses that died at San Luis
22 Rey Downs, at least have the courage to offer a bit of
23 dissent.

24 Thank you.

25 CHAIR FERRARO: Thank you.

1 Next, please.

2 OPERATOR: And our next comment comes from Lynn

3 CHAIR FERRARO: Go ahead, please.

4 MS. FREUDENBERG: Good morning. Good morning. My
5 comments align with everybody else who spoke.

6 I'm just really confused on how fire clearance is
7 granted but there's still sprinklers that need to be
8 installed. It doesn't make sense and it should not be
9 approved. This is wrong. I don't want to see a repeat of
10 the Lilac Fire.

11 So, yes, please, they need to finish this before
12 they start racing.

13 Thank you.

14 CHAIR FERRARO: Next, please.

15 OPERATOR: Our next comment comes from Heather
16 Wilson.

17 CHAIR FERRARO: Go ahead, please.

18 MS. WILSON: Why are we even still discussing
19 this?

20 The Stronachs are multibillionaires. They parade
21 their motto of equine safety all over their website. Are we
22 waiting for another Lilac Downs [sic] Fire?

23 If the CHRB threatened to not allow them to race,
24 they sure as hell would move a lot quicker.

25 COVID delays might fall into the equation if

1 during the early days of the pandemic, back in 2020, the
2 Stronach-owned Gulfstream Park in Florida continued racing,
3 even during the lockdown phase. They ignored a notice in
4 the city and they continued to race, and they made a lot of
5 money.

6 It is a pattern with The Stronach Group, they make
7 their own rules, they answer to no one, and the CHRB is
8 complicit in this activity.

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: And we -- our next comment comes from
12 Mary Johnson with equine advocate.

13 CHAIR FERRARO: Go ahead, please.

14 MS. JOHNSON: Yes. I would like to -- thank you.
15 I would like to piggyback on what other commenters have
16 said, but I have a personal experience.

17 I owned a huge farm outside of Cincinnati, Ohio in
18 Goshen, Ohio, and there was a huge indoor riding arena. And
19 I had sprinkler systems installed in the ceiling, not
20 because I wanted to prevent fire, but I wanted to keep the
21 dust down. I had a couple of top dressage trainers that
22 were boarding at my facility and they insisted on low dust.
23 And we know how bad dust is, not only for humans but for
24 horses. Within one week, I had sprinkler systems installed.
25 They were on a timer and they would go off periodically to

1 keep the dust down.

2 So when you're going to tell me that it takes
3 three or four years to get these sprinklers installed, I
4 don't buy it. That's a bunch of bull.

5 Now COVID has been around for about two years.
6 But when you're installing sprinklers you're not in close
7 contact like you would be in a doctor's office or at a
8 restaurant, so I think this is just an excuse.

9 And what I'm going to say about the racing
10 industry is that you gamble with horses lives on the tracks
11 and in the barns. Install sprinkler systems. I did it in a
12 week.

13 CHAIR FERRARO: Thank you.

14 MS. JOHNSON: Certainly, you should --

15 CHAIR FERRARO: Yeah. Thank you.

16 Next, please.

17 OPERATOR: And our next comment comes from
18 Kimberly Marrs with Marrs Racing.

19 CHAIR FERRARO: Go ahead, please.

20 MS. MARRS: Hello. Good morning. Good morning,
21 Board. I hope you're doing well. I just wanted to comment
22 on this. As you know, I am a trainer here at San Luis Rey,
23 so I have pretty good optics about what's going on.

24 The barns are being done at quite a fast rate,
25 actually. My understanding is they did hit a snag because

1 we are all dealing with Omicron and everybody is getting
2 sick from it, that several of the guys that were working on
3 the sprinklers had gotten sick in one particular week which
4 slowed everything down.

5 Obviously, supply lines over the course of this
6 whole thing, because of COVID, were also an issue. It's not
7 the same as putting in a turf course. These are, obviously,
8 all kinds of different things that they need to put in
9 sprinkler systems.

10 As far as anybody stressing about, worrying about
11 a current fire, I highly doubt that's going to happen around
12 here because we've had extensive rains. I've been living
13 here for over 20 years, everything is green, it's very
14 moist. There is no dry brush if even something sparked.

15 And, in fact, in our area where I live, a mile
16 down the road, we are giving burn permits out to people
17 right now because it has been so wet, so people can actually
18 burn old refuse on their property, so I'm not worried about
19 that.

20 And with the fact that horses are not staying in
21 the barns that they are doing the sprinklers on, they are
22 removed out of the barns. They are put in barns that have
23 actually sprinklers so no horse is at risk.

24 And just wanted to let you know that they're doing
25 the work, it's getting done. You know, unfortunately, snags

1 hit. But I think the timeline is going to be hit possibly
2 even sooner than they think. So just wanted to fill in all
3 that information.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: And as a reminder, if you do have
8 comments, please dial star one.

9 And our next comes from unnamed line. You are
10 live. Please go ahead with your comment.

11 MS. CROKER: Yes. Good morning. Can you hear me?

12 CHAIR FERRARO: Yes. Go ahead.

13 MS. CROKER: Yes. I apologize. I missed the
14 queue in putting my name in. This is Bonnie Croker,
15 C-R-O-K-E-R. Thank you for this opportunity to speak.

16 I find it hard to believe that the lack of a
17 sufficient fire safety sprinkler system is still a problem
18 at San Luis Rey Downs. Why is this facility, which is owned
19 by the billionaire Stronach Group, allowed to escape
20 shutdown by offering excuse after excuse for their
21 noncompliance? Any COVID excuses for delays are
22 meaningless. They have been out of compliance since before
23 the COVID pandemic commenced.

24 The Stronach Group has the resources to achieve
25 higher compliance. Their new synthetic course installed at

1 their Gulfstream Track in late 2021 cost \$2 million,
2 according to an October 7th, 2021 article in *BloodHorse*. No
3 money is no excuse for these people. They are not concerned
4 about horse and worker safety. They only invest time and
5 money in their facilities that generate the most income for
6 themselves.

7 Thank you.

8 CHAIR FERRARO: Thank you.

9 Next, please.

10 OPERATOR: There are no further comments at this
11 time.

12 CHAIR FERRARO: Thank you.

13 Any further comments or questions from the Board,
14 please? If there are none, can I have a motion?

15 BOARD MEMBER SATIN: Solis moves.

16 COMMISSIONER CASTELLANOS: Castellanos seconds.
17 Castellanos.

18 CHAIR FERRARO: Okay.

19 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, Scott
20 Chaney, Executive Director. Just kind of want to clarify
21 what the Board is moving. I would suggest granting a two-
22 month extension to San Luis Rey Downs for completion. We
23 could have Staff follow up. If it's not completed, we'll
24 place it on the March agenda. If it is complete, obviously,
25 no further action would be required.

1 CHAIR FERRARO: Correct. Correct. Okay. We have
2 a motion to approve.

3 Mr. Gonzales?

4 COMMISSIONER GONZALES: Yes.

5 CHAIR FERRARO: Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 CHAIR FERRARO: Commissioner Mitchell?

8 COMMISSIONER MITCHELL: Yes.

9 CHAIR FERRARO: Commissioner Solis?

10 BOARD MEMBER SATIN: Yes.

11 CHAIR FERRARO: Commissioner Castellanos?

12 COMMISSIONER CASTELLANOS: Yes.

13 CHAIR FERRARO: Commissioner Davis?

14 COMMISSIONER DAVIS: Yes.

15 CHAIR FERRARO: And the Chairman votes yes.

16 Motion is approved.

17 Then moving on to item number four. This is a
18 presentation from the California Thoroughbred Trainers
19 regarding the status update on the taskforce regarding
20 equine safety.

21 Mr. Balch, you have the floor.

22 OPERATOR: Go ahead, Mr. Balch.

23 MR. BALCH: Thank you. Thank you for the
24 opportunity to provide a brief update on the status of the
25 taskforce formed to improve animal safety. I won't repeat

1 what I've said before in the October and November meetings
2 of this Board, except to confirm that all organizational
3 stakeholders in California racing have been invited to
4 participate in this effort and have agreed.

5 Ours is a very elaborate sport, as you know, so
6 this undertaking can be unwieldy. But the racing offices at
7 the thoroughbred tracks have joined CTT and representatives
8 of the Quarter Horse industry, along with veterinarians and
9 a public member, to form a Steering Committee for the early
10 stages of our work. All suggestions we receive are
11 considered, of course. And we have already gotten input
12 from both inside and outside racing.

13 My report today will only cover initial
14 explorations. But there will be much more to come in the
15 coming months. We fully intend to make a significant
16 difference in long-term safety, addressing many more
17 potential steps than we can cover today.

18 In light of our receiving input from all quarters,
19 let me begin by making a few comments about racing ages and,
20 specifically, two-year-old racing. This has been an
21 important area of significant scientific equine study and
22 observation for decades and the subject of serious public
23 comments to this Board very recently.

24 Simply put, equine injury data shows that horses
25 who race as two-year-olds are at a decreased risk of career-

1 ending injury compared to those who did not. This is
2 counterintuitive to those unfamiliar with horses. However,
3 bone strengthens in response to forces applied to it, say
4 equine orthopedic experts.

5 The prevailing indication from science is that a
6 three-year-old horse who starts racing at three will not
7 have built up the skeletal response to the forces of racing,
8 as well, when compared to one who campaigned the previous
9 season or at least was subject to the rigors of serious
10 training.

11 According to Dr. Larry Bramlage, and I quote,
12 "The data is definitive. It shows that horses that
13 began racing as two-year-olds are much more successful,
14 have much longer careers, and by extrapolation show
15 less predisposition to injury than horses that did not
16 begin racing until their three-year-old year," end
17 quote.

18 While I don't have the expertise myself or the
19 time here to go into detail about equine bone development
20 and skeletal growth, Bramlage's research and other expert
21 equine commentary is readily available online. Suffice it
22 to say that horses grow much, much faster than humans do and
23 reach 84 percent of their mature height by the time they are
24 six months old, and 94 percent at 12 months old. Humans, by
25 contrast, reach close to their mature height between the

1 ages of 16 and 18, about 23 percent of the way into their
2 life expectancy.

