



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

Jeff Blea, Equine Medical Director

Mike Marten, Associate Analyst

ALSO PRESENT

Greg Avioli, Thoroughbred Owners of California

Rick Baedeker, SCOTWINC

Eric Sindler, Santa Anita Race Track

Cliff Goodrich, CTHF

APPEARANCES

ALSO PRESENT

Alan Balch, CTT

Nate Newby, Santa Anita Race Track

PUBLIC COMMENT

Lori Saldana, California State Legislator

Martha Sullivan, Kill Racing Not Horses

Wayne Johnson

Holly Wilson, Kill Racing Not Horses

Bonnie Croker, Kill Racing Not Horses

Patty Shenker, Kill Racing Not Horses

Heather Wilson, Kill Racing Not Horses

Elvia Sedano, Kill Racing Not Horses

Lynn Freudenberg, Kill Racing Not Horses

Kimberly Marrs, KTM Equine

Mary Johnson

Oscar de la Torre

Maria Luisa

Pavla Nygaard

Zvi Kriple

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the public comment period, a total of thirty minutes will be allowed for public comments via the teleconference line. After thirty minutes, 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. 117
- 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

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Closed Session:

matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).

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

Adjournment

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P R O C E E D I N G S

9:30 A.M.

TELECONFERENCE, WEDNESDAY, DECEMBER 15, 2021

CHAIR FERRARO: Good morning, everyone. 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; 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 Dr. Jeff Blea, Equine Medical Director.

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

1 questions. Those wishing to speak must follow the  
2 directions of the operator to have their individual phone  
3 lines opened for comment.

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

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

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

1 for each unsolicited speaker.

2 And with that, I'll call the meeting to order.

3 And the first item on the agenda is approval of the minutes.

4 Do I have a motion to approve?

5 COMMISSIONER DAVIS: Davis moves.

6 CHAIR FERRARO: Second?

7 COMMISSIONER SOLIS: Alex Solis.

8 CHAIR FERRARO: Okay. Commissioner Gonzales?

9 VICE CHAIR GONZALES: Yes.

10 CHAIR FERRARO: Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR FERRARO: Commissioner Mitchell?

13 COMMISSIONER MITCHELL: Yes.

14 CHAIR FERRARO: Commissioner Solis?

15 COMMISSIONER SOLIS: Yes.

16 CHAIR FERRARO: Commissioner Castellanos?

17 COMMISSIONER CASTELLANOS: Mr. Chairman, I was not  
18 present at that meeting, so --

19 CHAIR FERRARO: Okay. Thank you.

20 COMMISSIONER CASTELLANOS: -- I will abstain.

21 CHAIR FERRARO: Commissioner Davis?

22 COMMISSIONER DAVIS: Yes.

23 CHAIR FERRARO: And the Chairman votes yes.

24 Motion -- the minutes are approved.

25 Item number two, discussion and action by the

1 Board regarding the request to modify the distribution of  
2 market access fees from Advanced Deposit Wagering for  
3 wagering conducted by Thoroughbred Associations and Racing  
4 Fairs in the Central and Southern zones to include a  
5 distribution to the Southern California Stabling and Vanning  
6 Fund of 1.20 percent and to adjust the amount distributed to  
7 that Fund from brick and mortar wagering to 1.20 percent for  
8 2022.

9           And I believe Mr. Avioli wants to speak on this;  
10 is that correct?

11           EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, that is  
12 correct. This is Scott Chaney, Executive Director. He  
13 indicated that he was on the line.

14           MR. AVIOLI: I am on the line.

15           CHAIR FERRARO: Go ahead, please, Greg.

16           MR. AVIOLI: Can you hear me? Can you hear me?

17           CHAIR FERRARO: Yes. Yes.

18           MR. AVIOLI: Okay. Greg Avioli, President of the  
19 TOC and Chairman of the Stabling and Vanning Fund.

20           This is a complicated-sounding agenda item but, in  
21 principle, it's pretty simple. It's an extension of what  
22 the Stabling and Vanning Fund did in 2021 that was approved  
23 by the CHRB. And it goes to how the Stabling and Vanning  
24 Fund will be funded for the next 12 months.

25           The statute originally envisioned that there would

1 be two percent of monies coming from the off-track wagering  
2 or satellite that would be sufficient to fund stabling and  
3 vanning. With the decline in that wagering over the decade,  
4 that hasn't been sufficient for many, many years, so we  
5 started the process of voluntarily supplementing that  
6 funding very year with a percentage of ADW that is  
7 authorized under 19604(f)(5)(E) where the track and the  
8 horsemen can use ADW money for an agreed upon purpose if it  
9 is approved by the CHRB.

10           So this year, we are requesting 1.2 percent of  
11 both ADW and of the satellite money which we suspect will  
12 generate sufficient funds to cover the operations of the  
13 current facilities, which include San Luis Rey and Los  
14 Alamitos, and when Del Mar is running, Santa Anita.

15           In addition, this year we have agreed to try to  
16 repay in 2021 the \$2 million deficit that Stabling and  
17 Vanning incurred to these facilities in 2019 -- excuse me,  
18 '20 as a result of the closures and the lockdowns relating  
19 to COVID.

20           The only other point I would point out is this  
21 provides sufficient funding to keep them all open. The  
22 Vanning Committee -- the Stabling and Vanning Committee is  
23 going to meet first on Monday of next week to finalize next  
24 year.

25           There has been -- one outstanding issue is do we

1 have sufficient horses to justify keeping open San Luis Rey  
2 in addition to Los Al for 2022? Stabling and Vanning has a  
3 contract with Los Alamitos for 850 stalls for training, and  
4 there are, at present, probably less than 400 horses in  
5 those stalls. And we have a contract -- we have the ability  
6 to have another 450 stalls at San Luis Rey. That's,  
7 approximately, a \$3 million expense to the fund.

8           What you have before you gives us sufficient funds  
9 to fund all the operations in 2022 if the Committee chooses  
10 to do so. If the Committee deems it doesn't need all the  
11 stalls in San Luis Rey and chooses not to include that, then  
12 the leftover funds would just revert to purses and  
13 commissions in future years.

14           Thank you.

15           CHAIR FERRARO: Thank you.

16           Any questions from the Board?

17           Does Staff have any comments?

18           EXECUTIVE DIRECTOR CHANEY: No, Mr. Chairman. I  
19 think Mr. Avioli put it pretty well. It's, as I always like  
20 to say, it's their money. They just need the Board's  
21 approval with respect to how to spend it.

22           CHAIR FERRARO: Okay. Do we have a queue on this,  
23 Operator?

24           OPERATOR: We have one in queue currently.

25           CHAIR FERRARO: Okay. Let's hear from them.

1 OPERATOR: Okay. And we'll go to Lori Saldana  
2 with -- a California State Legislator.

3 Please, go ahead.

4 MS. SALDANA: Thank you. Good morning.

5 And, Mr. Chairman, I want to remind you that we  
6 have the right, as a public, to address any item on the  
7 agenda, and that includes item one, approval of the minutes.  
8 You did not recognize my prompt when I attempted to speak to  
9 the minutes, so this is actually a comment regarding the  
10 minutes, if you would allow that, please?

11 CHAIR FERRARO: Yes. Go ahead.

12 MS. SALDANA: So under the Bagley-Keene Act, as I  
13 said, the public may comment on any item on the agenda. But  
14 the minutes of the previous minutes do not indicate any  
15 public comment during these agenda items, even though they  
16 refer to the transcript which identifies that, in fact,  
17 public comment is taking place.

18 So I would suggest that you amend the minutes to  
19 include who is speaking, even if you don't provide the  
20 details. You do need to be accurate about the public's  
21 participation in the meeting as part of your formally-  
22 approved minutes. And, in fact, there are public speakers  
23 on many of the agenda items.

24 So if you could, please, in future minutes include  
25 the names of other similar agencies around the state of

1 California do and refer to the transcript page for details  
2 of the comments? But at least that will be part of the  
3 official approved record, that people have been making  
4 comments during the meeting.

5 Thank you.

6 CHAIR FERRARO: Thank you.

7 Do we have another person in queue, Operator?

8 OPERATOR: We have no additional comments at this  
9 time.

10 CHAIR FERRARO: Okay. Can I have a motion from  
11 the Board, please?

12 COMMISSIONER ALFIERI: Mr. Chairman, Alfieri. I  
13 make a motion to approve the minutes.

14 CHAIR FERRARO: Second?

15 COMMISSIONER ALFIERI: I mean, I'm sorry,  
16 approve --

17 CHAIR FERRARO: It's not the minutes.

18 COMMISSIONER ALFIERI: Sorry. I'm sorry. The  
19 former Assemblywoman made me confused. I apologize. No,  
20 item number two.

21 CHAIR FERRARO: Second?

22 COMMISSIONER CASTELLANOS: Castellanos seconds.

23 CHAIR FERRARO: Okay. Commissioner Gonzales?

24 VICE CHAIR GONZALES: Yes.

25 CHAIR FERRARO: Commissioner Alfieri?

1 COMMISSIONER ALFIERI: Yes.

2 CHAIR FERRARO: Commissioner Mitchell?

3 COMMISSIONER MITCHELL: Yes.

4 CHAIR FERRARO: Commissioner Solis?

5 COMMISSIONER SOLIS: Yes.

6 CHAIR FERRARO: Commissioner Castellanos?

7 COMMISSIONER CASTELLANOS: Yes.

8 CHAIR FERRARO: Commissioner Davis?

9 COMMISSIONER DAVIS: Yes.

10 CHAIR FERRARO: And the Chairman votes yes.

11 Motion approved.

12 Moving on to item number three is discussion and  
13 action by the Board regarding the request to continue the  
14 distribution of market access fees from advanced deposit for  
15 wagering conducted by thoroughbred associations in the  
16 Central and Southern Zones for 2022, to include  
17 distributions to Southern California Off-Track Wagering,  
18 Incorporated.

19 Amanda, are you going to speak to this or are we  
20 going to go to Mr. Rubenstein?

21 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, Scott  
22 Chaney, Executive Director.

23 I believe Josh Rubenstein indicated that Rick  
24 Baedeker with SCOTWINC would be speaking to this one.

25 CHAIR FERRARO: Okay. Can we queue Mr. Baedeker

1 in, please, Operator?

2 OPERATOR: And we have no comments in queue at  
3 this time.

4 CHAIR FERRARO: Mr. Baedeker is not on the line?  
5 This is pretty standard.

6 Do we have anyone else in queue, including him?

7 OPERATOR: Mister -- sorry. Go ahead. We can  
8 hear you.

9 MR. BAEDEKER: All right. Thank you. Good  
10 morning, Mr. Chairman, Commissioners, and Staff. Rick  
11 Baedeker, General Manager of SCOTWINC.

12 Santa Anita, Del Mar, Los Al -- Los Alamitos, and  
13 the TOC are requesting approval of the 2022 ADW agreement  
14 which provides for the continuation of funding to SCOTWINC  
15 from market access fees that would otherwise flow to purses  
16 and track commissions. The requested funding percentages  
17 mirror those approved by the Board for 2021. The funding  
18 covers some past extensions, such as mutuel labor, wager  
19 distribution services, and totalizator fees incurred in  
20 operating the brick-and-mortar satellite network. Any  
21 funding provided by the agreement in excess of actual  
22 simulcast costs will be equally shared between track and  
23 purse commissions. And the Board has approved similar  
24 requests in previous years.

25 Any questions?

1 CHAIR FERRARO: Questions from the Board?

2 Comments from Staff?

3 EXECUTIVE DIRECTOR CHANEY: We don't have any  
4 comments. Again, this is sort of -- it's, obviously, a  
5 different fund, same general principle, Mr. Chairman, and  
6 that is it's the associations and TOC's money. They just  
7 simply need Board approval with respect to how to send it.

8 CHAIR FERRARO: Correct.

9 Do we have a queue on this, Operator?

10 OPERATOR: Mr. Avioli from TOC had something to  
11 say.

12 Please go ahead, sir.

13 MR. AVIOLI: No. I was just going to speak if Mr.  
14 Baedeker wasn't available. I'm good. Thank you.

15 CHAIR FERRARO: Okay.

16 OPERATOR: Thank you. We had --

17 CHAIR FERRARO: Anyone else in queue?

18 OPERATOR: -- no additional comments.

19 CHAIR FERRARO: Can I have a motion to approve  
20 please?

21 COMMISSIONER DAVIS: Davis moves.

22 COMMISSIONER CASTELLANOS: Castellanos.

23 COMMISSIONER SOLIS: Solis.

24 CHAIR FERRARO: Second?

25 COMMISSIONER SOLIS: Solis seconds.

1 CHAIR FERRARO: Solis seconds. Great.  
2 Commissioner Gonzales?  
3 VICE CHAIR GONZALES: Yes.  
4 CHAIR FERRARO: Commissioner Alfieri?  
5 COMMISSIONER ALFIERI: Yes.  
6 CHAIR FERRARO: Commissioner Mitchell?  
7 COMMISSIONER MITCHELL: Yes.  
8 CHAIR FERRARO: Commissioner Solis?  
9 COMMISSIONER SOLIS: Yes.  
10 CHAIR FERRARO: Commissioner Castellanos?  
11 COMMISSIONER CASTELLANOS: Yes.  
12 CHAIR FERRARO: Commissioner Davis?  
13 COMMISSIONER DAVIS: Yes.  
14 CHAIR FERRARO: And the Chairman votes yes.  
15 Motion approved.  
16 Moving on to item number four, discussion and  
17 action by the Board regarding approval of the December 2021  
18 through December 2022 agreement, pursuant to CHRB Rule 1581,  
19 Racing Secretary to Establish Conditions, between the  
20 Pacific Racing Association and Los Angeles Turf Club and the  
21 Thoroughbred Owners of California, regarding entry  
22 conditions and specified drug substances or medications to  
23 be implemented by these associations for twelve months.  
24 Amanda?  
25 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, Scott

1 Chaney, Executive Director. I can just take this one  
2 because I wanted to point out a few items for the Board.

3 This is just the standard medication agreement  
4 that typically proceeds track license applications. In this  
5 particular case, it applies to both LATC and PRAs I and II,  
6 meaning Golden Gate Fields and Santa Anita. One wrinkle I  
7 want to point out for the Board is that it applies for the  
8 entire year.

9 As the Board may recall in previous medication  
10 agreements, we expand Lasix for two-year-olds, intra-  
11 articular injections were included. They're not included in  
12 this agreement as those have both become regulations that  
13 this Board passed.

14 So the main area of agreement for this particular  
15 medication agreement, I suppose, is Lasix with respect to  
16 stake races. And both the TOC and the LATC and PRA have  
17 signed the agreement, so it just requires Board approval.

18 I should mention that it will be in place for the  
19 entire year, entire racing year, unless there, you know,  
20 comes up -- arises another issue with respect to medication.  
21 Then, of course, it would have to be amended.

22 CHAIR FERRARO: Thank you.

23 Any questions from the Board?

24 COMMISSIONER SOLIS: Yes. Commissioner Solis.

25 Why Del Mar is not included in this one or --

1 EXECUTIVE DIRECTOR CHANEY: Sorry. Commissioner  
2 Solis, Scott Chaney, Executive Director.

3 Because they will not come up with theirs until  
4 their license application is being approved. So Golden Gate  
5 Fields and Santa Anita, both of their license applications  
6 will follow this agenda item, so they're -- it will apply to  
7 -- and in like short terms, it will apply to Del Mar but the  
8 Board won't hear that medication agreement until June of  
9 next year.

10 COMMISSIONER SOLIS: Okay. Thank you.

11 CHAIR FERRARO: Any other questions from the  
12 Board?

13 Do we have a queue on this, Operator?

14 OPERATOR: Yes, we have several in queue.

15 CHAIR FERRARO: Go ahead. Let's start.

16 OPERATOR: I will go with -- back to Lori Saldana,  
17 the retired State Legislator.

18 Please, go ahead.

19 MS. SALDANA: Thank you. And I'm curious how the  
20 Board will be looking at these regulations, especially in  
21 light of comments from the Senior Senator Diane Feinstein  
22 from California who, this week, just yesterday, issued  
23 comments regarding the death of Medina Spirit? And I worry  
24 anytime a state agency starts to get the attention at a  
25 national level because, normally, that's when there are

1 things that are of concern that need more attention and that  
2 need -- that warrant some additional investigation.

3           So I'm just curious as to those conditions  
4 regarding the drug substances and medications are, perhaps,  
5 going to be reevaluated in light of this most recent death  
6 and deaths of other horses under similar circumstances?

7           Thank you.

8           CHAIR FERRARO: Next, please.

9           OPERATOR: Next, we'll go to Martha Sullivan with  
10 Kill Racing Not Horses.

11           Please, go ahead.

12           MS. SULLIVAN: Good morning. I just would like to  
13 point out that this year-end, as we consider -- as you will  
14 be considering new race licenses for Golden Gate Fields and  
15 Santa Anita, that there's been no change in the number of  
16 fatalities reported by the Board for Golden Gate between  
17 2020 and 2021. They both had 27 fatalities. And there's  
18 been an increase in the number of fatalities reported by  
19 this Board for Santa Anita from 2020, which had 19, and  
20 2021, which currently has 22. So are these agreements doing  
21 any good?

22           And, also, what are the consequences of failure to  
23 abide by the agreement, particularly with respect to the  
24 Thoroughbred Owners of California. They -- it's totally  
25 failing on that.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: And next, we'll go to Wayne Johnson,  
4 citizen.

5 Please, go ahead.

6 DR. JOHNSON: Good morning and thank you.

7 This agreement keeps Golden Gate and Santa Anita  
8 going, Golden Gate, where Galloping Sue died, Ima Rumbler  
9 died, Inimitable died, Mary's Great Hope died, Santa Anita,  
10 where champions go to die.

11 Thank you.

12 CHAIR FERRARO: Next, please.

13 OPERATOR: Thank you. We have no additional  
14 comments at this time.

15 CHAIR FERRARO: Can I have a motion from the  
16 Board?

17 COMMISSIONER CASTELLANOS: Castellanos' motion.

18 CHAIR FERRARO: Second?

19 COMMISSIONER SOLIS: Solis seconds.

20 CHAIR FERRARO: Okay. Commissioner Gonzales?

21 VICE CHAIR GONZALES: Yes.

22 CHAIR FERRARO: Commissioner Alfieri?

23 COMMISSIONER ALFIERI: Yes.

24 CHAIR FERRARO: Commissioner Mitchell?

25 COMMISSIONER MITCHELL: Yes.

1 CHAIR FERRARO: Commissioner Solis?

2 COMMISSIONER SOLIS: Yes.

3 CHAIR FERRARO: Commissioner Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: Commissioner Davis?

6 COMMISSIONER DAVIS: Yes.

7 CHAIR FERRARO: And the Chairman votes yes.

8 Motion approved.

9 Moving on to item number five, discussion and  
10 action by the Board on the Application for License to  
11 Conduct a Horse Racing Meeting of the Pacific Racing  
12 Association, PRAI, at Golden Gate Fields, commencing  
13 December 22nd through -- December 22nd, 2021 through June  
14 14th, 2022.

15 Amanda, is that you?

16 MS. DRUMMOND: Yes, it is. Good morning,  
17 Commissioners. Amanda Drummond here, Policy, Regulations,  
18 and Administrative Hearings Manager with the CHRB.

19 Agenda item five is the Application for License to  
20 Conduct a Horse Race Meeting of the Pacific Racing  
21 Association at Golden Gate Fields. The race meet would run  
22 December 30th, 2021 through June 14th, 2022. All that is  
23 outstanding is the CTT agreement and a valid fire clearance.

24 The Berkeley Fire Department conducted a  
25 reinspection yesterday. And the Albany Fire Department is

1 scheduled to go to Golden Gate Fields for their inspection  
2 on December 20th. No other items are outstanding.

3 And representatives from PRA are available should  
4 the Board have any questions.

5 Thank you.

6 CHAIR FERRARO: Any questions from the Board?

7 Any further comments from Staff?

8 (Background conversation)

9 EXECUTIVE DIRECTOR CHANEY: Scott Chaney,  
10 Executive Director.

11 Mr. Chairman, yeah, the only -- should the -- as  
12 discussed in last month's meeting, should the Board see fit,  
13 they -- you can recognize the CTT agreement that was  
14 previously in place. This was fully discussed at last  
15 month's Board meeting, so the pending -- as litigation is  
16 pretty active, and as we talked about last month,  
17 negotiations have stalled somewhat.

18 CHAIR FERRARO: Thank you.

19 Any questions from the Board?

20 Do we have a queue, Operator?

21 OPERATOR: Yes, we have numerous in queue.

22 CHAIR FERRARO: Go ahead.

23 OPERATOR: Okay. First, we'll go to Dr. Holly  
24 Wilson with Kill Racing Not Horses.

25 Please, go ahead.

1 DR. WILSON: Hi. Good morning. Thank you.

2 The upcoming meet at Golden Gate Fields should not  
3 be permitted. How many dead horses would it take for this  
4 Board to at least consider not approving a meet? You claim  
5 to not be a rubberstamp committee, yet that is all you are.

6 Golden Gate Fields is already promoting this meet  
7 on their website. This is a pattern of behavior between the  
8 CHRB and all of the racetracks you claim to regulate. There  
9 is a cozy, self-serving symbiosis here which is nothing  
10 short of criminal.

11 Is there ever a death so horrific or so  
12 unexplainable that you will be inspired to do the job that  
13 you have all taken an oath to do?

14 Alona at the Top (phonetic) was just four years  
15 old when she collapsed and died after training. CHRB Rule  
16 1843.3 delineates penalties for medication violations.  
17 Trainer Wayne Baker was never penalized for giving ketamine,  
18 a banned substance, to Alona at the Top. Her sudden and  
19 undetermined death is no different than Medina Spirit's.  
20 Horses collapsing and dying of non-musculoskeletal trauma is  
21 just business as usual. Ketamine is a performance drug. It  
22 masks the pain so that these baby horses can be pushed  
23 beyond their normal natural abilities.

24 Everybody wants the next top earner or the next  
25 Medina Spirit. In truth, they are all Medina Spirit, just

1 cogs in this big bloody wheel of horse racing. You must  
2 keep those cogs doped if you want to earn big. The CHRB  
3 serves as the lubricant, keeping those cogs moving and the  
4 wheel grinding and, ultimately, killing horses.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Thank you. And next, we'll go to  
8 Bonnie Croker with Kill Racing Not Horses.

9 MS. CROKER: Thank you and good morning.

10 CHRB, you should withhold a license from a track  
11 whose manager apparently believes you are either incompetent  
12 or a Board of liars.

13 David Duggan, General Manager of Golden Gate  
14 Fields, just 12 days ago on 12/03/21 was quoted in the  
15 *Berkeleyside News* article. When questioned about the high  
16 number of horse fatalities at Golden Gate Fields,  
17 specifically of five horses during November of 2021, Duggan  
18 indicated that the CHRB is guilty is falsely reporting.  
19 Duggan said that not all of the, quote, "injuries are  
20 necessarily musculoskeletal as they are deemed by the CHRB,"  
21 end quote.

22 CHRB, are you going to rubberstamp a license for a  
23 racetrack whose manager doesn't trust you to get the facts  
24 straight, a manager who thinks the public is stupid?

25 The public is angry, sick, and tired of horses

1 being killed by your industry, whether they drop dead from  
2 probably cardiac arrest, as did Kentucky Derby winner Medina  
3 Spirit this month, or whether their legs shatter from  
4 unbearable speed and impact, dead is dead, murder is murder.

5           Furthermore, Golden Gate Fields should not -- or  
6 should be held accountable for injured vanned-off horses who  
7 disappear immediately and permanently from public record.  
8 Ask Golden Gate Fields how many of these horses they know  
9 are actually dead.

10           To name a few, on 09/11/21, Golden Gate Fields'  
11 race three, horse five, three-year-old filly Bathalee  
12 (phonetic) was stopped, eased, and vanned off after placing  
13 last. She's been missing from public record since that  
14 date.

15           On 09/10/21, Golden Gate Fields' race four, horse  
16 three, three-year-old gelding C'Mon Jenna was pulled up,  
17 DNF, bleeding from his lungs. This was the second time he  
18 was vanned off for bleeding. Where is C'Mon Jenna?

19           On 05/08/21, Golden Gate Fields, race five, horse  
20 one, two-year-old filly You're All Talk was stopped, eased,  
21 and walked off. She was raced again on 05/29/21 at Golden  
22 Gate Fields where she placed last of ten and subsequently  
23 disappeared from public record.

24           From a practical and professional business  
25 perspective it is absurd to tell the public that California

1 racetracks have no idea where their injured horses go after  
2 being vanned off. Every pick up and drop off of every horse  
3 is most certainly monitored and recorded. The horses are  
4 microchipped.

5 Golden Gate Fields and all other CHRB-sanctioned  
6 tracks should have to publicly account for these  
7 disappearing horses. They should not be granted license  
8 renewal if they fail to do so.

9 Thank you very much.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: Thank you. Next, we'll go to Patty  
13 Shenker with Kill Racing Not Horses.

14 Please, go ahead.

15 MS. SHENKER: Good morning.

16 You have killed one of your shining stars again.  
17 While I, among many, deeply mourn the premature sudden death  
18 of Medina Spirit, I feel compelled to remind you and, more  
19 importantly, the public that he is not the only one. He  
20 died at Santa Anita but there have been multiple sudden  
21 deaths, non-musculoskeletal deaths at Golden Gate in 2021.

22 To name a few, Sweet Boy, age three. Music Babe,  
23 age seven, Nazy Pazy (phonetic), age three, Heals Fast  
24 (phonetic), age five, and Left Alone, age six, all of them  
25 very young horses whose lives have been tragically snuffed

1 out due to this vile industry.

2 California Senator Diane Feinstein has sent this  
3 letter to Scott Chaney calling for transparency and updates  
4 as things move forward and acknowledging that more work is  
5 necessary to prevent these, quote, "tragic fatalities." She  
6 is, obviously, naïve to the lack of transparency that is  
7 horse racing, as well as unaware that the death count is  
8 actually 73, with two killed in late December at the  
9 beginning of the 2021 race meet season.

10 Please do not give a license to the Pacific Racing  
11 Assoc.

12 Thank you.

13 CHAIR FERRARO: Thank you.

14 Next, please.

15 OPERATOR: Thank you. And next, we'll go to  
16 Heather Wilson with Kill Racing Not Horses.

17 Please, go ahead.

18 MS. WILSON: This license should be denied because  
19 there are still so many horses unaccounted for whose last  
20 known whereabouts were at Golden Gate. So what do you do  
21 with a horse who refuses to break, a horse who displays  
22 passive resistance who is clearly not interested in a so-  
23 called career of racing?

24 That would be a horse named Prospiciance, a  
25 chestnut gelding, age four at the time of his disappearance,

1 trained by Michael Lenzini, who has had two other deaths at  
2 Golden Gate this year, March 10th, a ten-year-old pony named  
3 His Guinness (phonetic), then on November 14th, Galloping  
4 Flu (phonetic), a four-year-old colt who had never been  
5 raced. On the day he was killed his four furlong workout  
6 was described as "handily." How can a workout be handily if  
7 it kills you? It looks like Golden Gate is fudging the  
8 information that is submitted to Equibase, just like Medina  
9 Spirit having a handily-described workout on December 6th.

10           So back to Prospiciance, at Golden Gate. He  
11 refused to break on 10/25/20. He also refused to break at  
12 Pleasanton 07/26/20. His last workout was October of  
13 this -- last year, rather, and he is still missing. Where  
14 is this horse? Where is Prospiciance? Is he now a pony  
15 that will be worked to death, like His Guinness, or trained  
16 to death, like Galloping Flu?

17           CHAIR FERRARO: Thank you.

18           Next, please.

19           OPERATOR: Thank you.

20           MS. WILSON: No problem.

21           OPERATOR: And next, we'll go to Martha Sullivan  
22 with Kill Racing Not Horses.

23           Please, go ahead.

24           MS. SULLIVAN: Hello again. As I mentioned  
25 earlier, Golden Gate Fields has the same number of horse

1 fatalities so far in 2021 as was reported in 2020, 27.

2 I'd like to point out that 20 of the fatalities  
3 this year have been of horses, age two to four years old.  
4 That's 74 percent of Golden Gate's fatalities, five two-  
5 year-olds, nine three-year-olds, and six four-year-olds. I  
6 bring this up because of the Board's own Postmortem Report  
7 released earlier this fall which pointed -- which made the  
8 point that the number of horses submitted with catastrophic  
9 injuries or death dropped dramatically after the fourth year  
10 of age, and that this distribution is consistent with the  
11 age distribution that was seen in prior years.

12 Unfortunately, there's no agenda item for an  
13 Accident Prevention Task Force report today, although  
14 Chairman Ferraro asked for that last month. I think that  
15 that Task Force needs to be looking at (indiscernible) in  
16 age, the minimum age to race horses as a way of reducing  
17 fatalities. It's clearly shown --

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: And next, we'll go to Elvia Sedano with  
21 Kill Racing Not Horses.

22 Please, go ahead.

23 MS. SEDANO: Good morning.

24 Why this racing license should be denied.

25 The public continue to do the CHRB's job. We are

1 overseeing the welfare of the captive horses at the  
2 racetracks that you are supposed to be monitoring.

3 On 05/09/21 at Golden Gate, three-year-old  
4 gelding, Umph (phonetic) was vanned off after placing third  
5 and earning \$2,280. Where is Umph now, dead or alive?

6 On 05/31/21, two-year-old filly Street Dancing was  
7 pulled up and vanned off, DNF at Golden Gate. Where is  
8 Street Dancing now, dead or alive?

9 Lastly, there is Queen Helene, a five-year-old  
10 mare who was bleeding profusely on 08/27/21. The poor  
11 animal collapsed and was vanned off. She was covered in  
12 blood. Where is Queen Helene now, dead or alive?

13 Instead of answering some very simple questions,  
14 questions that you should also want to know the answers to,  
15 you get annoyed and refuse to tell the public anything. We  
16 will not stop inquiring. Your silence equals guilt.

17 Thank you.

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: And next, we'll go to Lynn Freudenberg  
21 with Kill Racing Not Horses.

22 Please, go ahead.

23 MS. FREUDENBERG: Good morning.

24 I have 27 good reasons for you not to approve the  
25 license for Golden Gate Fields, 13 training deaths, 4 racing

1 deaths, and 10 others listed as "others," too many deaths,  
2 you know? I mean, you shouldn't go forward when you have so  
3 much to look back on. There's -- this is nonstop. Like  
4 Martha said, there's 40 -- 74 percent was two-year-olds.

5 I wanted to bring up Galaxy Master. This was a  
6 sudden death. And then Sweet Boy, who was also a sudden  
7 death. Both were four years old. And for Galaxy Master,  
8 all the findings are just showing how hard these horses are  
9 being pushed. They have acute tubular necrosis, you know,  
10 probably from ravda (phonetic), which is a career-ending  
11 disorder on a four-year-old horse. The spleens (phonetic)  
12 are severe congestion. They have -- let's see. The heart  
13 has myocardia fetikia (phonetic) and ecomodica (phonetic)  
14 hemorrhages. All these are signs that should have been  
15 observed by the veterinarians or the backfield [sic] workers  
16 or the trainers.

17 And so I'm really looking forward to seeing a Task  
18 Force for Accident Prevention. This is -- these two cases  
19 should have been observed by staff and not being pushed to  
20 train.

21 The other is Sweet Boy. He galloped and fell  
22 over, four-year-old, lungs had pulmonary edema and  
23 hemorrhage associated with tracheal luminal blood fluid.  
24 And this poor horse, at four years old, even had ulcers,  
25 chronic ulcers on a four-year-old.

1           Please, before going forward, solve the problems  
2 you have from the past because they keep getting larger.

3           Thank you.

4           CHAIR FERRARO: Thank you.

5           Next, please.

6           OPERATOR: Thank you. And next, we'll go to Wayne  
7 Johnson, citizen.

8           Please, go ahead.

9           DR. JOHNSON: This is a reform Board. The numbers  
10 at Golden Gate are the same as they were in 2020. How is it  
11 a reform Board if you're not making any changes based on the  
12 number of deaths.

13           Do not grant this license.

14           CHAIR FERRARO: Thank you.

15           Next, please.

16           OPERATOR: Thank you. And next, we'll go to  
17 Kimberly Marrs with KTM Equine.

18           Please, go ahead.

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

20           I'm calling in to say that I hope you approve the  
21 dates for Golden Gate. And I wanted to let all the callers  
22 know that we are all looking at different ways to stop  
23 injuries. You don't understand what we are learning here on  
24 the backside with them, our continuing education and  
25 extracurricular stuff that we do on our own. There's a lot

1 of good science out there that's coming to light. And we're  
2 going to start introducing that, I believe, with the Task  
3 Force. That's going to be a big focal point too.