3 As a corollary to the uninformed opinions we've
4 received about two-year-old racing, we also looked at the
5 distribution of serious accidents by age group in the
6 California thoroughbred population. According to data from
7 2010 through 2021, catastrophic accidents track closely with
8 starts by age. That is to say, each age group's accidents
9 track closely with starts for that age.

10 Bottom line, two-year-old training in racing is
11 not only safe for the horses, it provides for safer racing
12 for horses as they age.

13 Equine fatalities in North American racing as a
14 whole have already been referred -- have already been
15 reduced 23 percent since 2009, and in California have been
16 cut in half during that period, calculating these numbers
17 per 1,000 starts. Still, virtually everyone agrees that
18 important work remains to be done to achieve further
19 progress. Informing and helping that work is what our
20 taskforce is formed to do.

21 Existing data provided us two very important
22 priorities for our first attention, among several others.
23 They are sudden deaths and catastrophic shoulder fractures
24 among horses returning to training after a layoff. I'll
25 briefly comment on each of those today.

1 International Equine Epidemiologist Tim Parkin has
2 been studying the National Equine Injury Database and states
3 that sudden deaths are now responsible for one-in-ten fatal
4 accidents, up from 1-in-18 in 2009, in large measure
5 resulting from the improvement in the accident rate from
6 musculoskeletal injuries.

7 Having said that, we have been advised that
8 between 20 and 25 percent of equine sudden deaths in racing,
9 virtually all of which are studies extensively, still don't
10 have causes established, no causes established for between
11 20 and 25 percent of equine sudden deaths in racing.

12 Therefore, we will propose to the Jockey Club-
13 Grayson Foundation that it make an enormous incremental
14 financial commitment, beyond its already generous support of
15 all veterinary research, specifically to determine further
16 the causes of these fatalities. And we will suggest that
17 both medical and epidemiological research be joined in the
18 new effort.

19 We say again and emphasize that horses are not
20 humans. However, it is interesting to note that as many
21 450,000 Americans die every year from a sudden fatal heart
22 condition, and in slightly more than one-in-ten cases, let
23 me repeat that, in more than one-in-ten cases the cause
24 remains unexplained, even after an autopsy.

25 Researchers from the University of Maryland School

1 of Medicine and their colleagues found that nearly 20
2 percent of patients with unexplained sudden cardiac death,
3 most of whom were under age 50, carried rare genetic
4 variants. These variants likely raised their risk of sudden
5 cardiac death. In some cases, their deaths may have been
6 prevented if their doctors had known about their genetic
7 predisposition to heart disease.

8 We believe, therefore, that even more serious
9 veterinary and epidemiological research than has already
10 been accomplished must be undertaken to determine whether
11 there are any such genetic predispositions among equines.
12 This is expensive and time consuming but it's a problem that
13 may be capable of solution if we seriously commit the entire
14 worldwide racing community to the effort.

15 But do not be misled. We know that even a massive
16 new commitment to incremental research, if we can achieve
17 that, will not result in an immediate reduction in sudden
18 unexplained fatalities. However, sustained greater
19 research, we believe, must be undertaken now in the interest
20 of long-term worldwide equine safety.

21 Catastrophic shoulder fractures, were they to be
22 eliminated, would also achieve a dramatic lessening of risk
23 to racehorses. We are attempting to achieve short-term
24 results in this area.

25 These incidents are particularly perplexing

1 because, on the one hand, we advocate rest from training and
2 an appropriate recovery period for horses with any minor
3 injury, of course, but experience and research indicate that
4 if horses return to training following a layoff they are
5 especially susceptible to shoulder fractures. This is due
6 to the fact that bone strengthening from training exercise
7 lacks improvements in muscle and respiratory fitness
8 following a layoff, leaving owners and trainers to believe
9 that more serious training may be indicated too soon.

10 We now have an excellent continuing education
11 video module available on this problem. And we need to
12 consider ways of making its continual review compulsory for
13 owners, trainers, and veterinarians.

14 In the short term, CTT will convene a statewide
15 meeting of all trainers for discussion on this, inviting
16 owners and veterinarians to attend, as well, and carefully
17 record which trainers have completed this CE module. Within
18 30 days, we will also develop a written best practices guide
19 for this specific problem, in conjunction with
20 veterinarians, for distribution to all owners and trainers.

21 I want to parenthetically add on the sudden death
22 issue that I've just been advised by Dr. Dionne Benson that
23 The Stronach Group is already working on the genetics of
24 horse sudden death, specifically, and have already been
25 doing that for two years.

1 So in conclusion for today, I want to mention that
2 the Thoroughbred Owners of California has assigned Joe
3 Hasson to work with us on our analytical data. The
4 objectivity of our data is critically important since I
5 fully expect those who oppose racing always to be tempted to
6 attack it, even today. In part, this is because we use data
7 on a California fiscal year basis, which is July through
8 June, as well as calendar year and racing year, which is
9 Christmas to Christmas, of course. This can be confusing.
10 We need to be careful that all of our reliance on data is
11 consistent, statistically significant, and carefully
12 constructed.

13 We look forward to reporting in more detail over
14 the coming months. And we thank you, again, for this
15 opportunity to report.

16 CHAIR FERRARO: Thank you very much.

17 Do we have questions for Mr. Balch from the Board?
18 No questions?

19 Do we have a queue on this, Operator? Thank you.

20 OPERATOR: Yes, sir, we do. Just one moment.

21 Okay.

22 Our first comment comes from Elvia Sedano with
23 Kill Racing Not Horses.

24 MS. SEDANO: Good morning.

25 CHAIR FERRARO: Go ahead, please.

1 MS. SEDANO: Good morning.

2 Regarding the horses at Los Alamitos, just in the
3 two -- the first two weeks of January there are numerous
4 horses on both CHRB vet list that are unsound or injured.
5 Due to time constraints, I can't even list them all.

6 Are you going to combine the two vet lists so that
7 you have one cohesive database? It does not seem as though
8 you are -- it does seem as though you are deliberately
9 trying to confuse the public.

10 At Los Alamitos on January 8th, Oughta See Her
11 Fly, gate injury, slips, scratched, not on vet list.

12 After School completely breaks through the gate --

13 CHAIR FERRARO: Excuse me. Excuse me.

14 MS. SEDANO: -- (indiscernible) --

15 CHAIR FERRARO: Excuse me, please. Excuse me.

16 We're talking about the -- Mr. Balch's report to the Board.

17 Do you have comments regarding his report?

18 MS. SEDANO: This is --

19 CHAIR FERRARO: We're not talking about general
20 breakdowns here. We're talking about his report. So if you
21 have something pertinent to that, fine. If not, we'll move
22 on to the next person.

23 MS. SEDANO: This is on the safety taskforce, item
24 four.

25 CHAIR FERRARO: Yes. Please confine your comments

1 to the safety taskforce actions and not general soundness
2 problems.

3 MS. SEDANO: Well, this is related.

4 Then you have Big Fabuloso who never made it to
5 the vet list. He was DNF in a ridiculous 110 yard dash that
6 lasted for a matter of seconds. The poor animal was seen
7 dragging his legs and --

8 CHAIR FERRARO: I'm sorry.

9 MS. SEDANO: -- (indiscernible) --

10 CHAIR FERRARO: You're going to have to repeat
11 these -- I'm sorry, but you'll have to do this under the
12 public comment period.

13 Next, please.

14 OPERATOR: Next question comes from -- or comment
15 comes from Patty Shenker with Kill Racing Not Horses.

16 CHAIR FERRARO: Go ahead, please.

17 MS. SHENKER: While the idea -- yes. While the
18 idea of a safety taskforce sounds encouraging, I have to ask
19 about it.

20 What are the measurable outcomes of this
21 taskforce? How can you see if your intentions are working
22 if you don't have an organized database?

23 The two different vet lists are not in sync. The
24 (indiscernible) list and the other one on the CHRB website
25 have different horses. The data is a mess. There are

1 literally dozens of missing horses we tracked all over
2 California that we have been inquiring about for quite some
3 time but you refuse to answer. You did inform the
4 whereabouts of a couple of horses but not all of them. We
5 care about all of them and want answers.

6 You are not being transparent. If a horse is
7 vanned to a non-CHRB inclosure, does that horse also vanish
8 from the taskforce? Does this taskforce relinquish itself
9 from any responsibility if a horse goes to a non-CHRB
10 inclosure? Is this taskforce a way to exclude injured or
11 catastrophically injured or euthanized horses at non-CHRB
12 facilities? Because, if so, this is again a loophole, and
13 this critical data must be given.

14 Thank you.

15 CHAIR FERRARO: Excuse me, but I think you people
16 are confusing what we're talking about. This group is a
17 study group that's designed to look at problems in racing
18 and make recommendations to the Board regarding how we can
19 improve safety of horses. This has nothing to do with the
20 CHRB's own efforts and databases regarding breakdowns and
21 injuries in horses.

22 So what we're asking for public comment here is
23 that you have comments specific to the California Trainers
24 Associations taskforce on the study group and the
25 information that Mr. Balch has just provided, so please

1 confine your comments to that. If you have other comments
2 regarding actions of the CHRB, they can be brought up under
3 the public comment period.

4 Go ahead, Operator, with the next one.

5 OPERATOR: Our next comment comes from Kimberly
6 Marrs with Marrs Racing.

7 CHAIR FERRARO: Go ahead, please.

8 MS. MARRS: Hello. Good morning, Board.

9 I just want to applaud the CTT. The items that
10 they're looking at are actually a lot of items that I've
11 thought about that need to be looked at and addressed, and
12 just good work, and keep it going. And I think that we're
13 going to get a lot more information with this taskforce
14 that's really going to help us trainers make good
15 horsemanship judgment calls on our animals. And I really,
16 really appreciate everything that the CTT is doing thus far
17 for this -- in this taskforce, so thank you.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: Next comment comes from Mary Johnson
21 with equine advocate.