4           And one of the things that a lot of you don't  
5 understand that are not in our industry and don't have your  
6 hands on these horses and don't understand equine physiology  
7 and equine exercise physiology. It's okay to make  
8 assumptions and opinions but you don't understand it, we do.  
9 This is what we do daily.

10           Obviously, there's definitely things that need to  
11 be looked at and we are in the process of doing that. And  
12 with the reform effort you have got to let time start, you  
13 know, take its course. We've made so many inroads so far  
14 with the reform effort and we're going to keep going with  
15 it, despite your believing that we're not and we don't care.  
16 There's a lot of us here that this is our livelihood and we  
17 are going to figure this out, so just let us do what we need  
18 to do.

19           Thank you.

20           CHAIR FERRARO: Thank you.

21           Next, please.

22           OPERATOR: Thank you. And next, we'll go to Mary  
23 Johnson, equine advocate.

24           Please, go ahead.

25           MS. JOHNSON: Yes. Good morning and thank you.

1 I'm against horse racing, I have been for many  
2 years, so I'm anti-racing, proud to be. And I applaud  
3 racing for such as its decline. But I always like to quote  
4 people inside the industry because I think it's much more  
5 tactful.

6 So this is a quote from a Mark Berner. He's a  
7 racing writer with *Horse Race Insider*. This is a quote from  
8 two years ago, December 2019. According to Mr. Berner, and  
9 I quote, "I am done supporting a sport that kills its  
10 stars," end quote.

11 I'm asking for the license at Golden Gate to be  
12 denied.

13 And I would also like to make a comment to Ms.  
14 Marrs, and this is Austin Sinclair, "It is difficult to get  
15 a man to understand something when its salary depends upon  
16 his not understand it." She's asking for time. How many  
17 years would the racing industry need to stop the breakdowns,  
18 the catastrophic injuries? I got a thoroughbred off the  
19 track. At the age of four he had arthritis in his fetlocks.  
20 I find that reprehensible and despicable. So we're done  
21 giving the racing industry more time.

22 Young horses are dropping dead. Medina Spirit  
23 dropped dead. And I think the racing industry needs to  
24 understand that the public is just fed up. You don't have  
25 to lay your hands -- you don't have to lay your hands on a

1 horse, Ms. Marrs, to know about the atrocities in racing,  
2 the deaths. I've been around horses since, well, the late  
3 1950s. I've been around thoroughbreds on the track since  
4 the mid-'60s. There's no much Ms. Marrs can tell me to make  
5 me believe this industry is going to change. It's not going  
6 to change. The atrocities and the things that happen to  
7 these horses are intrinsic to the industry, it's built in.  
8 The only way to do it is to shut it down.

9           So let's not give a license to Golden Gate. That  
10 is a step in the right direction.

11           Thank you.

12           CHAIR FERRARO: Thank you

13           Next, please.

14           OPERATOR: Thank you. And next, we'll go to Oscar  
15 de la Torre, a worker advocate.

16           Please, go ahead.

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

18           CHAIR FERRARO: Yes. Go ahead.

19           MR. DE LA TORRE: Yes. Oscar de la Torre, worker  
20 advocate.

21           You know, I'm listening to the conversation and,  
22 you know, heard Kim Marrs talk about, you know, all the work  
23 that's being done in terms of improving conditions for  
24 horses. That's definitely a fact. You know, something that  
25 we have to acknowledge is that the reform effort in

1 California is working. We have seen the numbers drop in  
2 terms of, you know, catastrophic injuries to horses, and  
3 that improvement has to be acknowledged. You know, it's not  
4 fair to say that nothing is going to change when I have seen  
5 people like Kim, trainers who are dedicated to their  
6 profession that put -- that prioritize the safety of horses.  
7 And they care deeply about the horses that they work with  
8 and they're trying to do everything that they can to keep  
9 horses in the best condition possible.

10           So it's just really untrue to say that there's no  
11 change and that it's business as usual. Sure, you know, we  
12 have these incidents that occur that, you know, definitely,  
13 you know, deserve public scrutiny, you know, they should be  
14 investigated. I think the CHRB will be looking into, you  
15 know, what happened with Medina Spirit, and we deserve to  
16 know the facts and we deserve to know the truth.

17           And the truth is that the reform effort has made a  
18 significant impact, it has improved racing conditions, it  
19 has dropped the number of catastrophic accidental horse  
20 injuries and that's something that we should applaud.

21           So thank you very much for the good work that's  
22 being done, for the trainers that take their job seriously  
23 and prioritize the safety of horses. That's something that  
24 we all want. And every worker, every trainer that I know,  
25 that's what they care about most, is prioritizing the safety

1 of horses.

2 Thank you.

3 CHAIR FERRARO: Thank you.

4 Next, please.

5 OPERATOR: Thank you. And we have no additional  
6 comments at this time.

7 CHAIR FERRARO: Do we have any further comments or  
8 questions from the Board?

9 VICE CHAIR GONZALES: Mr. Chairman, Oscar here.

10 CHAIR FERRARO: Yes. Go ahead.

11 VICE CHAIR GONZALES: I want to just, first, thank  
12 you and Mr. Chaney for recently focusing in on Golden Gate  
13 Fields. We collectively have noticed a spike, an abnormal  
14 spike, in fatalities. I pay as close attention as I  
15 possibly can.

16 Mr. Chairman, we had an experience with Los  
17 Alamitos, just not that long ago, and we took it upon  
18 ourselves to invoke Senate Bill 469. And I think that there  
19 were lessons learned so there's no question that we have, at  
20 our disposal, a range of tools.

21 We also contemplated and even voted and approved  
22 shortening up the license so that we give the officials an  
23 opportunity to come back to us to determine whether we want  
24 to extend that. One of the few levers that this important  
25 body has is issuing license.

1           So what I'd like to do at this time, sir, is I'd  
2 like to make a motion to approve only a three-month license.  
3 So it looks like this license is being requested for six  
4 months, so rather than six months, I want to split that  
5 time. I believe this will allow for us to continue to  
6 monitor the situation as closely as we can.

7           What has my attention the most is the same horse  
8 population at Golden Gate is the same one that competes  
9 during the fairs. And I know there may be some people who  
10 think otherwise but the fairs, and with the same population,  
11 appears to be preventing fatalities. And I do know there's  
12 measures that are taken, and it's mainly because of the bar  
13 that we've raised.

14           So, sir, id like to put that motion on the table.  
15 I realize I need a second before we can have any discussion  
16 on that but that's where my thinking is as it relates to the  
17 Golden Gate license, Golden Gate Fields license application.

18           COMMISSIONER MITCHELL: Second. This is  
19 Commissioner Mitchell.

20           CHAIR FERRARO: Okay. Any questions or comments  
21 on the Board about this motion? Then we have a vote.

22           Commissioner Gonzales?

23           VICE CHAIR GONZALES: Yes.

24           CHAIR FERRARO: Commissioner Alfieri?

25           COMMISSIONER ALFIERI: No.

1 CHAIR FERRARO: Commissioner Mitchell?  
2 COMMISSIONER MITCHELL: Yes.  
3 CHAIR FERRARO: Commissioner Solis?  
4 COMMISSIONER SOLIS: No.  
5 CHAIR FERRARO: Commissioner Castellanos?  
6 COMMISSIONER CASTELLANOS: No.  
7 CHAIR FERRARO: Commissioner Davis?  
8 COMMISSIONER DAVIS: Yes.  
9 CHAIR FERRARO: And the Chairman votes no. That  
10 motion fails.  
11 Can we have a motion to award the license for six  
12 months?  
13 COMMISSIONER ALFIERI: I'll make that motion --  
14 COMMISSIONER SOLIS: Solis.  
15 COMMISSIONER ALFIERI: -- Mr. Chairman.  
16 COMMISSIONER SOLIS: I'll second.  
17 CHAIR FERRARO: Second?  
18 COMMISSIONER SOLIS: And I'll second.  
19 CHAIR FERRARO: Okay.  
20 COMMISSIONER SOLIS: Solis seconds.  
21 CHAIR FERRARO: Commissioner Gonzales?  
22 VICE CHAIR GONZALES: No.  
23 COMMISSIONER MITCHELL: Yeah, Chair, this is  
24 Commissioner Mitchell.  
25 CHAIR FERRARO: Yes?

1           COMMISSIONER MITCHELL: On that motion, so we're  
2 not doing anything to address these deaths that we're seeing  
3 in this license. I'm just, I'm concerned that we're kind of  
4 just moving past it, even though we see something happening.

5           CHAIR FERRARO: Well, I can tell you that, and  
6 Commissioner Gonzales made a reference to, that Mr. Chaney,  
7 Dr. Blea, and myself were at Golden Gate last week meeting  
8 with backside trainers, management, et cetera, et cetera,  
9 explaining to them that we had to lower these injury rates  
10 or else, that -- and we were willing to work with them and  
11 try and improve the situation. So it's not like we're not  
12 doing anything.

13           COMMISSIONER MITCHELL: Well --

14           CHAIR FERRARO: I don't see, personally, whether  
15 you grant it for three months or six months, we can always  
16 stop racing. We have the ability to do that. So, unless we  
17 seem some improvement, we can come back to the Board and  
18 make a motion to stop racing.

19           VICE CHAIR GONZALES: To your point, Chairman  
20 Ferraro, the last time we went through an SB 469 scenario we  
21 were unable to stop racing because the votes weren't there,  
22 and so there were some other alternatives.

23           So, unfortunately, you're putting, at least me, in  
24 a situation where I'm not going to be in favor of approving  
25 a license for Golden Gate Fields as currently written.

1 There's got to be a level of seriousness when it comes to  
2 taking care of horses and riders.

3 I respect the opinion of my colleagues on the  
4 Board to grant the six months but there has to be a -- we  
5 have to have an expectation that part of an application is  
6 what the public across the Board, not just those that are on  
7 this participating in this meeting, that they expect from  
8 us, which is to save horses.

9 So, unfortunately, I'm -- you know, I know there's  
10 a motion and there's a vote underway, but I am opposed to  
11 granting a six-month license.

12 COMMISSIONER ALFIERI: Mr. Chaney?

13 COMMISSIONER MITCHELL: Yes.

14 CHAIR FERRARO: Yes?

15 COMMISSIONER ALFIERI: Alfieri here.

16 CHAIR FERRARO: Go ahead.

17 COMMISSIONER ALFIERI: Question: When you were  
18 there recently with Dr. Blea and Scott Chaney, was there a  
19 discussion to have a review of this every 30 days? You  
20 know, is there a way in which we can monitor?

21 You know, I appreciate what Vice Chairman Gonzales  
22 is saying but we do have the lever to drop the gauntlet if  
23 it seems that there's an issue, if it continues. I think it  
24 was just -- you know, it's accidents that have happened,  
25 that happen. This is not any different. I think this is

1 totally different than Los Alamitos, quite frankly. And the  
2 integrity of The Stronach Group at Golden Gate and at Santa  
3 Anita, they are all over it.

4 I mean, this is not business as usual, as I've  
5 always said. And the reforms that we've made and the  
6 pressure that we put on the facilities throughout the state,  
7 it has their full attention.

8 So this is just, this has happened, I get it.  
9 This is different to me than Los Alamitos. And I think that  
10 we could monitor this situation and see what it looks like  
11 in the first 30 days, and every 30 days, and to grant the  
12 six-month license so things are organized properly and let's  
13 move on.

14 And we do have -- and I disagree with you, Vice  
15 Chairman Gonzales that we don't have the votes. We do have  
16 the votes if it's serious and we see no change. And if  
17 there's -- you know, I think we monitor the situation every  
18 30 days and we'll go from there.

19 Commissioner Alfieri, just a quick question, and I  
20 do appreciate management doing everything they can. In this  
21 case, The Stronach Group, if you just take a look at Laurel  
22 Park, there was a spike in fatalities there. You know what  
23 they did? They stopped racing. And I so I think --

24 COMMISSIONER ALFIERI: Is that --

25 VICE CHAIR GONZALES: -- California racing --

1 COMMISSIONER ALFIERI: Yeah.

2 VICE CHAIR GONZALES: -- I think California  
3 racing -- they did that on their own volition. I think that  
4 was an important move. So at what point does a company  
5 afford Californians, the public and racing, that same  
6 important gesture?

7 So I see what you're saying but, you know, same  
8 company, different track, they saw fit to stop racing. And  
9 so I just want to --

10 COMMISSIONER ALFIERI: Can I --

11 VICE CHAIR GONZALES: -- I just want to see. I'm  
12 paying very close attention. You know, it's a situation  
13 that has gotten really bad.

14 And, again, I'll go back to the same type of  
15 horses running just three months prior during the summer  
16 where there were no fatalities, so there's something going  
17 on here. And all I'm asking for is allow for there to be a  
18 watchful eye on what transpires over the next three months,  
19 and then they will come back before us, and then we will  
20 then determine whether they're fit to have racing and, if  
21 not, we seek other alternatives.

22 But Scott, I just, I don't know what other levers  
23 that we have to use, other than what's been given to us by  
24 the state legislature and what's built into our rules, so --

25 COMMISSIONER ALFIERI: I think you've just

1 answered what -- you know, the point about Laurel, they did  
2 step up and they stopped racing. And we saw that with the  
3 spike at Santa Anita several years ago with the deaths and  
4 accidents, and so I think The Stronach Group would step up.  
5 And I think we give them a shot, and let's keep rolling and  
6 give them the six-month license and monitor it every 30  
7 days, and then come back if there seems to be a major  
8 problem here that they just, you know, can't figure out.  
9 Then we've got a real -- we've got a serious problem here.

10           So I'm just against the three-month. I don't  
11 think the three-month means anything. I think you go -- you  
12 ought to give them the six-month license and let's -- you  
13 know, that's the way -- my opinion.

14           CHAIR FERRARO: Any other comments --

15           COMMISSIONER MITCHELL: Mr. Chair?

16           CHAIR FERRARO: -- from the Board?

17           COMMISSIONER MITCHELL: Mr. Chair?

18           CHAIR FERRARO: Go ahead, please.

19           COMMISSIONER MITCHELL: I really -- this is  
20 Commissioner Mitchell. I appreciate the dialogue. I just  
21 don't understand the -- and, you know, I adore Commissioner  
22 Alfieri, but the comment that it was -- if it were serious  
23 we would have the votes. It was serious at Los Al and we  
24 didn't have the votes. And they came in hot with lawyers  
25 and, you know, threatening us.

1           This is a situation where, you know, Commissioner  
2 Alfieri may be absolutely right, that if there is a big  
3 problem, we'll have the votes. But why are going to take  
4 the risk at this point, you know, ahead of something  
5 catastrophic, more catastrophic, happening instead of just  
6 giving a less -- a shorter license?

7           I also wonder if they -- you know, I appreciate  
8 that you all went out to the track and had the conversations  
9 and said, you know, this -- you've got to stop this or else,  
10 but the or elses are licenses, the license, I mean, this is  
11 the or-else. And it's a bit -- I can say, Commissioner  
12 Gonzales's -- Vice Chair Gonzales's idea of a three-month  
13 license actually gives them the -- you know, we don't have  
14 to go to the or else, which is shut down under the new law,  
15 it's the we're going to look at this. Because what we're  
16 saying is -- and, you know, the or-else or you will shut it  
17 down, or whatever, has no force of law. You know, it's  
18 everyone individual opinion. And when this was happening at  
19 Los Al, everyone's individual opinion was, oh, my gosh, we  
20 can't shut down racing.

21           So I just don't -- I don't understand what the big  
22 deal is about the three months and why that isn't the  
23 perfect interim step so we don't have to take drastic  
24 measures. We can continue to monitor and go from there. I  
25 just don't understand it. It seems everyone is digging on

1 this and it's -- this is not about shutting down racing,  
2 this is about reevaluating. And if that's what we say we're  
3 doing, then there's no problem with this motion if we're  
4 reevaluating every month anyway; right?