22 CHAIR FERRARO: Go ahead, please.

23 MS. JOHNSON: Yes. Thank you. I want to address
24 Mr. Balch's comments about Dr. Larry Bramlage. And first of
25 all, I want to say he is an excellent orthopedic surgeon and

1 I would not hesitate to send one of my horses to him, but
2 he's also a paid mouthpiece to the racing industry, as we
3 all know.

4 And we're not against young horses, 6 months, 12
5 months, 18 months of age playing in a field, running,
6 bucking, spinning, twisting, turning around and going the
7 other direction, we're not opposed to that. We are opposed
8 to breaking horses at the age of 18 months when they're not
9 fully developed. A horse is not fully developed until
10 they're about six, and this is from Denny Emerson, one of
11 the 50 most influential horsemen of the 20th century.
12 According to the *Chronicle of the Horse*, he one a gold medal
13 in eventing in 2000. A quote from Mr. Emerson.

14 "Five is either the last baby year or the first semi-
15 mature year, depending upon the horse. Ride and train
16 carefully and try to avoid two things most of all,
17 injury and frantic stress."

18 Hey, does that remind you of the racing
19 industrial?

20 "Never put a five-year-old into some young horse
21 program with a performance-based time limit unless he
22 is one of those maturing types, early maturing types,
23 and even then, be careful, and never with a four-year-
24 old. At six he is ready to be -- to start being a
25 normal horse. You start them too young and then they

1 breakdown or they're injured."

2 That's a fact. And I don't care what Dr. Bramlage
3 says because his paycheck is based on taking care of these
4 badly injured horses.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Next we have Lynn Freudenberg with Kill
9 Racing Not Horses.

10 CHAIR FERRARO: Go ahead, please.

11 MS. FREUDENBERG: Hey, good morning. And my
12 comment is regarding the safety taskforce. Their whole
13 reason is for animal safety. And I really hope they want to
14 address and set guidelines to oversee racetrack conditions,
15 such as inhospitable tracks, and also bad weather
16 conditions.

17 There's no reason for a horse to be forced to race
18 in such dangerous conditions, such as dense fog, pouring
19 rain that leads to a water soaked, muddy, sloppy track where
20 the horses' hooves can sink into, or forced to race in
21 opposite weather conditions, such as blistering heat and
22 extreme humidity.

23 The reason why I bring this up is that back at Los
24 Alamitos on January 23rd, 2021, Gowdy, a two-year-old -- I'm
25 sorry -- colt in race number seven was forced to race in

1 horrible conditions. The track was a muddy mess. He
2 slipped and he falls right outside of the gate, desperately
3 tried to regain his footing but cannot, and was vanned off.
4 His last workout was 01/02/21 but, still, as of 01/17/22,
5 missing. No idea if he's living or not.

6 The safety taskforce, I hope they address who's
7 responsible for racing a horse in dangerous conditions.
8 Somebody has to be held responsible. It's not -- I
9 understand what Alan Balch said but there's a lot more to
10 safety with racetracks than getting two-year-olds up and
11 running.

12 Thank you.

13 CHAIR FERRARO: Thank you.

14 Next, please.

15 OPERATOR: Our next comment comes from Wayne
16 Johnson.

17 CHAIR FERRARO: Go ahead, please.

18 MR. JOHNSON: Yes. You've appointed an
19 unrepentant apologist to head up this safety committee, an
20 apologist for the horse racing industry that killed horses
21 and then kills more horses.

22 Are we really to believe, by citing one
23 veterinarian paid by the horse racing industry, drawing a
24 check from the horse racing industry, that we can't believe
25 our lying eyes when we see two-year-olds breakdown again and

1 again and again because of the way they're run?

2 Thank you.

3 CHAIR FERRARO: Thank you.

4 Next, please.

5 OPERATOR: Next comment comes from Martha Sullivan
6 with Kill Racing Not Horses.

7 CHAIR FERRARO: Go ahead, please.

8 MS. SULLIVAN: Yeah. It's interesting to hear Mr.
9 Balch report on racing starts by distribution of injuries
10 because your, the Board's, most recent Postmortem Report, as
11 I talked about, says that they could not conclude if horses
12 five years of age and greater are less susceptible to the
13 injuries of racing because the total number of horses in
14 each age group that are racing and training on facilities
15 controlled by the CHRB are not known to us.

16 So you know, I've been making these comments for a
17 few months now, and I find it interesting that all of a
18 sudden, you know, since Mr. Balch's last report, which was
19 violent on the issue of horses under five racing, all of a
20 sudden we know about racing starts by age group.

21 So I think it would be incumbent upon this
22 taskforce to publish that data and to provide that as a
23 supplemental to the CHRB's Postmortem Report which says that
24 it was unable to access that data, which is also pretty
25 mindboggling given, one, the CHRB, you know, has reported

1 that 90 percent of thoroughbreds were microchipped in early
2 2020. And also --

3 OPERATOR: Our next comment comes from Jane
4 Cartmill.

5 CHAIR FERRARO: Go ahead, please.

6 MS. CARTMILL: Well, to every equine expert who
7 would say racing at two years old is desirable or even
8 preferrable, as we've heard today, there certainly are
9 plenty who disagree and have documented that for years.

10 Dr. (indiscernible) of Cornell University
11 summarized a study of some 70,000 horses and published in
12 *Horse Digest*. He wrote that two-year-olds fracture far more
13 often than three-year-olds. The older the horse, the better
14 his chance of survival. He concluded, quote, "Outlawing the
15 racing of young horses would significantly reduce fractures
16 and breakdowns in a race."

17 This was backed up by Veterinarian Holly Cheever,
18 Vice President of the Association of Veterinarians for
19 Animal Rights in Davis, California. She noted that the
20 American obsession with ever-faster racing times has driven
21 the push for younger horses that begin training at a level
22 excessive for their stage of development. She noted that
23 horses in America often become lame and injured by the age
24 of four or five while horses in Europe often ran into their
25 teens.

1 Dr. Deb Bennett, one of the world's experts on
2 equine anatomy, advised as long ago as 2008 that a horse
3 should be four years old, even to ride, and should not be
4 doing hard competitive work until age six, reaching the same
5 conclusion as Denny Emerson more recently.

6 I think that this is counterintuitive. And given
7 the source of the information, it's questionable.

8 CHAIR FERRARO: Thank you.

9 Next, please.

10 OPERATOR: Our next comment comes from an unnamed
11 source that is horse owner.

12 CHAIR FERRARO: Go ahead, please.

13 MS. ZANELLI: Hi. This is Marla Zanelli, Friends
14 of Thoroughbred Racehorses. I just want to thank Alan Balch
15 for his great report. Keep up the good work. I look
16 forward to hearing more of the results of their studies.

17 Thank you.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: Our next comment comes from Holly
21 Wilson.

22 CHAIR FERRARO: Go ahead, please.

23 MS. WILSON: Mr. Balch, your percentages regarding
24 bone growth mean absolutely nothing. A six-year-old
25 racehorse is an old racehorse. The most common age of

1 necropsy is four.

2 Just take a step back and imagine how you sound to
3 an outsider. You are speaking of equine injuries and equine
4 deaths in such calm fashion, as though describing tying your
5 shoes. You are repeatedly stating horses are not humans,
6 then you delve into pointless human sudden death statistics.

7 Some humans are genetically predisposed to
8 atrocities but, usually, it is no great mystery as to why
9 humans die.

10 I have been an ER physician for almost 20 years
11 and the answer is usually in lifestyle choices they have
12 made, unhealthy diet, excessive alcohol, drugs, medication
13 noncompliances, et cetera.

14 You don't need to be an equine genetic expert to
15 understand that the stress of confinement, performance
16 enhancing drugs, and being repeatedly whipped and trafficked
17 all over the country will likely lead to premature death.
18 These are choices that humans have forced upon the animals.
19 It is no great mystery as to why so many young horses are
20 dying.

21 CHAIR FERRARO: Thank you.

22 Next, please.

23 MS. WILSON: Yup.

24 OPERATOR: Next comment comes from Oscar de la
25 Torre with worker advocate.

1 CHAIR FERRARO: Go ahead, please.

2 MR. DE LA TORRE: Yes. Can you hear me?

3 CHAIR FERRARO: Yes. Go ahead.

4 MR. DE LA TORRE: Okay. Thank you very much. I'm
5 just Oscar de la Torre. I've been working with backstretch
6 workers here in California horse racing.

7 Just want to comment, you know, to thank Alan
8 Balch and the CTT for their good work. I think it's a step
9 in a right direction.

10 You know, only leaders of a culture can change a
11 culture, and that's what's going on in horse racing,
12 especially in California, and the reform effort is working.
13 I mean, we see the data and it's showing progress.

14 And I think trainers getting involved, being
15 proactive, finding ways to improve, you know, conditions for
16 horses, these are the people and their staff, all the
17 workers, that day to day wake up in the morning and their
18 number one priority is to keep horses healthy and to have
19 them in the best condition so that they can race safely, and
20 so these are the people that should be leading this, as much
21 as possible.

22 And I really am encouraged, you know, by the -- by
23 Alan Balch's report. And I look forward, you know, to more
24 information, more ways that we can expand and strengthen
25 protections for the horses under our care.

1 Thank you very much for the good work.

2 CHAIR FERRARO: Thank you.

3 Next, please.

4 OPERATOR: And our next comment comes from an
5 unnamed line that is an owner and breeder.

6 Please, go ahead. Your line is live.

7 CHAIR FERRARO: Go ahead, please.

8 MS. NYGAARD: Is that me?

9 OPERATOR: Please, go ahead.

10 CHAIR FERRARO: Go ahead.

11 MS. NYGAARD: Is that me?

12 CHAIR FERRARO: Yes. Go ahead, please.

13 MS. NYGAARD: Sorry. Okay. I apologize. I
14 thought I did leave my name and I did not realize that the
15 system didn't catch it. This is Pavla Nygaard, owner and
16 breeder.