5 So that's my two cents.

6 CHAIR FERRARO: Thank you.

7 COMMISSIONER ALFIERI: Well, I want to go --

8 CHAIR FERRARO: Anybody else?

9 COMMISSIONER ALFIERI: -- back to your comment  
10 about Los Al. Los Al, to me, was a whole set of different  
11 circumstances. And I believe we did have a vote. We put a  
12 lot of pressure on Dr. Allred, that facility, to make  
13 several changes that occurred. And I think this is a whole  
14 different set of circumstances. And these are accidents and  
15 injuries and deaths that have occurred that none of us like  
16 to see, and The Stronach Group -- including The Stronach  
17 Group, and they showed it at Laurel and other facilities.  
18 They showed it at Santa Anita way back when, when I first  
19 joined this Board.

20 I think there's plenty of pressure and scrutiny  
21 and toughness with our reform and working with these  
22 facilities. It's a whole new day. I don't understand what  
23 three months does. I'd say let's monitor it every 30 days  
24 and then come back immediately if we see that there's a  
25 pattern of serious problems here. But I don't -- I just

1 think -- so I don't -- three months, six months, it doesn't,  
2 to me it doesn't -- it's just -- anyway, that's my opinion.

3 CHAIR FERRARO: Any other Board Members want to  
4 comment?

5 COMMISSIONER CASTELLANOS: Mr. Chairman, this is  
6 Castellanos.

7 In the discussion of the business of horse racing  
8 and three months versus six months, three months isn't going  
9 to be -- it just isn't doable in the way we do that. Dennis  
10 has a good idea as far as monitoring it.

11 Going back to what he said about Los Al, Doc  
12 Allred and Los Alamitos did everything that this Board asked  
13 them to do and made improvement. As far as Golden Gate, I  
14 totally understand what has happened before and they shut  
15 down, just as Santa Anita did in 2019 when that occurred.

16 So, I mean, we have some changes that we made that  
17 we need to utilize if that gets to that point or, you know,  
18 if it happens. So, I mean, six months is, I think, a better  
19 plan than a three-month issue regarding the license.

20 Again, just like everybody else on this Board,  
21 that's my two cents about it. Thank you.

22 CHAIR FERRARO: Anyone else?

23 Mr. Chaney, do you want to comment on this?

24 EXECUTIVE DIRECTOR CHANEY: No, Mr. Chairman. You  
25 know, it's really up to the -- it's up to the Board.

1 CHAIR FERRARO: Okay. So we do have Mr. Alfieri's  
2 motion on the table for a six-month license with the  
3 monitoring every 30 days. Do we have a second for that  
4 motion?

5 COMMISSIONER SOLIS: I second. Alex Solis.

6 CHAIR FERRARO: Okay. Now let's see where the  
7 vote comes out.

8 Commissioner Gonzales?

9 VICE CHAIR GONZALES: No.

10 CHAIR FERRARO: Commissioner Alfieri?

11 COMMISSIONER ALFIERI: Yes.

12 CHAIR FERRARO: Commissioner Mitchell?

13 COMMISSIONER MITCHELL: No, sir.

14 CHAIR FERRARO: Commissioner Solis?

15 COMMISSIONER SOLIS: Yes.

16 CHAIR FERRARO: Commissioner Castellanos?

17 COMMISSIONER CASTELLANOS: Yes.

18 CHAIR FERRARO: Commissioner Davis?

19 COMMISSIONER DAVIS: No.

20 CHAIR FERRARO: And the Chairman votes yes. I'm  
21 sorry. I take into account Mr. Gonzales's concerns and Mrs.  
22 Mitchell's concerns. I think you can count on Mr. Chaney  
23 and myself and Dr. Blea to make an extra effort to turn  
24 things around at Golden Gate. As it stands now, the motion  
25 for a license is approved. Thank you.

1 Next item on the agenda is discussion and action  
2 by the Board on the Application for License to Conduct a  
3 Horse Racing Meeting of the Los Angeles Turf Club at Santa  
4 Anita Park Race Track, commencing December 15, 2021 through  
5 June 21, 2022.

6 Amanda, is that you again?

7 MS. DRUMMOND: Yes. Good morning, Commissioners.  
8 Amanda Drummond again.

9 Agenda item six is the Application for License to  
10 Conduct a Horse Race Meeting of the Los Angeles Turf Club at  
11 Santa Anita Race Track. The race meet would run December  
12 15th, 2021 through June 21st, 2022.

13 The application is complete, save for the CTT  
14 agreement. No other items are outstanding.

15 One item I did want to apply, for your attention,  
16 the application does not reflect the one week  
17 (indiscernible) racing for simulcast only, as agreed upon at  
18 the September 2021 Board meeting when race dates were  
19 allocated but representatives from LATC are prepared to  
20 address that verbally, as well as any other questions the  
21 Board may have.

22 Thank you.

23 CHAIR FERRARO: Thank you.

24 Any questions for Amanda?

25 Can we hear from a representative from LATC,

1 please, regarding, particularly, this week break we're  
2 talking about? Operator, do we have someone in queue for  
3 that?

4 OPERATOR: I'm sorry. From LATC?

5 CHAIR FERRARO: Yes. The Stronach Group, Santa  
6 Anita Race Track, they must have a spokesman out there.

7 OPERATOR: I believe we've got Eric Sindler on the  
8 line.

9 Please, go ahead, sir.

10 CHAIR FERRARO: Yes.

11 MR. SINDLER: Yes. Good morning. This is Eric  
12 Sindler and I am here with Nate Newby to address the  
13 specific concerns about the race dates. A few changes.

14 As the Board knows, when we submitted the  
15 application, it was actually many months ago, so we had to  
16 take some time to figure out, you know, with the other  
17 stakeholders, when would be good days to race. And there  
18 are a few changes that we are making from what was in the  
19 license.

20 We are going to be adding racing on Monday,  
21 December 27th. We are going to be adding racing Thursday,  
22 December 30th. We will not be racing on April 22nd, April  
23 23rd, April 24th. And in addition to that one week, we will  
24 also not be racing on April 29th, so we're taking off just a  
25 little bit more than the one week that we were supposed to

1 take off.

2 And Nate Newby or myself is happy to answer any  
3 questions on the adding and/or subtraction of dates.

4 CHAIR FERRARO: And you had a -- and we also  
5 permitted a flex week, is that correct, for you to use in  
6 case of inclement weather, that you could take a week of if  
7 the track was not suitable; isn't that correct?

8 MR. SINDLER: Yeah. I think --

9 CHAIR FERRARO: Well, you had one week --

10 MR. SINDLER: I think, definitely --

11 CHAIR FERRARO: -- you were going to take --

12 MR. SINDLER: -- (indiscernible) horse population  
13 and weather. Obviously --

14 CHAIR FERRARO: Yeah.

15 MR. SINDLER: -- we don't know what the weather is  
16 going to be. We're not that smart, unfortunately, to be  
17 able to predict the weather that many months in advance.  
18 But you know, should the circumstances warrant, you know,  
19 canceling racing or race days, we will.

20 CHAIR FERRARO: So what happens, though --

21 MR. SINDLER: But the one week, we are definitely  
22 taking off that break, that's the 22nd --

23 CHAIR FERRARO: Correct.

24 MR. SINDLER: -- 23rd, 24th of April. And then  
25 also, in addition to that week, Friday the 29th.

1 CHAIR FERRARO: Correct. And what happens if you  
2 don't use your flex week if there's inclement weather  
3 problems, then are you going to take those days off at some  
4 other point, or what?

5 MR. SINDLER: I think it will really just depend  
6 on how the meet is going.

7 CHAIR FERRARO: Okay.

8 MR. SINDLER: I think that's the whole point of it  
9 being a flex week is the --

10 CHAIR FERRARO: Right.

11 MR. SINDLER: -- if we need to, we do, and if we  
12 don't, we don't.

13 CHAIR FERRARO: Okay. Okay.

14 Any questions from the Board for these gentlemen?

15 COMMISSIONER CASTELLANOS: This is Castellanos.

16 What's those dates again that you're taking away  
17 or starting up?

18 MR. SINDLER: So we are adding December 27th. We  
19 are adding December 30. We are taking away April 22, April  
20 23, April 24, April 29.

21 COMMISSIONER CASTELLANOS: Thank you.

22 MR. SINDLER: Absolutely.

23 CHAIR FERRARO: Any other questions?

24 Do I have a queue on this, Operator?

25 OPERATOR: Yes, we have numerous in queue.

1 CHAIR FERRARO: Yes. Well, let's start, please.

2 OPERATOR: All right. We'll go to Martha Sullivan  
3 with Kill Racing Not Horses.

4 Please, go ahead.

5 MS. SULLIVAN: Yes. Hello again.

6 So, again, the comparison to Santa Anita is not  
7 positive. They've had 22 horse fatalities reported by this  
8 Board for this racing season. And for 2020, this Board  
9 reported 19 deaths. So it actually got worse in '21.

10 Of the 22 horse fatalities, four are two-year-  
11 olds, six are three-year-olds, seven are four-year-olds, so  
12 77 percent of Santa Anita's deaths are two- to four-year-  
13 olds. And I, again, want to reference this Board's own  
14 postmortem report, observation report, that the number of  
15 horses submitted with catastrophic injuries or deaths  
16 dropped dramatically after the fourth-year age. This  
17 distribution is consistent with the age distribution that  
18 we've seen in prior years.

19 I also want to share that I went to every one of  
20 the 72 fatalities reported by this Board for the 2021 racing  
21 season and 82 percent of them are two- to four-year-olds.

22 One, you've got the same problem with Santa Anita  
23 you have with Golden Gate, and it's probably no coincidence  
24 that they're both owned by the same company.

25 Two, your Accident Prevention Task Force which,

1 unfortunately, we're not hearing from this month,  
2 apparently, needs to be looking into -- to raise the racing  
3 age to five years old, and you will dramatically reduce the  
4 number of fatalities.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Thank you. And next, we'll go to Dr.  
8 Holly Wilson with Kill Racing Not Horses.

9 Please, go ahead.

10 DR. WILSON: Thank you.

11 The infamous Santa Anita, another Stronach track,  
12 is up for approval for an upcoming meet which should  
13 absolutely be denied. What is more disturbing to this  
14 industry, the death of another three-year-old horse or the  
15 death of a horse that earned millions for his captors? It  
16 is, obviously, a rhetorical question.

17 A CHRB statement is not issued for every baby  
18 horse that collapses and dies within a CHRB enclosure.  
19 Three- and four-year-old horses die on the regular, as Ms.  
20 Sullivan has pointed out, at Santa Anita and all CHRB-  
21 sanctioned tracks. It has become normalized in the  
22 insulated, secretive world of horse racing. And we, the  
23 public, are here to remind you and call you out on the fact  
24 that it is unacceptable and anything but normal.

25 Medina Spirit died of non-musculoskeletal sudden

1 death at Santa Anita. This colt was a top earner. And the  
2 alleged doping controversy of his Kentucky Derby win has  
3 still not been settled. Has this Board obtained split table  
4 (phonetic) specimens to be sent to an independent forensic  
5 toxicologist with no ties to horse racing for a proper  
6 analysis, or will you just hope the fanfare surrounding this  
7 so-called Hall of Fame trainer will fade away? We have not  
8 forgotten his jimsonweed theory for his horses testing  
9 positive for scopolamine and Rick Arthur's inadequate  
10 explanation which was nothing more than a coverup.

11 Ignore, bend, or break the rules and there will be  
12 no consequences whatsoever. Repeatedly, this incestuous  
13 relationship between the CHRB and the horse racing industry  
14 at large is demonstrated. Predictably, this meet will pass  
15 and the lying, cheating, doping, and killing will continue  
16 as usual. This is business as usual.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Thank you. Our next comment comes from  
20 Bonnie Croker with Kill Racing Not Horses.

21 Please, go ahead.

22 MS. CROKER: Good morning. I'm cutting my own two  
23 minutes short to applaud and thank Commissioners Gonzales,  
24 Davis, and Mitchell for refusing to represent racing  
25 licenses for tracks who have high numbers of horse injuries

1 and fatalities.

2           CHRB, please do not grant the license renewal for  
3 Santa Anita. They have become famous for all the wrong  
4 reasons. And the CHRB has become famous for not holding  
5 them accountable. You can't base license renewal on their  
6 promise to do better because, frankly, they couldn't get  
7 much worse.

8           Medina Spirit, Bob Baffert, Mongolian Groom, names  
9 which will live both in legend and in infamy.

10           On 12/06/21, controversial Kentucky Derby winner  
11 Medina Spirit collapsed and died while being worked out at  
12 Santa Anita under controversial Trainer Bob Baffert.

13           On 11/02/19, in the last race in the last race on  
14 the last day of the Breeders' Cup at Santa Anita, Mongolian  
15 Groom suffered a catastrophic injury to his left hind leg.  
16 He was euthanized on the track as the world watched in  
17 horror in sadness.

18           While Senator Diane Feinstein, on 12/13/21, urged  
19 the CHRB to conduct a thorough, transparent, and independent  
20 investigation into Medina Spirit's death, members of the  
21 public have been requesting the same for not just famous  
22 horses whose lives also matter. The public has also been  
23 relentlessly asking for status updates on individual horses  
24 who have disappeared from public record, leading to the  
25 suspicion of unreported deaths.

1           On 05/28/21 at Santa Anita in race eight, horse  
2 eight Eel Point, four-year-old gelding, injured a front leg.  
3 He was pulled and vanned off. The head-on video was edited  
4 to hide the incident. Where is Eel Point?

5           On 06/19/21 at Santa Anita in race one, horse  
6 three, Lips Like Sugar, a three-year-old filly finished  
7 second to last but was vanned off the track. Where is Lips  
8 Like Sugar?

9           Also, on 06/19/21 at Santa Anita in race 11, horse  
10 5, Pillar Mountain, a six-year-old horse from Ireland, who  
11 has been trafficked all over the United States, was eased  
12 and walked off. Where is Pillar Mountain?

13           CHRB, do not keep rubberstamping their racing  
14 license while Santa Anita continues to abuse and lose  
15 horses.

16           Thank you.

17           CHAIR FERRARO: Thank you.

18           Next, please.

19           OPERATOR: Thank you. And next, we'll go to  
20 Heather Wilson with Kill Racing Not Horses.

21           Please, go ahead.

22           MS. WILSON: Thank you.

23           Pursuant to California BPC section 19460, racing  
24 licenses granted in the State of California are subject to  
25 the rules, regulations, and conditions prescribed by the

1 CHRB.

2           Once again, I'm going to remind you that  
3 racetracks are actively editing, altering, butchering  
4 incriminating racing videos.

5           And, Santa Anita, I have a list of ten videos that  
6 have been altered. Eight of these horses are now dead. One  
7 is missing. I'm not going to list them all because that  
8 would take too much time.

9           Instead, I would like to use my time to thank Vice  
10 Chair Gonzales, Commissioners Mitchell and Davis for  
11 actually trying to do something. Thank you for departing  
12 from your image of being a rubberstamp committee.

13           We all know what happened at Los Alamitos in July  
14 of 2020. The vote was exactly the same. The track was put  
15 on probation. Commissioner Mitchell voiced genuine concern  
16 about not racing while the track was on probation and she  
17 was outvoted, oh, no, we're going to keep running while  
18 we're on probation. And then Casey and All Time Favorite  
19 were killed. Two more horses were killed during probation.

20           So if you want to actually change your image and  
21 really look like you care about these horses, instead of  
22 just racing them to death, then, yes, grant that three-month  
23 license. Consider something different.

24           The definition of insanity is doing the same thing  
25 over and over and expecting different results. You keep

1 doing the same things over and over and over. You have to  
2 do something different. And you know, you were given the  
3 power by the California legislature, SB 469. Yes, do  
4 something, shut down a track, suspend a license. Do  
5 something. Do something different because right now you  
6 just keep killing horses.

7 So once again, thank you, Commissioners Mitchell  
8 and Davis and Vice Chair Gonzales.

9 Thank you.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: Thank you. And next, we'll go to Elvia  
13 Sedano with Kill Racing Not Horses.

14 Please, go ahead.

15 MS. SEDANO: Good morning.

16 More missing horses at Santa Anita. This license  
17 should not be granted until you locate all these horses and  
18 let the public know their status.

19 On 01/15/21 at Santa Anita, Florentine Diamond,  
20 three-year-old filly, placed seven out of nine, earned \$500  
21 for her captors, vanned off and never seen again.

22 05/14/21 at Santa Anita, Big Dog Daddy, three-  
23 year-old gelding, his one and only start, placed last,  
24 vanned off, never seen again.

25 05/23/21 at Santa Anita, Hubris, three-year-old

1 colt, was fractious in the gate because he must have known  
2 something bad was going to happen. He was pulled up and  
3 vanned off, never seen again.

4 Where exactly does Santa Anita van all these  
5 horses? At facilities that do not have CHRB oversight?

6 Thank you.

7 CHAIR FERRARO: Thank you.

8 Next, please.

9 OPERATOR: And next, we'll go to Lynn Freudenberg  
10 with Kill Racing Not Horses.

11 Please, go ahead.

12 MS. FREUDENBERG: Good morning.

13 Well, once again, I have more reasons for you not  
14 to grant a license to Santa Anita. There's 22 of them  
15 because there's 22 deaths.

16 I agree with what you're trying to do with Golden  
17 Gate. You must really fix the past problems before you  
18 continue on and cause more. It's not getting better;  
19 actually, Santa Anita got worse. And that's even more  
20 reason not to allow their license until there is better  
21 monitoring of the situation.

22 I'm really happy that Medina Spirit brought  
23 national attention to the racing industry and the sudden  
24 deaths that are happening. Other than Medina Spirit, at  
25 Santa Anita there was Smiling Allie (phonetic), a two-year-

1 old horse, okay, part of the 77 percent that die. Let's  
2 see. This horse had probable cardio pulmonary collapse with  
3 lungs that had (indiscernible) congestion and patchy edema.  
4 Also, a two-year-old horse had to really be pushed hard  
5 because it had chronic ulcers. I mean, how -- that's  
6 unrealistic expectations you're putting on these horses.

7           And then there's another one, it's called Double  
8 Dutch, a six-year-old colt for the racing industry, another  
9 sudden death. It was presumed exercise associated fatal  
10 pulmonary hemorrhage. And once again, large amounts of  
11 foamy fluid in the trachea and the main bronchioles. And  
12 then there was a (indiscernible) and intrabronchial  
13 pulmonary hemorrhages. Once again, education is needed.  
14 They talked about it last -- a couple months ago about  
15 educating the backstretch workers and the staff that cares  
16 for the horses. There's so many symptoms that these horses  
17 before they finally die of being pushed so hard.

18           So one thing with the education. I really hope  
19 you bring that back up because they were mentioning that  
20 they have to go through mandatory education. That should be  
21 a must before you even set foot on a track.

22           And also, too, the Task Force really needs to lay  
23 out a plan of what they're going to do for prevention. I  
24 really hope you look into this.

25           And thank you for listening.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: Thank you. And next, we'll go to Oscar  
4 de la Torre with -- a worker advocate.

5 Please, go ahead.

6 MR. DE LA TORRE: Yes. Oscar de la Torre, worker  
7 advocate.

8 Those who want to kill horse racing are  
9 inadvertently threatening vulnerable workers with  
10 unemployment, homelessness, and worse. In this year alone,  
11 more than 1,200 humans, that's one thousand two hundred  
12 humans, died of homelessness in Los  
13 Angeles County alone. There are more than 70,000 people  
14 suffering, unhoused, on our streets right now. I would ask  
15 those advocating to kill horse racing to name one, at least  
16 one person, who died on our streets from homelessness in  
17 2021.

18 Unemployment and homelessness kills. Poverty  
19 kills. We should be working to kill poverty. And jobs are  
20 part of the solution.

21 Live horse racing generates the revenue that  
22 provides the jobs, medical and dental benefits, and housing  
23 for low, immigrant workers. Scholarships, other  
24 opportunities for these workers are provided at the  
25 racetrack. These jobs support hardworking families that are

1 raising children. These jobs require skills and experience,  
2 skills that are not easily transferrable to other entry  
3 level professions. Workers love their jobs taking care of  
4 horses at the racetrack. These jobs provide for vulnerable  
5 workers during very uncertain times.

6           It's hard enough to be an immigrant worker in  
7 America. The inflation that we see right now, increasing  
8 costs of goods and services, is stressful for low-income  
9 families in every industry. In horse racing, many workers  
10 find comfort in the community and culture that is afforded  
11 at the racetrack. The love, support, brotherhood and  
12 sisterhood that exist between people working with animals is  
13 unique and needs to be understood and appreciated for its  
14 benefit to the social and emotional wellbeing of the workers  
15 involved.

16           Thank you all for listening and for your support  
17 for the workers who are the foundation of every industry  
18 that provides for many other jobs throughout our economy.

19           CHAIR FERRARO: Thank you.

20           Next, please.

21           OPERATOR: Thank you. And next, we'll go to Wayne  
22 Johnson, citizen.

23           Please, go ahead.

24           DR. JOHNSON: Yes. This is Dr. Wayne Johnson.

25           In 2019, Senator Feinstein attempted to close

1 Santa Anita and failed. One of the most powerful members of  
2 the senate and the senior senator from this great state  
3 could not close Santa Anita. What does that tell you about  
4 the power of the horse racing industry?

5 Ms. Marrs said we don't understand, we don't  
6 understand the physiology of horses. What we do understand  
7 is that when you race animals that who are two years old  
8 with unformed bones they get injured and they die. Ms.  
9 Marrs says that we don't understand that things are  
10 changing. Really? Things are changing? The same amount of  
11 deaths. We're supposed to be patient when horses are dying  
12 again and again and again?

13 The senior senator from this state wants a  
14 transparent, independent, and thorough review of the death  
15 at Santa Anita of Medina Spirit. Can she really count on a  
16 transparent, independent, and thorough review from this  
17 Board? I don't think so.

18 Mr. Gonzales, fur stores have closed, people found  
19 other jobs. Circuses were closed, people have found other  
20 jobs. Greyhound tracks are now totally shut down in the  
21 state of Florida and people found other jobs.

22 Thank you.

23 CHAIR FERRARO: Thank you.

24 Next, please.

25 OPERATOR: Thank you. And next, we'll go to Maria

1 Luisa, a backstretch worker advocate.

2 Please, go ahead.

3 MS. LUISA: Good afternoon, CHRB Board Members and  
4 Staff. My name is Maria Luisa and I'm calling in to support  
5 the Los Angeles Turf Club in their application to conduct  
6 the upcoming horse racing meet at Santa Anita.

7 We should all be proud of the improvement in Santa  
8 Anita's safety record. Some people with extreme views will  
9 never accept the progress made at Santa Anita. Instead of  
10 applauding the successes of horse safety reform effort in  
11 California, they continue to advocate for the elimination of  
12 horse racing without any thought of the consequences  
13 suffered by the many working families whose jobs depend on  
14 the success of live horse racing.

15 Many of my family members wake up early say that  
16 they care for the horses at the racetrack. They are truly  
17 the animal rights advocates. But they do their work with  
18 their hands and their hearts, not with protests and  
19 dishonest picket signs.

20 The backstretch workers love their jobs taking  
21 care of horses and are offended to see people equating their  
22 jobs to animal abuse. These hardworking people are the  
23 people that would be hurt the most in the extreme views if  
24 those opposed to horse racing have their way.

25 More than ever, this holiday season is a time for

1 reflection and compassion. How can someone claim to be  
2 compassionate in wanting to prohibit the jobs that many of  
3 our families depend on for their livelihood. I pray that  
4 those who want to force their extreme views on all of us  
5 will one day find it in their heart to reconcile the anger  
6 and self-righteous opposition. Their demands have caused  
7 more harm than good for both horses and humans.

8 Thank you.

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: And next, we'll go back to Kimberly  
12 Marrs with KTM Equine.

13 Please, go ahead.

14 MS. MARRS: Hello. Again, I want to applaud the  
15 Board for all the reform efforts. They're ongoing and we  
16 need to keep doing more, keep learning more, and keep  
17 applying more.

18 I, as a trainer, also have a very vast knowledge  
19 of exercise physiology, biomechanics, and rehabilitation  
20 practices for my horses. I train with a prehabilitation  
21 mindset because I, for one, don't ever want to see a horse  
22 get injured. That has been my life's work and that's why  
23 I'm always on these calls because I want to make a  
24 difference. I don't want to see these horses injured. And  
25 I want to help my fellow trainers, along with people,

1 understand what we can do better to help this along. It's  
2 not an overnight thing. It's going to take time. We have  
3 made great strides and we need to continue moving forward.

4 I, myself, as a trainer employ very many wholistic  
5 methods. I prefer not to use medications and such. I also  
6 employ the use of tomography on my horses. I have heartrate  
7 monitors. And, recently, I'm going to be able to do ECGs on  
8 my horses to look for heart arrythmias, and I'm going to  
9 share that information with other trainers once I find out  
10 how to utilize this and if it can be incorporated for other  
11 people, and so we can kind of get a handle on what's going  
12 on. We do not understand sudden death yet. There's a lot  
13 that needs to be learned about them.

14 And I just want to make everybody understand, we  
15 want the same thing, we want our horses safe and sound and  
16 not hurt. And we can about the welfare of these horses. We  
17 are in this because we love it and we love these animals and  
18 we want to do right by them. And you can take potshots at  
19 me but, I tell you what, I am doing everything I can to keep  
20 my horses safe, and I will never put them in harm's way.

21 Thank you.

22 CHAIR FERRARO: Thank you.

23 Next, please.

24 OPERATOR: And next, we'll go to Cliff Goodrich  
25 with CTHF.

1 Please, go ahead.

2 MR. GOODRICH: Thank you, Commissioners, Board  
3 Member. I, unfortunately, got called away on the Golden  
4 Gate item that I wanted to comment on but I'll focus on  
5 Santa Anita.

6 First of all, we service the backstretch workers  
7 on their healthcare. So, for obvious reasons, I support the  
8 Santa Anita license to keep these people employed. They  
9 live check to check, as we all know.

10 More importantly, fair is fair. In the blind,  
11 without even looking, there were more racing opportunities  
12 in 2021 than in 2020 because both Golden Gate and Santa  
13 Anita, as I recall, were shut down for a good month. The  
14 animal rights advocates always point out, and properly so,  
15 when there are fewer opportunities and therefore, quote,  
16 naturally, there are fewer deaths, but they don't cite the  
17 fact that there were more racing opportunities in 2021.

18 Most importantly, for the public record, Santa  
19 Anita Park is doing exactly what this Board and what the  
20 animal rights people want. And in the best interest of  
21 racing, they have drastically reduced the amount of injuries  
22 since 2019. And I hope, before you all vote, that becomes  
23 part of the public record because they are following the  
24 scrip that this Board mandates and they should be  
25 congratulated for that. For 2021, it's up a little bit.

1 But I'll guarantee you, there's at least 1,000 more horses  
2 racing around the track versus 2020. That needs to be taken  
3 into consideration.

4 And I know The Stronach Group, they've dug in at  
5 Golden Gate, and Santa Anita are doing everything they can,  
6 and that should be recognized and this license should be  
7 granted for its full tenure.

8 So I appreciate it. Thank you.

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: Thank you. And next, we'll go to Patty  
12 Shenker with Kill Racing Not Horses.

13 Please, go ahead.

14 MS. SHENKER: I want to remind the public that  
15 Medina Spirit was not an isolated anomaly. This is a  
16 regular occurrence, especially at Santa Anita Race Track.  
17 There are numerous non-musculoskeletal studies done here  
18 and, again, with very young horses.

19 One example is Cali Caliente, a five-year-old  
20 gelding, who was listed as a training death on January 9th,  
21 2021. He, like Medina, dropped dead at the finish line  
22 after training. Why didn't the CHRB issue a press release  
23 or statement for him and all these other sudden deaths?  
24 Probably because these horses weren't winners, so it's much  
25 easier to avoid the dreaded publicity of their untimely

1 deaths.

2           You made a statement about Medina because he was  
3 already famous and a winner. You knew the media would  
4 definitely cover it, so you have to push your propagandas to  
5 present more damage to your failing reputation. Medina  
6 Spirit has become the poster boy for those 73 horses who  
7 have been killed this year in California. They all deserve  
8 better.

9           I will not applaud you so-called progress.  
10 Seventy-three horses killed this racing season is  
11 unacceptable and criminal.

12           Please do not give a license to the Los Angeles  
13 Turf Club.

14           Thank you.

15           CHAIR FERRARO: Thank you.

16           Next, please.

17           OPERATOR: Thank you. And next, we'll go to Mary  
18 Johnson, equine advocate.

19           Please, go ahead.

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

21           In my previous comment, I mentioned that I like to  
22 quote people inside the racing industry because several  
23 commenters, I think, like would (indiscernible) as animal  
24 rights advocates, I guess that's what I am because I speak  
25 to the animals who are voiceless. So I'm going to quote Mr.

1 Bill Casner, founder of WinStar, along with Mr. Kenny  
2 Troutt, former board member of the Jockey Club. Mr. Casner  
3 is a racing insider, he supports horse racing, and this is  
4 what he said in an op ad.

5 "Our industry is permeated with those who have no  
6 regard for the welfare of the horse. The horse becomes only  
7 a tool for fulfilling their own agendas of win at all cost."

8 Okay. I'm not saying that. Mr. Bill Casner is  
9 saying that. And as we all know, Mr. Arthur Hancock has  
10 been trying to get drugs out of racing for decades, yet a  
11 previous commenter comes on and says, "We need time, we need  
12 time." How much time do you need? Do you need 20 years, 30  
13 years, or 40 years? Because I'm not going to wait 20, 30,  
14 or 40 years.

15 Now Mr. Gonzales comes on and starts talking about  
16 the backside workers. I walked the backside of a low-level  
17 track in Ohio for eight years for CANTER Ohio, and that was  
18 a pen (phonetic) gaming track. Perhaps you've heard of it,  
19 Beulah Park, it's been shut down. It was sold for  
20 redevelopment and created many, many jobs, hundreds of jobs.  
21 Some of the workers went up to Mahoning in northeast Ohio  
22 and they're working up there. But I don't think we should  
23 really animals, be it horses, dogs, cats, or gerbils to be  
24 abused and exploited and kept in ten-by-ten stalls 23 hours  
25 a day because someone's salary or livelihood depends on it.

1           Here in Ohio, we have job openings all over the  
2 place. McDonalds is actually starting people -- oh, I'm  
3 sorry. Oscar de la Torre talked about the jobs. I'm sorry.  
4 I had the wrong name there. But McDonalds is starting  
5 people here in Ohio at \$14.00 an hour. Tractor supply,  
6 \$11.25 an hour, I know the manager there. You can find  
7 another job. You shouldn't keep at a job that exploits  
8 horses.

9           Thank you.

10          CHAIR FERRARO: Thank you.

11          MS. JOHNSON: Thank you.

12          CHAIR FERRARO: Next, please.

13          OPERATOR: Thank you. And next, we'll go to Alan  
14 Balch with California Thoroughbred Trainers.

15          Please, go ahead.

16          MR. BALCH: Thank you. I just want to support  
17 this, the L.A. Turf Club license application, despite the  
18 fact that we have not been able to renegotiate or provide a  
19 new race meet agreement. So I'm hoping that a provision  
20 will be made explicit that the prior race meet agreement  
21 that we agreed to will be enforced.

22           I also want to point out that the Task Force, the  
23 Accident Prevention Task Force, is working. And it's a  
24 little difficult at this time of year to get all the parties  
25 together in one place at one time. But that hasn't

1 prevented a great deal of research from going on and a lot  
2 of brainstorming.

3           And we look forward, Mr. Chairman and Mr.  
4 Executive Director, to being on the agenda again in January  
5 for a full update and report of the status of what progress  
6 we have been able to make so far. And, probably, we look  
7 forward to incremental reports because it probably is the  
8 type of thing that we should consider anyway, making  
9 recommendations in stages rather than waiting for the Task  
10 Force to complete its work. It's entirely possible that the  
11 Task Force will never complete its work because this is an  
12 ongoing issue that has to be continually addressed and  
13 updated.

14           We also would like to join in Mr. Goodrich's very  
15 well-spoken comments.

16           Thank you.

17           CHAIR FERRARO: Thank you.

18           Next, please.

19           OPERATOR: And next, we'll got Pavla Nygaard,  
20 owner and breeder.

21           Please, go ahead.

22           MS. NYGAARD: Yes. Thank you.

23           I would like to applaud the work of the CHRB  
24 overall. And, at the same time, I would like to thank, at  
25 least to some extent, to the various equine advocates who

1 have called in and called attention to issues that we, as an  
2 industry and the people who care about horses, those people  
3 who work with them, do need to and should pay attention to.

4           Last week, I spent my time listening to the  
5 livestream of the Global Racing Symposium at the University  
6 of Arizona with a number of stakeholders at the highest  
7 level of the sport on safety and integrity, both on  
8 medication, as well as safety, racetrack safety and  
9 otherwise, where some of the most important topics are being  
10 considered.