17 So what I wanted to say is that the -- my
18 understanding of the taskforce is that --

19 CHAIR FERRARO: Hello?

20 Have we lost her, Operator?

21 OPERATOR: We lost her. We'll go to the next
22 comment, which is another unnamed line.

23 Please, go ahead. Your line is now live.

24 Thank you. Can you hear me?

25 CHAIR FERRARO: Yes. Go ahead, please.

1 MS. SHENKER: Thank you so much. First, I want to
2 thank Dr. Ferraro for his patience and kindness in
3 explaining that he felt some of the public comments were not
4 pertaining to the safety taskforce. I feel that they were
5 but I appreciate your kindness. And I wanted to go ahead
6 and say what I had to say.

7 Mr. Balch, while you are studying and relying upon
8 data and research, this is a good thing, but as a safety
9 taskforce, I hope you are also working on streamlining and
10 synchronizing the CHRB's two primary vet lists. Again, I'm
11 bringing this up because I think, as the public, we
12 automatically assumed that Mr. Balch would be working
13 alongside of the CHRB and obtaining information from the
14 veterinarian's list, so this is why this subject has come
15 up. And thank you for the opportunity to finish what I'm
16 saying.

17 If you can't find the problems, you can't fix the
18 problems. I'm referring to the one vet's list on the CHRB
19 website and the other one on (indiscernible). The two lists
20 chronically do not list the same information about the same
21 horses in question. For example, the (indiscernible) does
22 not even provide information for harness horses.

23 On 01/14/22, a 14-year-old mare named High
24 Fidelity was scratched from a harness race for being sick
25 but does not appear on either vets' list. He is now dead,

1 according to the CHRB fatalities list with cause of death
2 pending.

3 Also, on 01/14/22, a horse named Pouty Murphy
4 Opulent (phonetic) was scratched from a harness race with
5 cause designated as being too ill, which is, of course,
6 reckless, but this horse does not show up on either vets'
7 list.

8 Some of the abbreviations on the two lists are
9 unrecognizable. For example, a horse named Kiss on the Lips
10 was scratched for RJ (phonetic). Does this mean injured?
11 Does anyone on the taskforce know?

12 You can't make positive changes if you don't have
13 a clear understanding of the problems. And you will never
14 have a clear understanding of the problems if you do not
15 take some very simple steps, such as combining your
16 veterinarians' list databases.

17 Thank you again for letting me finish my
18 statement.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: And we have another unnamed line.

22 Please, go ahead with your comment.

23 CHAIR FERRARO: Go ahead, please.

24 OPERATOR: Pavla Nygaard, your line is live.

25 MS. NYGAARD: Okay. Sorry, I got dropped off the

1 first time.

2 So what I wanted to say is that the taskforce, the
3 intention is to improve the safety and to understand better
4 how we can do that. Some of that will require a lot of
5 compiling data that may or may not have yet been compiled.
6 It will require looking at data that already has been
7 compiled but perhaps not understood sufficiently well. It
8 will require a lot of efforts of the kind where small hinges
9 that move big doors types of things, where even a one
10 percent of greater understanding can accomplish bigger
11 results.

12 But these will be efforts that will be over months
13 and years, as opposed to some wonderful magic bullet that
14 all of sudden could take us from the current state of
15 fatalities to zero as all of us would wish, both in the
16 racing industry, as well as the ones outside.

17 There are significant differences when people
18 quote people like Denny Emerson and other industries. It is
19 correct that certain parts of the horse don't develop until
20 six years of age, and those are the growth plates in a horse
21 close from bottom up. And for horses in eventing, where
22 they need to do a lot of flexing of their backs, of their
23 spines, that is a very relevant piece of data. It is less
24 relevant in racing where the lower leg is far more important
25 and the bone stresses on it in order to stand up are

1 actually more significant to do as two-year-olds, so please
2 do not take data from one industry that necessarily applies
3 to one.

4 We will need to be looking at data from various
5 sources. There was an excellent article in the *New Yorker*
6 recently which talked about how we all have to -- (buzzer
7 sounds) -- (indiscernible) accepting that. We all will need
8 to do that. There are three sides of the truth.

9 CHAIR FERRARO: Please wrap it up, ma'am, as your
10 time is up.

11 OPERATOR: Okay. We have no further comments at
12 this time.

13 CHAIR FERRARO: Do we have any comments or
14 questions from the Board?

15 Mr. Chaney, I don't believe we need a motion on
16 this as this is really getting a report; is that correct?

17 EXECUTIVE DIRECTOR CHANEY: Yes, that's correct.
18 It was just a report and informational for the Board, so no
19 vote is required.

20 CHAIR FERRARO: Okay. Great.

21 Then we move on to item number five, the Executive
22 Director's Report, please.

23 COMMISSIONER DAVIS: Commissioner Davis here.
24 What's going to happen with --

25 CHAIR FERRARO: Go ahead.

1 COMMISSIONER DAVIS: -- the report?

2 CHAIR FERRARO: Pardon me?

3 COMMISSIONER DAVIS: What happens next with the
4 report, on Mr. Balch's report?

5 CHAIR FERRARO: Well, we would expect another
6 report in the next -- in our next meeting as to further
7 progress, I would think, and that's what I'm expecting
8 anyway. Do you have other --

9 COMMISSIONER DAVIS: No. I just wanted to --

10 CHAIR FERRARO: Yeah. From this point on, I'm
11 hoping we get a monthly report as to what they're doing.
12 I'm looking, hoping, we can get specific proposals as they
13 come forward.

14 COMMISSIONER DAVIS: Great.

15 CHAIR FERRARO: Does that satisfy your --
16 otherwise, we can put Mr. Balch back on the line if you
17 want.

18 COMMISSIONER DAVIS: No. I just wanted to know if
19 this was going to be a monthly thing as it makes progress?

20 CHAIR FERRARO: Yeah. I hope so.

21 COMMISSIONER DAVIS: Thank you.

22 CHAIR FERRARO: Okay. Thank you.

23 We'll go now to the Executive Director's Report,
24 please.

25 EXECUTIVE DIRECTOR CHANEY: Thank you, Mr.

1 Chairman. And good morning --

2 CHAIR FERRARO: Thank you.

3 EXECUTIVE DIRECTOR CHANEY: -- and good morning,
4 Commissioners.

5 On the wagering front, December saw daytime handle
6 increase by two percent and nighttime handle decrease eight
7 percent. Total handle, as compared to December 2020,
8 remained essentially the same. For the Calendar Year 2021,
9 California handle is close to \$3.3 billion. This is the
10 highest in the last ten years.

11 Moving on, as I reported last month, the
12 Authority, which is the governing body created by the Horse
13 Racing Integrity and Safety Act, as become -- has begun
14 submitting regulations to the Federal Trade Commission. The
15 CHRB commented on the safety regulations. This period for
16 feedback ended this week.

17 We are currently working on comments for two more
18 documents. This comment period will open soon. Those two
19 documents deal with a formula for assessment and protocol
20 for disciplinary hearings.

21 The other major development since our last Board
22 meeting was the collapse of the negotiations between USADA
23 and the Authority regarding designation of the agency under
24 HPPA. The Agency is charged with medication antidoping
25 control. At this point the Authority will have to identify

1 a new national body that can administer the Doping Control
2 and Medication Program. This will certainly lead to a delay
3 in the federal preemption of this new federal regulation of
4 horse racing.

5 Overall, the direction in which the Authority is
6 heading is positive from the CHRB's perspective in that it
7 will create national standards while keeping California's
8 strict regulatory structure. Two areas about which I am
9 concerned include the proposed crop rule and the ban on
10 veterinary treatment within 24 hours of a race. Both of the
11 proposed regulations are less strict than those currently
12 placed in -- currently in place in California.

13 Next, I'd like to point out that the current plan
14 is not to have a Board meeting next month, so the next
15 scheduled meeting will be in March. I also anticipate a
16 Parimutuel Committee meeting in either March or April.

17 Furthermore, Governor Newsom extended the
18 emergency order with respect to public meetings until the
19 end of March. And therefore that meeting will be in a
20 teleconference format.

21 Next, I have spoken with the -- I have spoken
22 about the racing reform recommendations chart on our website
23 for some time. As you call, the reform recommendations are
24 based on the Santa Anita report in 2019, as well as
25 suggestions from the CHRB to the Governor at that time. Out

1 of the 63 total recommendations, 52 have been completed.
2 The final 11 are in the process of being addressed. And
3 Staff works diligently each day to see that all 63
4 recommendations reach completion.

5 As you know, the California Medical Board had
6 filed accusations against our Equine Medical Director, Dr.
7 Jeff Blea, last month, alleging violations from his previous
8 employment as an attending veterinarian. Although I
9 question the veracity of those allegations, what is
10 particularly disturbing is the desire to suspend his
11 veterinary license in advance of his hearing and, more to
12 the point, prevent him from working in his role as Equine
13 Medical Director.

14 The CHRB has hired outside counsel to represent
15 our interest. And in the interim, UC Davis, for which Dr.
16 Blea -- for whom Dr. Blea works, has appointed acting EMDs
17 to fulfill the statutory and regulatory roles.

18 On a personal note, I would like to say that I
19 have known and worked with Dr. Blea for more than 20 years.
20 He is one of the finest and most ethical veterinarians that
21 I have met and, more importantly, one of the finest humans
22 with whom I have interacted.

23 I am sorry for Dr. Blea and his family. And
24 although he has been professional and hopeful throughout
25 this ordeal, it is not right that his excellent reputation

1 be besmirched in this way.

2 The CHRB is doing everything in its legal power to
3 right this wrong. And while we are making do for the time
4 being, in a very real way the CHRB is less effective at
5 protecting animal welfare without him. And to be clear, the
6 promotion of animal welfare by this Board, with the
7 partnership of the EMD, has been very effective. As the
8 year has just ended, it makes sense to take notice of that
9 work.

10 Overall, catastrophic injuries have decreased from
11 96 in 2020 to 71 in 2021, which is a 26 percent decrease in
12 one calendar year, and a 66 percent decrease in the last
13 five years.

14 There were 20 racing-related catastrophic injuries
15 in 2021 out of over 31,000 starts, for a rate per-thousand
16 starts of 0.63, which I believe to be the lowest in the
17 country. Of course, it is difficult to state for sure as
18 California is the most transparent in terms of reporting in
19 the country.

20 Make no mistake, there's still work to be done.
21 Training injuries, large bone fractures, and sudden deaths
22 remain at the forefront of our concern and work in the
23 promotion of animal welfare and safety.

24 I appreciate the consistent and unwavering support
25 of the Board in this endeavor, the dedication and

1 professionalism of Staff in working towards this goal, the
2 sacrifice and commitment of all stakeholders, as well as the
3 advocacy and passion of animal welfare advocates. It is my
4 expectation that 2022 will bring with it the continued
5 creation of a safe environment for these magnificent equine
6 athletes.

7 And that, Mr. Chairman, is my report.

8 CHAIR FERRARO: Thank you.

9 Questions from the Board?

10 COMMISSIONER GALGIANI: Mr. Chairman, Oscar
11 Gonzales here. I just wanted to say a couple things here
12 related to Dr. Blea.

13 First, Scott, thank you very much for that
14 excellent report. I look forward to our executive session
15 after this meeting so we can learn more about the Veterinary
16 Medical Board decision regarding Dr. Blea. It's important
17 for the Veterinary Medical Board to know that Dr. Blea has
18 done an excellent and an extraordinary job as Equine Medical
19 Director.

20 The CHRB respectfully asks that Dr. Blea be
21 reinstated so we can continue the important work of
22 protecting horses and supporting the CHRB's reform efforts.
23 Our reform efforts are working. And based on recent data,
24 cited by Scott a moment ago, there's a significant decline
25 in horse fatalities, which is what the public demands and

1 policymakers expect. In order for the CHRB to continue
2 moving in the right direction we need Dr. Blea as Equine
3 Medical Director.

4 It was an honor for me to be part of the
5 Committee, along with you, Dr. Ferraro, that recruited,
6 interviewed, and selected Dr. Blea. The decision by UC
7 Davis and the CHRB to hire Dr. Blea as the EMD was because
8 of his integrity, qualifications, and experience. His past
9 involvement as the head of the American Association of
10 Equine Practitioners, and his current involvement at the
11 national level to strengthen rules around medication and
12 safety, was a huge plus when we decided to hire him.

13 In addition, I encourage the CHRB and the
14 California Veterinary Medical Board to meet as soon as
15 possible to discuss how best to update standards and
16 regulations for equine practitioners who treat and care for
17 racehorses.

18 Finally, Commissioners and Staff at both agencies
19 should work together to encourage more people to become
20 veterinarians and avoid the unintended consequences of
21 outdated veterinary standards and regulations.

22 The CHRB stands ready to support all veterinarians
23 on the backstretch and at horse farms across the country.

24 Thank you, Mr. Chairman.

25 CHAIR FERRARO: Thank you.

1 Anyone else?

2 BOARD MEMBER SATIN: Yes. Alex Solis.

3 I just want to -- as well as Commissioner
4 Gonzales, I have known Dr. Blea for over 20 years, enormous
5 integrity and a professional. And it makes me very sad that
6 his name is being put down this way because I know how much
7 he cares for horses. He's one of the most strict
8 veterinarians that I know, and I have worked with him. I
9 believe in the work that he does. I know how much he cares
10 for horses. And it's just very sad that -- how they have --

11 CHAIR FERRARO: Thank you, Alex.

12 Anyone else?

13 BOARD MEMBER SATIN: -- (indiscernible) his name.
14 I'm sorry.

15 CHAIR FERRARO: Go ahead.

16 Any other comments from the Board?

17 For my own two cents as Chairman, I think that the
18 issues surrounding Dr. Jeff Blea brought forth by the
19 Veterinary Medical Board are both ill-advised and
20 slanderous. The CHRB has worked tirelessly over the past
21 two years to improve the health and safety of racehorses and
22 we have achieved significant results.

23 In light of that, Dr. Blea was recruited for the
24 position as Equine Medical Director because he was the best
25 possible person to lead our effort going forward. He's

1 nationally recognized for his medical knowledge, integrity,
2 and ethical standards. Since his appointment on July 1st,
3 he has performed his duties with exceptional skill and
4 grace.

5 Unfortunately, he has now become a pawn a
6 politically-driven agenda to disparage horse racing in
7 California. The people behind this effort are willing to
8 besmirch and sully Dr. Blea's reputation to achieve their
9 ends. And while they're in the process of achieving these
10 goals, the health and safety of racehorses are being
11 compromised every day that Dr. Blea is not allowed to
12 perform his duties.

13 Personally, I am dismayed that no one of authority
14 is willing to step forward and call out this ordeal for what
15 it is, an unwarranted and unfair vendetta.

16 Any other comments from the Board?

17 And we have a queue on the Executive Director's
18 Report, Operator?

19 OPERATOR: Yes, sir, we do have. And our first
20 comment comes from Martha Sullivan with Kill Racing Not
21 Horses.

22 MS. SULLIVAN: I have --

23 CHAIR FERRARO: Go ahead.

24 MS. SULLIVAN: -- I have urged this Board for some
25 time now to step out of the bubble that it and the horse

1 racing industry lives in. And you know, the California
2 Veterinary Medical Board has, you know, pierced that bubble.
3 And I'm going to read a quote from the Lexington -- maybe
4 it's the *Louisville Courier Journal*, quote,

5 "I believe there's a growing perception in the non-
6 racing public that nothing really matters to deter
7 business as usual," said Equine Attorney William
8 Gotimer. "If the sudden death of a disputed Kentucky
9 Derby Winner is perceived not to be cause for a full
10 and fair review, then I think the public's view are
11 validated."

12 I understand the dismay about having Dr. Blea --
13 having his license suspended. But this is the result of
14 this Board's actions over the last several years, which has
15 really lowered the trust in its judgment in what it will do.
16 So you know, this is the consequences of this Board's
17 failure to be transparent and to be forthcoming, so I just
18 want to emphasize that. You need to see the big picture.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: Our next comment comes from Wayne
22 Johnson.

23 MR. JOHNSON: Thank you.

24 CHAIR FERRARO: Go ahead, please.

25 MR. JOHNSON: Thank you very much.

1 The Executive Director thinks that the Veterinary
2 Medical Board are liars. He questions their veracity. The
3 Chairman thinks what they say is ill-advised, slanderous, a
4 politically-motivated vendetta brought by the enemies of
5 horse racing. The most important thing to say here is that
6 Dr. Jeff Blea is presumed innocent, presumed innocent, let's
7 not forget that.

8 So I don't understand why, first of all, if
9 they're not telling the truth, according to Mr. Chaney, why
10 not wait for the judgment? Why not wait? This is in a
11 preliminary stage for a veterinarian that's presumed
12 innocent.

13 And who are these people, Dr. Ferraro, please tell
14 us, who are these people that are politically-motivated in
15 conducting this slanderous, ill-advised vendetta? Please
16 tell us that in the interest of transportation [sic]. Do
17 not slander us and imply that it's the amorphous enemies of
18 horse racing.

19 Mr. Chaney's report specifically leaves out that
20 Mugarets (phonetic) died at Golden Gate, that Better
21 Tomorrow died at Golden Gate, that High Fidelity died at Cal
22 Expo, that Big Fabuloso died at Los Alamitos, and that High
23 IQ died at Golden Gate. I'll say their names. Dr. Blea
24 wouldn't.

25 Neither Ms. Mitchell or Ms. Davis said on the

1 appointment of Dr. Blea said that she was looking for -- she
2 was looking for an improvement. Did you get that
3 improvement? I don't know. You guys judge that.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Our next comes from Patty Shenker with
8 Kill Racing Not Horses.

9 CHAIR FERRARO: Go ahead, please.

10 MS. SHENKER: I applaud the California -- yes. I
11 applaud the California Veterinary Medical Board for
12 suspending the veterinarian license of Jeff Blea, as well as
13 five other veterinarians who are also facing charges.

14 Horse racing should have no veterinarians who
15 break the law and administer drugs that are not permitted or
16 given without a diagnosis. These illegal practices don't
17 seem to bother you at all and that's says everything.

18 As a profession, all veterinarians know that the
19 standards of care include case history, diagnosis, et
20 cetera. These veterinarians have acted in a manner that is
21 inappropriate, unethical, and deadly.

22 This is not a mere paperwork oversight. Due to
23 the pervasive nature of their wrongdoing it is highly
24 unlikely to be remedied by deterrence or counseling. They
25 have only added to the complete corruption that is horse

1 racing.

2 As you celebrate the only 73 horses who were
3 killed last season, I find it unacceptable and nothing to
4 celebrate. Five horses have already been killed in January.
5 You're off to a dreadful start.

6 Thank you.

7 CHAIR FERRARO: Thank you.

8 Next, please.

9 OPERATOR: Our next comment comes from Lynn
10 Freudenberg with Kill Racing Not Horses.

11 MS. FREUDENBERG: Hey, good morning.

12 I know you guys have a personal relationship with
13 Dr. Blea and I can see why you like him. He's a
14 veterinarian. Of course you like him. But you have to
15 realize the Veterinary Board has reason and they have
16 evidence and they're asking for this to be debated if it's
17 wrong.

18 Dr. Blea is being charged with negligence. He's
19 administering drugs, medication, appliances -- application
20 or treatment to animals without performing an examination or
21 forming a diagnosis. He's just blindly giving things out.
22 There's six cases and they have a list of drugs that go with
23 it.

24 I mean, and then secondary cause for discipline is
25 unprofessional conduct. Once again, dispensing dangerous

1 drugs without medical necessity. Six cases here, and these
2 are all recent. This is nothing from the past. This is all
3 recent.