11           I am very hopeful that, while there are certainly  
12 cultural things in the industry that needs to be addressed,  
13 they are being addressed. As case in point, when Josh  
14 Rubenstein from Del Mar made his speech, he pointed to  
15 probably 15 or 16 improvements in protocols that have  
16 dramatically cut fatalities at Del Mar from when they had a  
17 touch year in 2016 over the last four years. Therefore, it  
18 is possible to make progress.

19           I would like to also point out that there -- that  
20 however much we will want to be and need to be paying  
21 attention to items that are preventable, sometimes there are  
22 also going to be consequences that we, despite our best  
23 efforts, may not be able to get to.

24           As an example, in other parts of life, we all are  
25 still deeply dealing with effects of COVID. And even people

1 who are conscious and vaccinated and boosted can still  
2 have ill effects of COVID under certain circumstances.

3 A number of the activists are vegan. And I would  
4 like to point out that even a vegan lifestyle is not without  
5 negative consequences. For example, it takes approximately  
6 a gallon of water to produce just one almond. So for those  
7 who believe that a vegan lifestyle is completely without  
8 consequence on overall lifestyle, that is not the case.

9 So, to me, it is important to have a balanced  
10 perspective where we prevent as much as we can but also  
11 recognize that we are not always all-powerful and our best  
12 efforts may not yield the zero tolerance that we would love  
13 all to have.

14 Thank you.

15 CHAIR FERRARO: Thank you.

16 Next, please.

17 OPERATOR: Thank you. And we have no additional  
18 comments at this time.

19 CHAIR FERRARO: Thank you.

20 Do we have any comments or questions from the  
21 Board? If not, can I have --

22 COMMISSIONER SOLIS: Mr. Chairman --

23 CHAIR FERRARO: -- a motion?

24 VICE CHAIR GONZALES: Yeah, Mr. Chairman -- oh,  
25 I'm sorry. I'll go next.

1 CHAIR FERRARO: Go ahead.

2 VICE CHAIR GONZALES: Okay.

3 COMMISSIONER SOLIS: Okay. Thank you.

4 VICE CHAIR GONZALES: Chairman, Oscar here.

5 The only question I have is for our Executive  
6 Director Scott Chaney, if has an update for us on CHRB  
7 protocols as written into the race meet agreement?

8 And, also, I just want to make sure that this  
9 application does make good on the commitment we made last  
10 time to have this race meet agreement be standard until one  
11 is updated.

12 But, Scott, if you could just give us an update on  
13 any preliminary thinking around, you know, CHRB's role?

14 EXECUTIVE DIRECTOR CHANEY: Yeah. Thank you, Mr.  
15 Chairman.

16 As you probably remember, and the Board might  
17 remember, two months ago you asked about this thing, should  
18 we recognize -- should the Board recognize the past RMAs,  
19 what exactly is the Board's process should that be invoked?  
20 It's a bit lengthy but at least I'll give you the highlights  
21 of the process that would take place.

22 In the even a licensee is denied a stall or race  
23 entries pursuant to race agreement, the race agreement  
24 adopted by the Board, the parties shall follow the terms of  
25 the race meet agreement. If our party believes the other

1 party has acted in a manner inconsistent with their race  
2 meet agreement the parties, pursuant to Rule 2043, can bring  
3 the matter to the attention of the Board and this procedure,  
4 as detailed within Rule 2043, will be followed.

5 If a licensee wishes to pursue a violation of the  
6 RMA, they should submit that to the CTT, pursuant to the  
7 terms of the race meet agreement. The CTT will then  
8 determine what action to take. Alternatively, if the  
9 licensee feels that a CHRB regulation has been violated,  
10 they can submit their complaints to the CHRB for full  
11 investigation.

12 Pursuant to the terms of the racing agreement, if  
13 the parties are unable to mutually agree on a hearing  
14 officer, the CHRB will designate a hearing officer from the  
15 list of eligible officers to adjudicate medication cases  
16 under California Business and Professions Code section  
17 19517.5. I know that's kind of in the weeds but I wanted  
18 to, you know, give an indication of what protocol would be  
19 followed.

20 And should this Board decide to grant this  
21 license, I'm not sure it was completely explicit in the  
22 Golden Gate license that it was recognizing the past RMA.  
23 Any motion with respect to Santa Anita should make that  
24 clear.

25 VICE CHAIR GONZALES: Scott, thank you for

1 following up on that. This is Commissioner Gonzales.

2 In the outline that you showed, just another  
3 important point is just making sure that it's done in quick  
4 fashion. Because by the time, you know, management makes a  
5 decision, that sometimes a trainer, you know, a decision  
6 could be held in limbo. So my only verbal recommendation to  
7 what you laid out was that would happen within 48 or 72  
8 hours, but it's good to know that there's a draft.

9 So I will -- anybody who is ever wondering if a  
10 racetrack has the ability to discipline a trainer when done  
11 properly, with coordination of CTT, that power and authority  
12 is there. So I think that this, what you just laid out,  
13 Scott, puts us one step closer to making sure that that kind  
14 of coordination happens. So there should be no guessing as  
15 to whether a trainer can be held accountable, providing they  
16 go through the race meet agreement.

17 So thank you. Thank you so much. And just as  
18 long, Mr. Chairman, when we do, you know, vote on this, if  
19 we can just make it very clear that the race meet agreement?  
20 And I'm still holding out hope that maybe in quarter two  
21 the -- both parties can resolve the -- resolve the race meet  
22 agreement to move forward.

23 CHAIR FERRARO: Correct. We will assume that the  
24 previous agreement is the one we will operate under.

25 VICE CHAIR GONZALES: Okay.

1 CHAIR FERRARO: Anyone else?

2 COMMISSIONER SOLIS: Yes, I do. Commissioner  
3 Solis here.

4 I just wanted to see if Santa Anita had  
5 considered, I asked before, having both tracks close one day  
6 a week. I think that will give the track a rest. And  
7 horses, also, give us a day where we won't get any horses  
8 hurt. I'd like to hear from them if they have considered  
9 doing that. I think that would be very important. It will  
10 be very important to me and, of course, the backside help.

11 CHAIR FERRARO: Operator, can we queue Mr. Newby's  
12 line or --

13 OPERATOR: Mr. Newby, if you're on the line,  
14 please press star one.

15 MR. NEWBY: Thank you, CHRB, Commissioners. Can  
16 you hear me?

17 CHAIR FERRARO: Yes.

18 MR. NEWBY: Nate Newby, Santa Anita.

19 Yeah, so we're definitely open to that. Right now  
20 we have no workouts on, typically, on Tuesdays. We do  
21 adjust around weather if we change the day that there's no  
22 workout.

23 You know, just working with our stakeholders, some  
24 of the concerns with that they brought up is that it will  
25 increase the traffic on other days. And so it's, you know,

1 it's something we're definitely open to but right now, at  
2 least, we haven't had a kind of stakeholder support for  
3 that. They thought the better plan is to --

4 COMMISSIONER SOLIS: Yeah.

5 MR. NEWBY: -- not have workouts one day and still  
6 allow training so that some horses can get out and it  
7 doesn't push that next day to be busier.

8 COMMISSIONER SOLIS: Yeah, because don't we have  
9 Golden Gate shut down one day a week, and so does San Luis  
10 Rey Downs? I mean, that would really --

11 MR. NEWBY: Yeah. I think, I mean --

12 COMMISSIONER SOLIS: -- that would really help.

13 MR. NEWBY: -- with Santa Anita and San Luis Rey,  
14 there's about 300 horses at San Luis Rey. And then when  
15 Santa Anita is close to the full side, you know, about  
16 1,900. But it's certainly something we're open to if that's  
17 -- the Board wants to push up. But we've, I can just tell  
18 you, we've had those discussions with stakeholders and they  
19 haven't, you know, the trainers especially, haven't been as  
20 supportive on that and they like the current no workouts or  
21 they're good, at least, on the current no workouts on  
22 Tuesdays.

23 COMMISSIONER SOLIS: Well, that's kind of -- I  
24 mean, being traveling around the country, and I know a lot  
25 of these trainers back east, they don't train one day a

1 week, a lot of them, they don't train the horses one day a  
2 week. They give the horses a rest. And I would really like  
3 to really consider that. That's a day that you give the  
4 track, both tracks, a rest and give the backside a rest.

5 I, myself, I feel like sometimes we probably over  
6 train. I don't know. That's my opinion. So I certainly  
7 would like to have that balance.

8 CHAIR FERRARO: Nate, can you address that  
9 question with the CTT in the -- over the next month and give  
10 us a report next month?

11 MR. NEWBY: Absolutely. Yeah, we'll put that --  
12 put a meeting together and get back to everybody.

13 CHAIR FERRARO: Okay. Great. Thank you.

14 Anyone else? Can we have a motion?

15 EXECUTIVE DIRECTOR CHANEY: Mr. Chairman, this is  
16 Scott Chaney, Executive Director.

17 I don't know what the Board's preference is with  
18 respect to the license application is but any motion should  
19 include recognizing the RMA, I just want to make it -- you  
20 know, the former one. I just want to make it explicitly  
21 clear because I don't think it was entirely clear with the  
22 Golden Gate Fields but, clearly, that was the intent.

23 And then, also, the remaining issue about the  
24 adding two race dates at the beginning and subtracting four  
25 from the middle was also something that was -- would be a

1 departure from their application in front of the Board, so  
2 that would have to be part of the motion, as well.

3 CHAIR FERRARO: Okay. Well, I'll make that motion  
4 and include --

5 VICE CHAIR GONZALES: Mr. Chairman?

6 CHAIR FERRARO: -- and include those factors.

7 VICE CHAIR GONZALES: Yes, sir. Commissioner  
8 Gonzales here. I'll make the motion as described by Mr.  
9 Chaney.

10 CHAIR FERRARO: Okay. The Chairman seconds. I'll  
11 take a vote.

12 Mr. Gonzales?

13 VICE CHAIR GONZALES: Yes.

14 CHAIR FERRARO: Alfieri?

15 COMMISSIONER ALFIERI: Yes.

16 CHAIR FERRARO: Mitchell?

17 COMMISSIONER MITCHELL: Yes.

18 CHAIR FERRARO: Solis?

19 COMMISSIONER SOLIS: Yes.

20 CHAIR FERRARO: Castellanos?

21 COMMISSIONER CASTELLANOS: Yes.

22 CHAIR FERRARO: Davis?

23 COMMISSIONER DAVIS: Yes.

24 CHAIR FERRARO: And the Chairman votes yes.

25 Motion is approved with the stated stipulations.

1           And moving on to item number seven, Reports.  
2 We'll first hear from Executive Director's Report, then the  
3 Equine Medical Director's Report, and then we will open it  
4 up to public comment.

5           Mr. Chaney, would you like to go ahead?

6           EXECUTIVE DIRECTOR CHANEY: Yeah. Thank you, Mr.  
7 Chairman, and good morning, Commissioners. I'll preface by  
8 saying this one is a little longer than normal and I  
9 apologize in advance. There's a lot to report to the Board.

10           I'll begin my report with information regarding  
11 handle. In the month of November, night racing was down the  
12 percent on five less programs compared to 2020. Day racing  
13 was up 89 percent on 5 more programs. This, of course, was  
14 due in large part to the running of the Breeders' Cup World  
15 Championship in the month of November in Del Mar, but the  
16 increase was not entirely due to that. Year to date, night  
17 racing is down 6 percent, day racing is up 27 percent, and  
18 total handle for the state is up 22 percent compared to the  
19 first 11 months of last year.

20           After discussion with the Chairman and Vice  
21 Chairman, the CHRB has decided to rejoin ARCI, Association  
22 of Racing Commissioners International. California left that  
23 organization a few years ago based largely on philosophical  
24 and political differences. However, the HISA, the national  
25 racing -- with HISA, the national horse racing legislation

1 on the horizon, we find that our interests are aligned with  
2 other racing -- other state racing commissions which, in  
3 part, led to this decision. Officially, we become a member  
4 on January 1st, but we've been engaged for a good month or  
5 two in preparation for that.

6           Last week I attended the Global Racing Symposium  
7 sponsored by the University of Arizona Race Track Industry  
8 Program. In addition to attending seminars on topics, such  
9 as the racing surface management and reporting, horse racing  
10 in the media and fixed odds wagering, I attended  
11 presentations by the leadership of the Authority which is a  
12 federal regulatory body created by HISA.

13           As you know, the legislation called for the  
14 creation of two committees, one concerning medication  
15 control and antidoping, and the other concerning racetrack  
16 safety and animal welfare. Last week the Safety Committee  
17 sent their proposed regulations to the Federal Trade  
18 Commission which will oversee the Authority. We learned at  
19 the symposium that the Medication Control and Antidoping  
20 Committee would be delayed until later this month in sending  
21 their regs to the FTC.

22           The other revelation last week was that post-race  
23 drug testing would not be transferred from the states to the  
24 Authority, which is in the process of contracting with  
25 USADA, U.S. Antidoping Agency, to run the program until

1 January 1st of 2020. July 1st, USADA most likely will be  
2 directing and administering Out-of-Competition Testing  
3 Program. Throughout the process the CHRB has commented on  
4 all drafts and regulations. We will also be commenting  
5 formally during the FTC regulatory process.

6 In general, the Safety Committee has taken a  
7 racetrack accreditation approach rather than a comprehensive  
8 set of regulations. In general, most of the safety  
9 regulations are based on existing California practices and  
10 protocols, which makes sense as our Safety Program leads the  
11 nation and has demonstrated good results.

12 One particular concern is the crop rule which  
13 mirrors our current rule but allows for overhand whipping.  
14 We will use all of the tools at our disposal to convince the  
15 FTC and the Authority that such a rollback is a nonstarter  
16 for the California Horse Racing Board.

17 On the medication and antidoping side, the change  
18 will be significant for licensees. Given our existing  
19 infrastructure, however, I am confident that the Authority  
20 and USADA would utilize what we have in place to underpin  
21 their program by contracting with the CHRB to perform many  
22 of the functions they seek to take over. This will also  
23 have the biproduct of driving down the overall costs to  
24 California stakeholders.

25 It should also be noted that the Authority will

1 not be in a position to accept regulation of breeds beyond  
2 thoroughbreds, so our existing infrastructure will remain in  
3 place unchanged for the time being. Clearly, there will be  
4 more to come in the near future.

5           Next, our new intra-articular injection regulation  
6 went into effect October 1st, and two new regulations will  
7 become effective on January 1st. It is our strict  
8 regulation of thyroxine and our requirement that horses  
9 undergo a veterinary soundness investigation within 72 hours  
10 of workouts and entry to races. These regulations will  
11 promote the protection of animal welfare with the goal of  
12 further driving down the incidents of catastrophic injuries.

13           Next, the Board meeting schedule for next year is  
14 now posted on the website. The Governor's Emergency Order  
15 allowing remote meetings expires January 31st, so the  
16 January Board meeting will also be conducted via  
17 teleconference. Right now the plan is to cancel the  
18 February Board meeting as there is typically less going on  
19 at that time. And Staff, who works tirelessly at putting on  
20 these meetings, deserves a month off from this relentless  
21 schedule. The current plan is to return to live meetings in  
22 March, although that could change if conditions and state  
23 guidance warrant an alteration.

24           As this is our last Board meeting in 2021, I would  
25 like to point out a few honors CHRB personnel received and

1 achieved this past year. Chairman Ferraro was given the  
2 Laffit Pincay award for his lifetime of service to horses  
3 and horse racing. And Chief Steward Darrel McHargue was  
4 inducted into the Horse Racing Hall of Fame at a ceremony  
5 this summer -- or this fall, rather, in Del Mar. We are  
6 proud of and congratulate them both on such high honors.

7           Also, Assistant ED Cynthia Alameda and I would  
8 like to take a moment to acknowledge and extend our sincere  
9 appreciation to each of our colleagues who have celebrated  
10 significant civil service milestones over the past year. We  
11 are grateful for their expertise, commitment, dedication,  
12 and friendship.

13           Francisco Gonzales, Senior Management Auditor,  
14 celebrated 25 years of civil service, the past 14 years with  
15 the CHRB. Bill Glaholt, Chief Information Officer,  
16 celebrated 26 years of civil service, the past 7 years with  
17 the CHRB. Laura Sandoval, Licensing Supervisor, celebrated  
18 29 years of civil service, all of which have been with the  
19 California Horse Racing Board. Mike Marten, Public  
20 Information Officer, celebrated 30 years of civil service,  
21 all of which, also, with the CHRB. And lastly, Diana  
22 Valenzuela, Licensing Technician, celebrated 35 years of  
23 civil service, all of which have been here with the CHRB.

24           Lastly, I'd like to thank the Board for their work  
25 and dedication to the regulation of horse racing in

1 California. This is, essentially, volunteer work performed  
2 in service to the state. I appreciate your support, I  
3 admire your commitments and grace, often in the face of  
4 unfair and inaccurate criticism. Your work, particularly in  
5 the area of animal welfare, has made a significant  
6 difference and continues to lead and push the rest of the  
7 country. Thank you.

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

9 CHAIR FERRARO: Thank you.

10 Let's hear from our Medical Director's Report  
11 before we have any discussion.

12 EQUINE MEDICAL DIRECTOR BLEA: And good morning,  
13 Chairman Ferraro and Commissioners. A little bit of  
14 redundancy here with the HISA update.

15 The Horse Racing Integrity and Safety Authority  
16 announced a proposed implementation date of the Antidoping  
17 and Medication Control Program. Under the proposed  
18 structure, out-of-competition testing will administered  
19 under HISA's jurisdiction beginning with the program's  
20 effective date July 2022. Race day testing will remain  
21 under the jurisdiction of state regulators, the CHRB, until  
22 the beginning of 2023, at which point this will transition  
23 to HISA's jurisdiction.

24 The Race Track Safety Program, as Mr. Chaney  
25 mentioned, has been submitted to the Federal Trade

1 Commission and should be available for public commentary on  
2 January 1 at [ftc.gov](http://ftc.gov). HISA continues to solicit comments  
3 from industry and the public at [HISAUS.org](http://HISAUS.org), [HISAUS.org](http://HISAUS.org). The  
4 Antidoping and Medication Committee continues to work  
5 through documents, as Mr. Chaney said, relative to  
6 medication and testing prior to submission to the Federal  
7 Trade Commission.

8 Proposed timeline, January 1 the regulation is  
9 published with the FTC, public comment will begin. February  
10 1st, the public comment period closes. The FTC will do a  
11 review of all comments and documents February to March 1st.  
12 On March 1st, the FTC will approve, amend, or send back the  
13 regulations. March 4th -- March 1st to July 1st is the  
14 required four-month waiting period before any new  
15 regulations can go into effect with this effective start  
16 date of July 1st, 2020.

17 Moving on to the Maddy Lab. In November, the  
18 Maddy Lab tested 1,522 samples from 814 horses, including  
19 blood and urine, and 53 official work bloods. In November,  
20 there was one violation on overage of a therapeutic  
21 medication, methocarbamol, commonly known as Robaxin. In  
22 November, 1,544 out-of-competition samples were submitted  
23 and tested. These samples included 193 out-of-competition  
24 samples for EPO, and an additional 152 blood samples for EPO  
25 and IGF.

1           In November, there were ten fatalities in the  
2 state of California in racing, two were in racing, six were  
3 in training, one was a colic, and there was one accident.

4           Some other -- some additional updates. Currently,  
5 there is an MRI study about to begin at Santa Anita, which  
6 is being funded by Oak Tree Racing Association. This study  
7 or research project would come to evaluate four specific  
8 areas of concern within the fetlock joint. The fetlock is  
9 the largest area of musculoskeletal injury in racehorses.  
10 Inclusion criteria and case selection will be determined by  
11 Dr. Tim Grande, the California Horse Racing Board's Chief  
12 Official Veterinarian. The principal investigator in this  
13 study is Dr. John Peloso in collaboration with the Southern  
14 California Equine Foundation, private practitioners, and  
15 trainers.

16           Additional, a small project facilitated by track  
17 management was recently completed at Golden Gate Fields  
18 utilizing the PET scanner, or the positron emission  
19 tomography unit diagnostic imaging, to identify at-risk  
20 horses in that population. The aim of this effort, led by  
21 UC Davis researchers in conjunction with horsemen, was aimed  
22 at identifying at-risk individuals, thereby helping to  
23 reduce injuries or potential catastrophic failures.

24           Furthermore, as has been discussed earlier, the  
25 CHRB attended a horsemen's town hall meeting at Golden Gate

1 to address strategies to help reduce injuries, particularly  
2 in training. Chairman Ferraro and Mr. Chaney, Chief Steward  
3 Darrel McHargue and I were in attendance and we spoke with  
4 horsemen about different protocols and strategies to help  
5 understand why they were having an increase of injuries in  
6 training and, more importantly, how to reduce those  
7 incidents of injuries.

8           And lastly, as many are aware, a high-profile  
9 racehorse recently experienced a sudden death following a  
10 morning workout. Sudden death in racing is defined as acute  
11 collapse and death in a closely observed and previously  
12 apparently healthy thoroughbred racehorse during or within  
13 one hour after exercise. This type of event is similarly  
14 identified in other equine disciplines in the performance  
15 horse industry, as well as young human athletes.

16           As with all fatalities that occur on the inclosure  
17 in California, per CHRB Rule 1846.5, a thorough and  
18 comprehensive necropsy, synonymous with an autopsy, will be  
19 performed and is currently underway. The necropsy is being  
20 performed by pathologists at the California Animal Health  
21 and Food Safety Laboratory at the University of California,  
22 Davis or through the University of California, Davis. This  
23 is an experienced and dedicated group. And their lab is  
24 arguably one of the best in the country, if not in the  
25 world.

1 Additional tissue specimens and samples will be  
2 shared with several other departments at UC Davis, including  
3 Toxicology, Analytical Chemistry and Genetics, as well as  
4 other university laboratories in the country, to help  
5 determine the cause of death. Sudden death cases are quite  
6 frustrating as a definitive diagnosis is often difficult to  
7 determine in many sudden death incidents. According to Lyle  
8 (phonetic), et al, a multicentric study of sudden death  
9 postmortem findings published in EVJ, a definitive diagnosis  
10 was determined in only 53 percent of cases. A presumptive  
11 cause of death is identified in 25 percent of cases. And  
12 the deaths remain unexplained in 22 percent of all cases.

13 Completion of sudden death case final reports  
14 takes weeks to months to complete due to the in-depth level  
15 of analysis involved. And we fully expect the final report  
16 in this case in approximately two months. Tissues samples  
17 and specimens will be stored for further testing should the  
18 need arise.

19 And that concludes my report.

20 CHAIR FERRARO: Thank you.

21 Do we have questions from the Board? Questions?

22 Do we have a queue on this, Operator?

23 OPERATOR: Yes, we have several in queue.

24 CHAIR FERRARO: Let's go.

25 OPERATOR: All right. We'll go to Martha Sullivan

1 with Kill Racing Not Horses.

2 Please, go ahead.

3 MS. SULLIVAN: Yes. Hello.

4 Per discussion of fatalities, I want to raise my  
5 question about the CHRB's Postmortem Report most recently  
6 said that they can't -- they couldn't come to any conclusion  
7 if horses five years of age and greater are less susceptible  
8 to injuries in races because the total number of horses in  
9 each age group that are racing and training on facilities  
10 controlled by CHRB are not known to us.

11 Well, this is mindboggling to me because in  
12 January 2020, then CHRB Deputy Director Rick Baedeker  
13 reported that (indiscernible) that had been microchipped.  
14 And, certainly, the CHRB is able to determine this. I think  
15 that this is something that the CHRB and its Accident  
16 Prevention Task Force needs to follow. I mean, UC Davis  
17 certainly has the research capabilities to follow this line  
18 of inquiries. And it's very distressing to me that it will  
19 say that this finding is consistent with age distribution  
20 seen in prior years and, yet, it hasn't been explored, and  
21 particularly now that, you know, as of early 2020, 95  
22 percent of thoroughbreds are microchipped, and something  
23 like 80 percent and the Quarter Horses, if I recall  
24 correctly.

25 You know, as I mentioned earlier, 82 percent of

1 the 73 fatalities reported by the Board were between two and  
2 four years of age. This is a major-major data finding that  
3 this Board needs to follow and determine whether an increase  
4 in the minimum racing age will, indeed, reduce fatalities.  
5 I mean, it's a no-brainer as far as I'm concerned, and I  
6 can't understand why it hasn't been pursued.

7 CHAIR FERRARO: Thank you.

8 Next, please.

9 OPERATOR: Thank you. And next, we'll go to  
10 Heather Wilson with Kill Racing Not Horses.

11 Please, go ahead.

12 MS. WILSON: Yes. Thank you.

13 I'm going to refer to, let's see, Rule number 1846  
14 as it states here, "Postmortem examination, every horse  
15 which suffers a fatal injury on the racetrack in training or  
16 in competition," so that's the first line, and then there's  
17 a whole bunch of ors, "or which dies or is euthanized," or,  
18 or, or. So if a horse suffers a fatal injury on the track,  
19 even if that horse is euthanized elsewhere, that horse needs  
20 to be included in your data. And this is doing a tremendous  
21 disservice to these animals who unwillingly sacrifice their  
22 lives to run in races that they don't care about or that  
23 they can't possibly understand. All they know is I'm being  
24 whipped and I have to run faster or they're going to whip me  
25 again.

1           And we have two horses that are confirmed that  
2 broke their ankles on CHRB tracks that don't even have the  
3 modicum of decency of being listed on your fatalities list  
4 because they happened to receive euthanasia elsewhere. And  
5 that is a tremendous disservice to these horses and to the  
6 members of the public who are calling in who are very  
7 concerned, who have legitimate concerns about horses being  
8 euthanized at so-called off-site locations or private  
9 clinics or ranches. These horses need to count.

10           If the inciting event for euthanasia is a  
11 catastrophic injury on a CHRB inclosure, these horses need  
12 to count. And if you actually want to look legitimate and  
13 like you're actually doing something, if you're counting  
14 every single horse, you need to include these horses because  
15 have dozens of missing horses that have very concerning  
16 findings, just like Tap the Wire, and just like Hendavid,  
17 who both, essentially, died because of racing on a CHRB-  
18 sanctioned racetrack, so you need to take and include every  
19 single one of these horses.

20           The other issue is the starting gate. You  
21 scratched Modern Games because you thought he broke through  
22 the gate, yet horses break through the gate all the time.  
23 And, per Dr. Blea, they could have a shoulder stress  
24 fracture or humoral stress fracture that won't be identified  
25 until it happens in the race. Why aren't you scratching

1 these horses that break through at Los Al on a weekly basis?  
2 Every single week, horses break through the gate and you do  
3 nothing, they don't even get an examination. You need to  
4 change that.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Thank you. And next, we'll go to Dr.  
8 Holly Wilson with Kill Racing Not Horses.

9 Please, go ahead.

10 DR. WILSON: Thank you.

11 Yeah, I'm curious why we're still talking about  
12 the regulation of thyroxine. It's my understanding that  
13 young horses typically do not suffer from hypothyroidism.  
14 So if you're going to regulate this medication, are these  
15 horses going to be given an official diagnosis of  
16 hypothyroidism with the appropriate laboratory confirmation  
17 with this diagnosis?

18 And then we talk about post-race drug testing. I  
19 want to know if we're only testing the winners or are we  
20 going to test every single horse, whether they cross the  
21 wire or not? And then more specifically, how about the  
22 horses that collapse and die of non-musculoskeletal trauma,  
23 are you going to dig deep and get split samples and really  
24 try to determine the actual cause of death in these horses,  
25 or are they just going to be swept under the rug? I'm

1 really curious about that.

2           And we're talking about hypertrophic  
3 cardiomyopathy is a rare condition in humans where we have -  
4 - young healthy athletes suddenly die and collapse. You  
5 cannot compare that entity to these young baby horses that  
6 are collapsing and dying on CHRB-sanctioned tracks. These  
7 are comparing apples and oranges. And I'm reading through  
8 your necropsies and a lot of times there's this infiltrative  
9 or inflammatory changes in the heart. I'm not seeing any  
10 cardiomyopathy. I mean, so I'm curious, are these horses  
11 really suffering from cardiomyopathy? No, they're not. So  
12 if you can show that to me, I would really appreciate it.

13           And I want to know, again, are these samples that  
14 you're obtaining from these dead horses, are they going to  
15 an independent laboratory for analysis?

16           Thank you.

17           CHAIR FERRARO: Thank you.

18           Next, please.

19           OPERATOR: Thank you. And next, we'll go to Wayne  
20 Johnson, citizen.

21           Please, go ahead.

22           DR. JOHNSON: This is Dr. Wayne Johnson, citizen.

23           Mr. Chaney says that California is the safety  
24 leader in the country in terms of horse safety. Really.  
25 Seventy-three horses dead and you guys are the leader? God

1 help us.

2 Shoutouts to everybody who is making their living  
3 on this bloody sport for Mr. Chaney. Shoutouts to all the  
4 awards, nothing to the horses, no mention at the end of the  
5 year on the improvement in terms of morality statistics.

6 Why? Because there was no improvement. It's worse.

7 Dr. Blea, who took a vow to help animals, who took  
8 a vow to protect the health of animals, refers to Medina  
9 Spirit as a high-profile horse. Does anybody else -- am I  
10 the only one that's wondering why Dr. Blea will not mention  
11 the names of these horses? His name was Medina Spirit. He  
12 wanted to live as much as you and I. He has dignity. Show  
13 him some respect. Say his name.

14 CHAIR FERRARO: Thank you.

15 Next, please.

16 OPERATOR: Thank you. And next, we'll go to Patty  
17 Shenker with Kill Racing Not Horses.

18 Please, go ahead.

19 MS. SHENKER: Yes. Thank you.

20 I would like to know the status of the required  
21 automatic fire sprinklers at San Luis Rey Training Center  
22 where 46 of your horses died in the Lilac Fire December  
23 2017. I trust that this issue has finally been resolved and  
24 all the sprinklers have been installed.

25 Last time I called into your monthly meeting in

1 October, I spoke about the shipping of horses to non-CHRB  
2 facilities, so these horses deaths are not counted, making  
3 it look like fewer horses are killed than actually are.

4 Both Tap the Wire and Hendavid broke then ankles  
5 on CHRB racetracks and never made the kill list, among many  
6 others. After my statement, Mr. Ferraro asked Mr. Chaney if  
7 there were any missing horses and Mr. Chaney said there were  
8 none and called me a liar. I am not a liar and I deeply  
9 resent being called one. And I want answers from you of  
10 what happened to all of these missing horses, like  
11 Contagion, King of Speed, and Frost Warning.

12 Racing Journalist Mark Berner described why he is  
13 done with racing writing, quote,

14 "The horse racing industry runs on a pack of lies, a  
15 bunch of swindles, hidden information, and many corrupt  
16 and illegal activities for the love of money, not for  
17 the love of the horse. The game is rigged at every  
18 level, with rampant cheating its finest art form."

19 Thank you.

20 CHAIR FERRARO: Thank you.

21 Next, please.

22 OPERATOR: Thank you. And next, we'll go to Elvia  
23 Sedano with Kill Racing Not Horses.

24 Please, go ahead.

25 MS. SEDANO: Good morning.

1           The death of Medina Spirit has gotten worldwide  
2 attention. Once again, Santa Anita has become the epicenter  
3 of negative press and unwanted attention which is strangely  
4 not fair because every track is deadly for the horses.

5           I want to talk about two horses who recently  
6 suffered non-musculoskeletal sudden deaths at another track,  
7 Los Alamitos. These horses mattered just as much as Medina  
8 Spirit.

9           Luca's Ride, a three-year-old gelding, sudden  
10 death while training. He started out his so-called career  
11 at Golden Gate, then raced once at Pleasanton before being  
12 downgraded to Los Alamitos.

13           Favorite Doc, another three-year-old gelding, he  
14 came in first place, earned \$4,400 for his connections but  
15 was unable to make it to the winner's circle. Jockey Jesus  
16 Ayala beat this dying horse multiple times, even continuing  
17 to beat him after he came to a full stop. This horse then  
18 dropped dead. Favorite Doc was literally dying and he had a  
19 pathetic little man on his back whipping him so that he  
20 could get his photo in the winner's circle and the CHRB does  
21 nothing.

22           If you cannot see the depravity and complete  
23 disregard for this horse, as demonstrated in the video,  
24 there is no hope for you, and you will never help any  
25 horses.