4 And then, third, his unprofessional conduct,
5 failure to establish veterinarian-client-patient
6 relationship.

7 Do not -- I don't know why you would stand behind
8 somebody when the -- his own Veterinary Board is going
9 against him. I think you have to open your eyes and see
10 what's going on and why this is happening.

11 So let this play out and see --

12 CHAIR FERRARO: Thank you.

13 MS. FREUDENBERG: -- what happens.

14 CHAIR FERRARO: Next, please.

15 OPERATOR: Next, we have Mary Johnson with equine
16 advocate.

17 CHAIR FERRARO: Go ahead, please.

18 MS. JOHNSON: Yes. Yes. Thank you very much.

19 I would just like to piggyback on what the person
20 said right ahead of me. I think you do have a great real
21 with Dr. Blea and I appreciate loyalty. But what I can say
22 is that blind loyalty is always dangerous, always.

23 Now Dr. Blea is going to have a hearing, I mean,
24 that's my understanding, and he may be found innocent of the
25 charges, but this is what the California Veterinary Medical

1 Board said, and this is a quote from them,

2 "The records show Respondent Blea administered the same
3 drugs for multiple horses with the same trainer
4 consecutively at approximately the same time. Blea
5 provided drugs to a large number of horses, not based
6 on his documented examination, diagnosis, or medical
7 necessity but, instead, based on what the trainer
8 requested. The Board alleges that Respondent Blea
9 administered medically unnecessary and non-FDA-approved
10 drugs to numerous racehorses."

11 Now he's going to have a hearing. But if what the
12 California Veterinarian Medical Board says, Dr. Blea, no
13 matter how much you love him, no matter how much he smiles,
14 he needs to lose his license permanently.

15 Thank you.

16 CHAIR FERRARO: Thank you.

17 Next, please.

18 OPERATOR: Next comment comes from Holly Wilson.

19 MS. WILSON: Getting an immediate license
20 suspension from a medical licensing board is a very serious
21 issue. Blea was presumably posing an immediate threat to
22 the welfare of the horses by giving prohibited drugs, et
23 cetera, and action was taken. He was also giving
24 medications without even examining the horses. That is
25 reckless. That is dangerous.

1 Blea is receiving support from CHRB, which is not
2 surprising to anybody. The Board has been complicit in its
3 inappropriate behavior. The Board supports medicating
4 horses without examining them or medical necessity.

5 The Board calls it slander. Are you suggesting
6 that there is a personal vendetta from the California
7 Veterinary Board against Dr. Blea?

8 I congratulate the Veterinary Board for taking a
9 stand and defending their veterinary oath. Lie, cheat,
10 steal, end or break the rules, this is horse racing, and
11 your house of cards is crumbling.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: Next comment comes from Elvia Sedano
15 with Kill Racing Not Horses.

16 MS. SEDANO: Good morning.

17 CHAIR FERRARO: Go ahead, please.

18 MS. SEDANO: Why do you continue to defend the
19 indefensible? Jeff Blea has been accused of numerous
20 infractions. And it is probably only due to the death of a
21 high-profile racehorse, Medina Spirit, that any action was
22 taken.

23 There are scores of horses who collapse and die,
24 just like Medina Spirit, young, healthy racehorses who
25 should not have heart disease or sudden death.

1 Here's an excerpt from your press release
2 regarding his suspension. Scott Chaney states,

3 "My concern is that not relying on his expertise,
4 advise, and work in the role of EMD would diminish the
5 CHRB's ability to effectively promote animal welfare
6 and, in a very real way, make horses less safe in
7 California."

8 Any horse used in the racing industry is less
9 safe, whether in California or otherwise. You act like you
10 do are doing such a great job, patting yourselves on the
11 back for having killed less horses, but the truth is that
12 you have just become more adept at hiding the bodies.

13 Los Alamitos averaged over 60 dead horses a year
14 for over ten consecutive fiscal years, per your data. And
15 in 2021, there are only 11 deaths with dozens of California
16 horses unaccounted for that you continue to refuse to answer
17 when we ask about them.

18 The public do not trust the CHRB. You lie, cheat,
19 and deceive, just like the dying industry you are desperate
20 to defend.

21 Thank you.

22 CHAIR FERRARO: Thank you.

23 Next, please.

24 OPERATOR: Our next comment comes from Marla
25 Zanelli with Friends of Thoroughbred Racehorses.

1 CHAIR FERRARO: Go ahead, please.

2 MS. ZANELLI: Board, I'm calling about the issue
3 facing Dr. Blea. When I had horses in training at the
4 racetrack, he was my vet. I always found him to be ethical,
5 caring, and excellent vet.

6 It appears the Veterinary Medical Board, which is
7 comprised of small animal vets and others with no real
8 knowledge of racehorses, are people making decisions about
9 the horse racing industry and they are not qualified to do
10 so. This is a very big concern of mine, why these people
11 are on the Veterinary Medical Board. There is such a huge
12 difference with training racehorses and treating people's
13 dogs and cats.

14 So changes need to be made on the Veterinary
15 Medical Board. I will be speaking my peace on that with the
16 entities that are in charge. And I appreciate what the CHRB
17 is doing.

18 And let's speak to these people with the kill
19 horse racing vendetta, it's vomit coming out of their
20 mouths. I can't believe how vicious they are and not
21 knowing what they're talking about, not knowing Dr. Blea,
22 not knowing the real details. They are vicious people and I
23 can't believe they are allowed to speak on this forum.

24 Thank you.

25 CHAIR FERRARO: Thank you.

1 Next, please.

2 OPERATOR: Our next comment comes from Pavla
3 Nygaard, owner and breeder.

4 CHAIR FERRARO: Go ahead, please.

5 MS. NYGAARD: Yes. Thank you.

6 As far as Dr. Blea is concerned, I would like to
7 say a couple of things.

8 First of all, Mr. Wayne Johnson said the words
9 "innocent until guilty," and other activists had also
10 pointed out the fact that there will be a hearing and that
11 there is a need to suspend judgment. So I would like to
12 remind all those people making the various comments that
13 there will be a hearing and that it will, hopefully, be
14 adjudicated properly.

15 Dr. Blea, to the best of my knowledge, does not
16 have any horses under his care at this point in time. And
17 therefore, suspending his actual veterinary license should
18 not be of any consequence one way or the other as to the
19 care of actual horses. You can take your own judgment as to
20 how he's endangering horses, even if the Medical Board
21 issues were found to be true, which going back, innocent
22 until proven guilty. None of us should be assuming until
23 that hearing is held.

24 Second, I would like to say that I have known Dr.
25 Jeff Blea for probably about 15 years. He used to treat our

1 horses. And I had always found him to be more than willing
2 to answer difficult questions. He had always been very
3 balanced in his opinions. During the years in the 2019
4 breakdown situation at Santa Anita, he was always willing
5 to, again, answer hard questions, point me to specific
6 research on various issues, anywhere from bone strengthening
7 to Lasix use to whip use to whatever, and I found him of
8 high integrity, high ethics (buzzer sounds) (indiscernible).

9 The hearing will be held. And, again, innocent
10 until proven guilty. Let's keep repeating that, please.

11 CHAIR FERRARO: Thank you.

12 Next, please.

13 OPERATOR: Our next comment comes from Jane
14 Cartmill.

15 MS. CARTMILL: I appreciate --

16 CHAIR FERRARO: Go ahead, please.

17 MS. CARTMILL: -- that the -- I appreciate that
18 the Executive Director acknowledged that he appreciated the
19 advocacy and passion of animal rights activists. I just
20 would like to say that it's not passion that drives animal
21 activism. It is respect for animals and a desire for
22 justice. It is ethics, empathy, and reason that motivate
23 activism.

24 Thank you.

25 CHAIR FERRARO: Thank you.

1 Next, please.

2 OPERATOR: And sir, there are no further comments
3 at this time.

4 CHAIR FERRARO: Okay. That concludes the
5 Executive Director's Report. We don't need a vote on that.

6 So do we have any comments from the Board before
7 we move on to the public comment period?

8 All right, we'll move to item number six, which is
9 public comment, which we probably heard most of it already,
10 but do we have a queue on this, Operator?

11 OPERATOR: Yes, sir. Our first comment comes from
12 Wayne Johnson.

13 MR. JOHNSON: Well, thank you. Thank you very
14 much.

15 At the last meeting in December, Mr. Solis
16 suggested, as I understand it, a one day off a week policy
17 for racetracks. Maybe it was a specific racetrack, Mr.
18 Solis. I'm sorry if I got you wrong. But it struck me as
19 kind of a reasonable approach, just to take a day off for
20 the horses, for the riders, for the backstretch workers.
21 And it was met with kind of stony silence, with
22 indifference, in my opinion.

23 At the same time, Mr. Chaney announced that, in
24 effect, there was going to a one-month gap between this
25 meeting and the next meeting, which was confirmed today,

1 because, Mr. Chaney said, the staff works so hard. So if
2 the staff is entitled some time off, how about the horses
3 and the people that run at the racetracks? Those people
4 need some time off, too, don't they?

5 CHAIR FERRARO: Thank you.

6 MR. JOHNSON: Thank you.

7 CHAIR FERRARO: Next, please.

8 OPERATOR: And our next comment comes from an
9 unnamed line.

10 Your line is now live. Please go ahead.

11 MS. CROKER: Thank you. Can you hear me?

12 CHAIR FERRARO: Yes. Go ahead, please.

13 MS. CROKER: Thank you so much. The dial-in
14 system has changed a bit where people are missing the queue
15 to give their name. This is Bonnie Croker with Kill Racing
16 Not Horses.

17 You know, animal rights activists in the general
18 public are not the only people who are thoroughly disgusted
19 with the corruption in horse racing. I have a quote from
20 Bob Bachock (phonetic), who is a well-known horse racing
21 gambler. He is now a leading figure in a class action
22 lawsuit filed by gamblers who say they would have one money
23 betting on the 2021 Kentucky Derby had it not been one by
24 the now-dead Medina Spirit.

25 In the January 15th, 2022 *Thoroughbred Daily News*,

1 Bob Bachock is quoted saying, quote, "I'm just fed up
2 with the drug cheating. I'm fed up with the takeout.
3 I'm fed up that we currently can't get into a position
4 to implement new and better drug testing. I have no
5 outlets now to gamble. I live in Louisiana which was,
6 up until recently, last year, the only thing available
7 to it was horse racing. There is the Daily Fantasy
8 Sports, which I enjoy, and the takeout is much, much
9 better. Soon we will have online sports betting. I am
10 a consumer. I have just found better products," end
11 quote.

12 More and more U.S. states, including California,
13 are beginning to legalize all sorts of online human sports
14 betting activities. This is a good thing being human
15 athletes make conscious choices about their involvement in
16 sports. Horses and other animals have no choice and no
17 voice.

18 The horse racing industry is clearly imploding, in
19 large part to its own failure to manage corruption. A newly
20 added stick of dynamite is the veterinary license
21 suspensions of Jeff Blea, the CHRB Medical Director, accused
22 of improper use of medications and, therefore, considered
23 unfit to research the cause of death for Medina Spirit, the
24 controversial winner of the Kentucky Derby.

25 Citizens, sick of the corruption, and animal

1 rights activists sick of the cruelty to horses, will
2 continue to push this crumbling issue from the outside until
3 it finally collapses in one big toxic cloud of dust.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Our next comment comes from Martha
8 Sullivan with Kill Racing Not Horses.

9 MS. SULLIVAN: I just want to --

10 CHAIR FERRARO: Go ahead, please.

11 MS. SULLIVAN: -- share with everybody a recent
12 report from the *Paulick Report*. Quote,

13 "It seems the accusations filed by the California
14 Veterinary Medical Board against Doctors Vince Baker,
15 Jeff Blea, and Sarah Graybill Jones were not the first
16 the Board made in 2021 based on racetrack practice.

17 "In February, the Board filed accusation documents
18 against the trio of veterinarians associated with San
19 Francisco Equine. The Board claims it received a
20 complaint in 2017 from the CHRB about Dr. Kim Lewis
21 Kuhlmann, Steven Lee Boyer, and Kenneth Carl Allison
22 prescribing medications to equine patients per the
23 trainers instructions without an examination of medical
24 necessity.

25 "The complaint alleged the SFE veterinarians prescribed

1 the medications because the equine patients were
2 entered to race, not to treat any specific condition
3 diagnosed by the veterinarian. That is one accusation
4 documented. The complaint included CHRB Veterinarian
5 Reports completed by the SFE veterinarian, dated June
6 2072 [sic] through August 2017. The reports showed
7 that the trainers of SFE's equine patients, rather than
8 the SFE veterinarians, made the decision to prescribe
9 and administer the medication."

10 It doesn't sound like a vendetta to me. The CHRB
11 actually deferred veterinarians to the Veterinary Medical
12 Board for these, you know, for the same things that Dr. Blea
13 and Dr. Baker and Dr. Graybill Jones are also being
14 investigated for now.

15 So you know, get off the high horse, step out of
16 the bubble, deal with it.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Next comment comes from Mary Johnson
20 with equine advocate.

21 MS. JOHNSON: Yes. I want to make a couple
22 comments here.

23 A previous commenter was talking about Denny
24 Emerson referring to horses that were used in eventing
25 versus a thoroughbred racehorse. And Mr. Emerson was

1 suggesting starting these horses later. Mr. Emerson has
2 never made a distinction. I mean, the original -- or the
3 previous commenter was just horribly confused and we need to
4 clear up that confusion. Mr. Emerson has never
5 differentiated between a racehorse hitting the track at the
6 age of two, an eventer hitting the outside course at the age
7 of six. He does not make that distinction, so I hope I
8 cleared that up. I doubt it but I tried.

9 And this is from the *Paulick Report*. This is a
10 story about Bob Baffert, who is California's golden boy.

11 "NYRA's ongoing investigation into the two violations
12 also uncovered, August 16th, 2019, barn inspection
13 performed by the CHRB," and those are the people that
14 I'm speaking with. "As alleged in the amended
15 statement of charges, the inspection revealed an
16 unlocked medication cabinet, 25 improperly labeled
17 medications, and the presence of unsecured bute paste.
18 Additionally, the new charges allege Baffert told a
19 CHRB investigator that he did not know how bute entered
20 the system of the horses and that he would be offering
21 a reward to solve the case."

22 So since the CHRB was involved in this, I would
23 like to ask them, has the case been solved? Has Mr. Baffert
24 offered a reward to solve the case? I doubt it. Again, he
25 is the golden boy.

1 So let's take off the rose-colored glasses, be
2 loyal up to a point, but don't be afraid to point a finger
3 if that person needs someone to point a finger at them.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Our next comes from -- next comment
8 comes from Kimberly Marrs with Marrs Racing.

9 CHAIR FERRARO: Go ahead, please.

10 MS. MARRS: Hello Board. I just wanted to make a
11 comment about --

12 CHAIR FERRARO: Have we lost her?

13 OPERATOR: Go ahead, Ms. Marrs. We have you back.

14 MS. MARRS: Okay.

15 OPERATOR: Go ahead, Ms. Marrs.

16 MS. MARRS: Can you hear me?

17 CHAIR FERRARO: Yes. Go ahead.

18 MS. MARRS: Okay. So I just wanted to bring up
19 the fact that the one commenter brought up about backstretch
20 workers and about low pay, and all this stuff, and how that
21 they could go and get other jobs from -- that they,
22 obviously, haven't been trained for.

23 And I want to explain something that a lot of
24 people don't understand. A lot of us don't really do this
25 for the money. We do it for the love of the sport, and we

1 do it for the love of the animals, and we do it for the --
2 it's a lifestyle.

3 I grew up on a farm. I'm a farmer by nature and
4 that's how I've always wanted to live, and this is kind of
5 my way to do it. So it's not just, yeah, let's kill this
6 sport and now send me off to go something else that I'm not
7 qualified for or need to get schooling for or whatever.
8 This is a lifestyle and it's something that I love. And
9 this is America and we are allowed to make those choices and
10 should be allowed.

11 Now, I just want to bring it up to my activist
12 friend that, you know what, we have real homeless issues,
13 especially in the state of California. I really think that
14 your efforts could be utilized to better affect maybe
15 helping the homeless, getting -- you know, targeting that
16 group, instead of going after an industry where you're going
17 to actually create a bunch of homelessness.

18 So that's all I wanted to say. And keep up the
19 good work, Board. You're -- we're making efforts and
20 inroads and things are getting better. And it's going to
21 take time but stick to the course, and we're getting there,
22 so thank you.

23 CHAIR FERRARO: Thank you.

24 Next, please.

25 OPERATOR: And our next comment comes from Jenine

1 Sahadi with Grayson Foundation.

2 CHAIR FERRARO: Go ahead, please.

3 MS. SAHADI: Hi. Hi. Good afternoon everyone.
4 I'm just calling in to lend my support to Dr. Jeff Blea. He
5 was my veterinarian for almost 20 years, every day at the
6 barn, jogging horses, checking horses, I mean, no more
7 thorough veterinarian exists. I cannot understand how we
8 are listening to prepared written statements, probably
9 written by one woman. These people do not have any idea who
10 Dr. Blea is, the kind of human he is, his family. This is
11 very, very disturbing that we're at a place where are
12 allowing this mentality to attack a man's integrity and his
13 lifelong career. It's hard to understand, this is where we
14 are.

15 And I question whether or not the extremists who
16 call in on a regular basis, can any of them answer the
17 question: Have we made any progress at all in the last few
18 years? Has there been anything that this industry has done
19 right in their minds? Because I'm understand the impression
20 that the answer to that is, no. Clearly, clearly, they are
21 misinformed. I'm listening to people quote the *Paulick*
22 *Report*. Let's get serious here. The misinformation out
23 there in the media is ill-informed. And I'm appalled that
24 this is what is happening to a man like Dr. Blea.

25 So I'm very appreciative of the comments made by

1 the Board Members and other industry leaders who have some
2 semblance of an idea as to how we operate in the barn area.

3 And for those of you who do not understand what
4 happens in the barn area and on the racetrack on a daily
5 basis, you might --

6 CHAIR FERRARO: Go ahead and wrap it up, Jenine,
7 your time is up.

8 Did we lose her? Okay. Next, please.

9 OPERATOR: Our next comes with -- from Holly
10 Wilson.

11 CHAIR FERRARO: Go ahead, please.

12 OPERATOR: Okay, we'll move on. Our next comment
13 comes with -- from Jane Cartmill.

14 CHAIR FERRARO: Go ahead, please.

15 MS. CARTMILL: Opponents of race horsing -- of
16 horse racing are frequently accused of dismissing the needs
17 of backstretch workers. In that regard, I found this recent
18 comment letter extremely telling. Submitted by John Heinman
19 (phonetic), labeling himself a fan, groom and foreman, this
20 comment in the Paulick Report reveals the unsavory working
21 conditions for backstretch workers perpetrated by the racing
22 industry itself. He says --

23 CHAIR FERRARO: Did we lose her, Operator?

24 MS. CARTMILL: -- "Why would anyone
25 (indiscernible) horses?"

1 I'm sorry? What?

2 CHAIR FERRARO: Hello? Operator?

3 OPERATOR: Yes, sir. Can you not -- are you
4 there, sir?

5 CHAIR FERRARO: Hello?

6 OPERATOR: Hello. Hold on just one moment,
7 please.

8 MR. MARTEN: Operator, the last disconnected --

9 CHAIR FERRARO: Disconnected from reality here?
10 What's going on?

11 MR. MARTEN: Operator, the last two speakers have
12 been cut off inexplicably. Is something wrong with your
13 system?

14 OPERATOR: Dr. Ferraro, are you there?

15 MR. MARTEN: Can you hear me, Mike Marten,
16 Operator?

17 CHAIR FERRARO: Yes.

18 OPERATOR: Yes, sir, I can hear you.

19 MR. MARTEN: Okay. The last two speakers were cut
20 off inexplicably. Was that on your part or is it the system
21 --

22 OPERATOR: No.

23 MR. MARTEN: -- or is it on their part?

24 OPERATOR: I'm unaware of that. I could hear them
25 loud and clear. You all were not able to hear them?

1 CHAIR FERRARO: Well --

2 COMMISSIONER DAVIS: This is Commissioner Davis.
3 I could not hear them either.

4 MR. MARTEN: Yeah. So we'll have to work on this
5 before the next meeting.

6 OPERATOR: All right.

7 MR. MARTEN: Okay?

8 OPERATOR: Yes, sir.

9 CHAIR FERRARO: Do we have any more in queue? Do
10 we have any more in queue, Operator?

11 OPERATOR: There's two more in the queue, three
12 now. Probably Jenine or the other person probably logging
13 back in.

14 CHAIR FERRARO: Okay. So --

15 OPERATOR: Okay. We have --

16 CHAIR FERRARO: -- Jenine's already spoken.

17 OPERATOR: We have Elvia Sedano --

18 CHAIR FERRARO: This is --

19 OPERATOR: -- with Kill Racing Not --

20 CHAIR FERRARO: Okay. Let's get the two people
21 that haven't spoken yet.

22 OPERATOR: Okay. It's Elvia Sedano with Kill
23 Racing Not Horses.

24 MS. SEDANO: Good morning.

25 On January 17th, the livestream, Santa Anita

1 boasted that there was holiday racing due it to be being
2 Martin Luther King Day. Santa Anita ought to be ashamed of
3 themselves for even mentioning Dr. King's name as an excuse
4 to lure in gamblers and to continue to exploit, harm, and
5 kill horses. Dr. King would never condone horse racing and
6 all of its associated abuses. Whipping, drugging, confining
7 these magnificent in the name of gambling is certainly the
8 last thing that he would endorse.

9 The horse racing industry used this holiday named
10 after an iconic and selfless human being to draw in more
11 money to line their pockets.

12 Thank you.

13 CHAIR FERRARO: Thank you.

14 Next, please.

15 OPERATOR: And our next comment comes from Alan
16 Balch with California Thoroughbred Trainers.

17 MR. BALCH: Were I member --

18 CHAIR FERRARO: Go ahead, please.

19 MR. BALCH: -- of this Board or the public
20 listening to these continuing repetitive public comments
21 attacking the Board itself and this sport, despite its
22 record over the last decade or more of continually and
23 significantly improving equine safety, I would wonder why
24 these individuals are doing so in evermore personal and
25 vitriolic terms?

1 In answer, first, we must realize that the
2 opponents of racing represent a wide spectrum of viewpoints
3 from greater to lessor extremes. They do not all think
4 alike or share the same believe system, although that's
5 often hard to see, but they do share an antipathy for racing
6 itself, apparently based on a belief that their values
7 should be imposed on everyone else.

8 As far as animals go, most but not all of them
9 oppose animals being involved in any activity in which the
10 animals do not consent. They conveniently ignore that only
11 humans have the capacity for informed rational consent.
12 Nonhuman animals are simply different.

13 Centuries of improving animal husbandry and animal
14 welfare practices speak for themselves as practiced by
15 caring humans. But many of the irrational attacks we
16 continue to hear are actually based on the fallacious belief
17 that there are no differences between animals and humans.
18 In point of fact, always improving animal husbandry and
19 welfare, as practiced by humans, are based on the
20 fundamental and essential differences between humans and
21 animals, which differences many of these advocates will
22 simply not admit.

23 Carried to their logical conclusions, the
24 irrationality of these attacks, were they to be successful,
25 would lead to a world with far, far fewer animals, if any,

1 whether to feed humans, to roam the wilderness where it
2 still exists, to be conserved in zoos, or to be enjoyed,
3 even nurtured and cared for as our pets.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Our next comment comes from Lynn
8 Freudenberg with Kill Racing Not Horses.

9 CHAIR FERRARO: Go ahead, please.

10 MS. FREUDENBERG: Good morning. Hi there. My
11 call is in regards to some of the previous comments about
12 how animal rights people attacking the CHRB when horses are
13 dying under your care, and then they're going against the
14 Veterinarian Board for going -- for seeing if Dr. Blea maybe
15 made some mistakes and caused a lot of problems. They seem
16 to have evidence of this.

17 And so I find it so unbelievable that callers
18 would actually go against the Veterinarian Board and support
19 you guys when horses are dying or left lame from the racing
20 industry.

21 With that being said, my comments really came to
22 in regards to missing horses, former California racehorses
23 that were dumped out of state and now are missing, they're
24 trafficked for hundreds and thousands of miles. I've been
25 looking for Zoom In For Kisses (phonetic), three-year-old

1 gelding, former Los Alamitos, shipped to Arizona Downs,
2 placed first, was vanned off on 07/27/21. Where is this
3 winning racehorse?

4 Marizono (phonetic), four-year-old mare, Los
5 Alamitos, now in -- now gone to Louisiana Downs where he was
6 pulled up and vanned off on 08/09/21, raced at all the major
7 So Cal tracks, Del Mar, Santa Anita, and Los Angeles. Where
8 is this horse? It's now -- it's 01/15/22, still missing in
9 action.

10 Arroyo Ace, four-year-old filly, heavily
11 trafficked. Has gone from Santa Anita to Los Alamitos in
12 2019, ended up in New Mexico at Zia Park. Then in 2020,
13 went through New Mexico, went to Iowa, and then finally was
14 pulled up in Great Falls and vanned off. So anyways, where
15 is this horse as of 01/17/22? Nobody seems to know.

16 These meetings months ago, when Commission
17 Gonzales ran the meetings, agreed to better monitoring of
18 California horse racing. This has never gone --

19 CHAIR FERRARO: Thank you.

20 MS. FREUDENBERG: -- this as never gone --

21 CHAIR FERRARO: Time is up.

22 Next, please.

23 OPERATOR: Yes. We had Jane Cartmill that was cut
24 off.

25 Ms. Cartmill, if you will dial star one, we will

1 let you have a comment.

2 CHAIR FERRARO: To let her finish, yes.

3 MS. CARTMILL: Opponents of horse racing are
4 frequently accused of dismissing the needs of backstretch
5 workers. In that regard, I found this recent comment letter
6 extremely telling, submitted by John Heinman, labeling
7 himself a fan, groom and foreman, this comment in the
8 Paulick Report reveals the unsavory working conditions for
9 backstretch workers perpetrated by the racing industry
10 itself. He says,

11 "Why would anyone not involved with horses from a young
12 age want to work these jobs when they could make more
13 at a restaurant, work less hours, get paid overtime?
14 Retail, warehouse, factory, and just about every other
15 industry pays far more than the farm industry. If most
16 general farm managers can make six-figure salaries,
17 regular employees should start out making at least
18 \$35,000 a year. Employees shouldn't have to work six
19 days a week, should get paid overtime, and have
20 benefits.

21 "This industry keeps talking about how vets suffer from
22 long hours, low pay, and poor treatment. If they're
23 treating the doctors like this, how do you think they
24 treat the grooms, nightwatchmen, and lower-tier
25 personnel? Most equine workers are there six days a

1 week in the rain, snow, heat or freezing temperatures
2 who are filling up buckets in summer and breaking up
3 ice in winter, who watching for illness and signs of
4 distress, who are waiting for a mare to foal and
5 staying as long as it takes.

6 "Are we not important enough to keep happy? Are the
7 vets the only ones that matter? We are there for the
8 horse every day while vets are there for the horse
9 every so often. Shouldn't we be part of the focus?

10 "The love of the horse goes a long way in helping them
11 stay in the industry but that love doesn't pick up
12 where the low pay ends. Morale is down, spirits are
13 low, health is scarce, wages are stagnant.

14 "The equine industry is hemorrhaging skilled workers
15 and deterring new ones. Until pay and hours and
16 overall treatment of the equine employees gets better
17 it will continue to die a slow, painful death."

18 CHAIR FERRARO: Thank you.

19 Is that it, Operator?

20 OPERATOR: WE do have one final comment from Holly
21 Wilson.

22 CHAIR FERRARO: Has she spoken already or not?

23 MS. WILSON: I'm ready.

24 OPERATOR: Go --

25 MS. WILSON: Horse people are --

1 OPERATOR: Go ahead, Ms. Wilson.

2 MS. WILSON: Thank you. It's Dr. Wilson,
3 actually.

4 Horse people are delusional. This blood sport
5 cannot be reformed. No safety taskforce will prevent baby
6 horses from breaking their legs, dying in their stalls, or
7 suffering sudden cardiac arrest. As long as horses are
8 being confined, drugged, and pushed beyond their normal
9 capabilities, horses will suffer and horses will die.

10 These animals were born for one reason and one
11 reason only, they are here to turn a profit for their
12 captors. They are equine slaves. Horse racing is
13 gladiatorial. It is antiquated, losing popularity, and
14 needs to be abolished.

15 The horses are not consenting. They rear, become
16 fractious in the gate, jump fences, and unseat their riders.
17 And most will die horrific and premature deaths. The
18 necropsies speak for themselves.

19 Those speaking out against these atrocities are
20 not extreme. This so-called sport is extreme and one day
21 will be a shameful chapter in our history books.

22 CHAIR FERRARO: Thank you.

23 Next, please.

24 OPERATOR: There are no further comments at this
25 time.

1 CHAIR FERRARO: All right. Now the Board will now
2 go into executive session. At its conclusion we will
3 reconvene the public meeting for the sole procedural purpose
4 of adjourning the public meeting without further comment.
5 Anyone wishing to hear that meeting adjournment can use the
6 link to audio webcast on the CHRB website.

7 And with that, we will now go into executive
8 session. Thank you very much.

9 (The California Horse Racing Board recessed into closed
10 session at 11:28 a.m. and was later adjourned.)

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CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 28th day of January, 2022.



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

January 27, 2022