1 Thank you.

2 CHAIR FERRARO: Thank you.

3 Next, please.

4 OPERATOR: Thank you. And next, we'll go to  
5 Kimberly Marrs with KTM Equine.

6 Please, go ahead.

7 MS. MARRS: Hi Board. I just wanted to relay the  
8 information.

9 I actually just came home from San Luis Rey and  
10 wanted to let everybody know that they are working on the  
11 sprinkler systems as we speak.

12 Also, I wanted to bring up to your attention,  
13 because you're talking about young horses and maybe pushing  
14 back the racing age, there are numerous research papers  
15 written about training young horses and having to put a  
16 little bit of pressure on the bones in order to make them  
17 stronger. Now, it's definitely a training issue and it has  
18 to be done precisely and properly, but you only build strong  
19 bone by using it. I don't know if any of you work out or do  
20 exercises but you get stronger and that's how things, your  
21 supportive tissues, get stronger, by working out.

22 And I, also, wanted to bring up, I got permission  
23 from the trainer, Tap the Wire was sent down to an offsite  
24 facility, an equine hospital, for evaluation which is the  
25 owner's right to do. That's when he was seen and taken care

1 of.

2 And I know that you guys bring up a lot about  
3 Phoenix Tears. Phoenix Tears has had multiple workouts and  
4 she is about ready to race, so I'm just updating you.

5 And a lot of you ask about these horses that did  
6 not finish on the racetrack. We, in the industry, know a  
7 lot, that these horses are being rehomed if they're not able  
8 to race any longer. They're still alive and kicking and  
9 going on to other careers, so I want you to know that.

10 Thank you.

11 CHAIR FERRARO: Thank you.

12 Next, please.

13 OPERATOR: Thank you. And next, we'll go to Mary  
14 Johnson, equine advocate.

15 Please, go ahead.

16 MS. JOHNSON: Yes. Thank you again for letting me  
17 speak. I really do appreciate it. And I wanted to address  
18 what Ms. Marrs just said about horses being put into  
19 training when they are merely babies.

20 Now, we all know that horses, racehorses, are put  
21 into training at the age of 18 months. I'm not exactly sure  
22 what that equates to in human years but I would say,  
23 probably, a four- or five-year-old. Now, I don't see any  
24 four- or five-year-olds running in a marathon. I'm not  
25 against horses running to develop strong bones and, you

1 know, strong tendons and all that. Let them run of their  
2 own free will.

3           Getty (phonetic) Emerson is a very well-known  
4 upper-level eventer. I believe he did compete in the  
5 Olympics, very well respected, not in the racing industry  
6 because he goes against everything you believe in. But he  
7 says take the two-year-old horse, turn the horse out, turn  
8 the horse out for six months, bring the horse in, work the  
9 horse on the ground. At the age of three, put a saddle on  
10 the horse, walk the horse over folds on the ground or trot  
11 him over a cross rail, but let the horse get out in the  
12 field, run of his or her own accord, run to the left, stop,  
13 spin, run to the right, rear, buck, plunge, whatever they  
14 want to do.

15           So we're not against horses being put into  
16 situations where they're running and running hard but let  
17 them run of their own free will without a little man on  
18 their back beating the shit out of them, and I've seen it  
19 done. We saw American Pharoah at the top of the lane in the  
20 Derby hit with a crop in excess of 30 times. What the hell  
21 are you thinking? The visual makes me ill.

22           Racing is in big trouble and the public is not  
23 going to tolerate the exploitation and abuse of these horses  
24 moving forward. I suggest you clean up your act. To  
25 decrease the number of deaths, stop racing horses.

1 Thank you.

2 CHAIR FERRARO: Thank you.

3 Next, please.

4 OPERATOR: Thank you. And we have no additional  
5 comments at this time.

6 CHAIR FERRARO: Okay, Mr. Chaney, I don't think  
7 these reports, being reports, require a vote of approval; am  
8 I correct on that?

9 EXECUTIVE DIRECTOR CHANEY: That's correct. Yes,  
10 that's correct, Mr. Chairman.

11 CHAIR FERRARO: Okay. All right. We'll move on  
12 to the next item, which is Public Comment period.

13 So, Operator, if you want to start the queue on  
14 that?

15 OPERATOR: Of course. First, we will go to Wayne  
16 Johnson, citizen.

17 Please, go ahead.

18 DR. JOHNSON: Yeah. This is Dr. Wayne Johnson. I  
19 am a citizen and a proud citizen of the state of California.

20 Mr. Balch and Mr. Chaney have both accused us of  
21 inaccuracies, missing facts. Eighty-two percent of the  
22 horses that died were between two- and four-year-olds; is  
23 that inaccurate? Seventy-three horses have died. Are you  
24 going to point that out as inaccurate? If you have facts  
25 that are contrary to our facts, be person enough to tell us.

1           And the main thing I learned from 2021 came from  
2 Los Alamitos, you can beat a dead horse.

3           Thank you.

4           CHAIR FERRARO: Thank you.

5           Next, please.

6           OPERATOR: Thank you. And next, we'll go to Dr.  
7 Holly Wilson with Kill Racing Not Horses.

8           Please, go ahead.

9           DR. WILSON: I am a physician. I read through  
10 your necropsies, easily processing the information. Let it  
11 be known, I am purely horrified. I understand the anatomy,  
12 the histology, the toxicology, the laboratory findings, and  
13 the case summaries. This is a complete abomination of  
14 veterinary medicine, as well as a violation of the  
15 veterinary oath.

16           I am an outsider looking in, yet I have penetrated  
17 your world. I watch the races. I regularly observe horses  
18 resisting being loaded, being whipped repeatedly, taking  
19 that infamous bad step, and I have seen horses collapsing.  
20 I see them slam into the guardrail. I also follow the  
21 horses that just vanish, so when they show throughout or  
22 refuse to break, I know where this is headed.

23           There are untold numbers of horses that just fall  
24 off of the radar. They never took that bad step. They  
25 never popped up on a kill list. So where is this 1,000-

1 pound animal that was loved? There's no love on the  
2 racetracks. There is no love (indiscernible) and no love at  
3 the end of the repeated pain upon them to make them run  
4 faster.

5 I don't need to put my hands on a thoroughbred to  
6 understand the sheer volume of horses that die and disappear  
7 in this industry, or to understand the necropsies. You are  
8 all delusional. We see right through your lies and deceit  
9 and your deleted numbers.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: Thank you. And next, we'll go to  
13 Martha Sullivan with Kill Racing Not Horses.

14 Please, go ahead.

15 MS. SULLIVAN: Yes. Hello again. You know, I  
16 need to express that I have worked with unsheltered people  
17 in San Diego County for the last ten years, and I've  
18 personally sheltered over three dozen people. I've worked  
19 with them on a daily basis. So the implications by, you  
20 know, those acting as human shields for the human -- for the  
21 horse racing industry, you know, that we don't care about  
22 people, is ridiculous. I care about the dignity of living  
23 being. And I don't think that humans should make another  
24 species suffer, you know, in order for them to profit.

25 So you know, let's dispense with the attacks on

1 people who are speaking on behalf of horses. Let's just  
2 deal with the fact that horse racing is abusive and is  
3 increasingly not accepted by the American public, as  
4 *Thoroughbred Daily News* Bill Finley outlined in a report,  
5 you know, soon after Medina Spirit's sudden death. He  
6 recounted that (rustling papers on an open phone line)  
7 article on Medina Spirit and within 30 minutes had 161  
8 comments. I read them all, 160 are anti-racing, 1 was pro.  
9 That's just a tiny snapshot. The same responses are  
10 happening all over social media.

11           The thoroughbred industry needs to decide if it  
12 wants to live or die. Well, the horses don't have that  
13 choice. But you know, step out of the bubble. The 21st  
14 century is here and, increasingly, people don't want to  
15 torture animals for profit.

16           CHAIR FERRARO: Thank you.

17           Next, please.

18           OPERATOR: Thank you. Next, we'll go to Cliff  
19 Goodrich with CTHF.

20           Please, go ahead.

21           MR. GOODRICH: Thank you. Not only am I Executive  
22 Director of the CTHF, but I've been attending Board meetings  
23 for almost 50 [sic] years, and it is the end of the year.  
24 And I would just like to echo Scott Chaney's report to the  
25 Board.

1           In the past two over two years now, I think, at  
2 the direction of the Governor, I think this Board has  
3 clearly made significant and unparalleled progress in the  
4 area of equine safety and welfare, far more than any other  
5 racing jurisdiction in North America. California is by far  
6 the most transparent jurisdiction in North America.  
7 California, I believe, has the strictest regulations and  
8 protocols of any jurisdiction when it comes to medication  
9 regulation and management.

10           And I'd just like to add to Scott's comments that  
11 all seven of you and the staff should be saluted for your  
12 vigilance, your dedication, your patience in a non-paying  
13 thankless job on behalf of the State of California. There's  
14 more work to do. I know, and I think a lot of other people  
15 know, the dedication you folks have, however you feel about  
16 the status of the industry, and cross-discussion is healthy.

17           I respect the animal rights advocates and their  
18 position. We have a position, also, that has to be  
19 respected. And I would hope in 2022 there's a little less  
20 bitterness between the lines as all of us passionately put  
21 forth what we think is in the best interests of the horse,  
22 the industry, and the people of the state of California.

23           So, guys, keep doing the job you're doing. Good  
24 work.

25           Thank you.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: Thank you. Next, we'll go to Heather  
4 Wilson with Kill Racing Not Horses.

5 Please, go ahead.

6 MS. WILSON: This is the story of Vertical Threat,  
7 a four-year-old bay colt with a beautiful think white blaze,  
8 born on 03/08/17 in Kentucky. He was a Keeneland graduate  
9 and his connections had high hopes for him. His pattern of  
10 results on Equibase is chillingly familiar. He was raced  
11 between four states at six different tracks. Santa Anita  
12 was his first start. He placed 6th out of 12, so he was  
13 downgraded to Los Al thoroughbreds. At Los Al he won, then  
14 he got upgraded to Del Mar. How exciting, he won at Del  
15 Mar, now he was on his way to Churchill Downs. Sadly, at  
16 Churchill he came in second to last, so he was dumped at  
17 Mahoning in Ohio. But he came in first at Mahoning, back to  
18 Del Mar we go.

19 Vertical Threat was entered in the Bing Crosby  
20 Stakes, however, he placed last, so he found his friends at  
21 Charlestown, West Virginia, some 2,600 miles away. At  
22 Charlestown he rallied, placing first, and even getting his  
23 photo taken for the prestigious Cody Photography Gallery.  
24 Back to California again, this time Santa Anita, but he  
25 placed last. He was, strangely, shipped back to Churchill

1 Downs and that is the race that killed him. He is said to  
2 have clipped heels and fell.

3 Vertical Threat had a story. He was trafficked  
4 across the country, like countless other racehorses. He  
5 never complained. He allowed himself to get shoved into the  
6 starting gate time and time again. He ran when he was  
7 whipped and this is the thanks he gets, dying in the dirt at  
8 the ripe old age of four.

9 Every single racehorse has a story. Most never  
10 get told. And this goes in line with what was published in  
11 the Thoroughbred Daily News. Can you imagine any sport in  
12 which human athletes routinely died on the field in  
13 competition and we simply removed bodies and kept going, or  
14 one in which aged-out players weren't retired but sent to  
15 the slaughterhouse, as about some 13 (rustling papers on an  
16 open phone line) (indiscernible) are annually, and that's  
17 Quarter Horses or the Standardbreds?

18 CHAIR FERRARO: Thank you.

19 Next, please.

20 OPERATOR: Thank you. Next, we'll go to Bonnie  
21 Croker with Kill Racing Not Horses.

22 Please, go ahead.

23 MS. CROKER: Thank you. I'm addressing some  
24 issues which remain unchecked, unresolved, and highly  
25 unethical. Of course, I believe horse racing itself is

1 unethical, but I felt compelled to bring the following  
2 issues to light.

3           First, I've noticed while monitoring horse races,  
4 at Los Alamitos in particular, that Bob Baffert is often the  
5 trainer listed for 50 percent or more of the horses in the  
6 same race. This means he often has a 50 percent of better  
7 chance of winning money. How is this allowed?

8           I realize Los Alamitos is getting ready to implode  
9 and collapse. They are struggling to get enough horses to  
10 race. But creating and allowing those kinds of winning odds  
11 in favor of a single trainer or owner doesn't seem ethical.

12           Second, the CHRB's Postmortem Reports  
13 overwhelmingly exhibit a disproportionate high number of  
14 horses two to four years of age who succumb to  
15 musculoskeletal injuries. Anyone who knows anything about  
16 horses knows this trend is due to the immature bone  
17 structure of these very young babies. It is totally  
18 disgusting when the track announcers say things like, "Up  
19 next is a baby race."

20           Furthermore, what possible remedies can Alan Balch  
21 and his so-called Safety Task Force offer if they are going  
22 to completely ignore the obvious danger or racing these  
23 youngsters?

24           Last but not least, I have the names of some of  
25 the many Los Alamitos injured horses who have gone missing

1 and unaccounted for.

2           On 01/03 -- or 01/23/21 at Los Al in race seven  
3 during a pouring rainstorm, Gowdy, a two-year-old colt,  
4 slipped in the mud and fell right out of the gate. The  
5 animal rights key video of this horrific incident is gut-  
6 wrenching. Gowdy can be seen flailing wildly in the mud  
7 trying to stand up but he couldn't. he was vanned off and  
8 he has been missing from public record ever since.

9           I have to cut my time short. I want to mention  
10 the name of horse four in race two at Los Al, Diane Prince,  
11 a three-year-old filly, who struggled terribly with the turn  
12 and was eased to the finish. Where is Diana Prince?

13           At Los Al on 05/02/21 in race one, a 300 yard  
14 dash, horse two, Tuxedo Flats, a two-year-old filly, was  
15 vanned off after the race. She was declared unsound and has  
16 been since been missing. Where is Tuxedo Flats?

17           Where are all these two- and three-year-old  
18 babies? Perhaps Alan Balch and his Safety Task Force can  
19 look for them.

20           Thank you.

21           CHAIR FERRARO: Thank you.

22           Next, please.

23           OPERATOR: Thank you. And next, we'll go to Lynn  
24 Freudenberg with Kill Racing Not Horses.

25           Please, go ahead.

1 MS. FREUDENBERG: Yes, this happens on every  
2 track, it's not just Santa Anita, it's just not the same.  
3 It's animal abusers that we labeled as trainers. Young  
4 horses collapsing and dying is completely unnatural. It's  
5 not the norm.

6 Los Alamitos Race Course, the last couple of  
7 months, they were previously told they could have a six-  
8 month license but they got a year because Doc Allred got  
9 really, really mad. So once it's going for a year, you're  
10 not going to go back and correct them for any wrongdoing.  
11 So directly, when you make regulations and don't stand  
12 behind it, you are responsible for the blood on your hands  
13 at Los Alamitos from the Los Alamitos deaths.

14 No Madness (phonetic), a three-year-old horse, was  
15 pulled up and it dropped dead. It was cardiac failure. The  
16 lungs had diffused pulmonary congestion, edema, multiple  
17 alveolar hemorrhages, and then multiple organ congestion.  
18 This three-year-old horse had fibrosis. It was a focal  
19 valvular degenerative process that is usually -- it's  
20 endocardiosis and it's usually with older horses. That's  
21 too young of a horse to have that.

22 And then there's Norcon (phonetic), did not finish  
23 a workout, staggered back to the barn and collapsed, a five-  
24 year-old horse. Once again, a cardiopulmonary collapse, a  
25 probably exercise-induced pulmonary hemorrhage. Acute

1 pulmonary hemorrhages are severe with marked congestion and  
2 edema, a congestion and regional extensive mucosal  
3 hemorrhages of the lower neck trachea, which I'm sure there  
4 was blood on the face.

5           And once again, I brought up six horses that had  
6 sudden deaths this meeting. And I only brought them up  
7 because they all had similar signs and symptoms.

8           Please focus on mandatory education for the  
9 backstretch workers. Oscar mentioned that people who loose  
10 jobs are homeless. Well, when you give education to these  
11 guys and you give them jobs, you also have to be responsible  
12 for ethics, okay? So you've got to have ethics in a  
13 workplace. If a veterinarian tells you to do something that  
14 you know is going to hurt a horse, you don't do it. So once  
15 again, the education, I really pray that you guys get into a  
16 little bit more because I think it will do good for the  
17 whole situation.

18           Let's see. You know, horses have a natural  
19 instinct, and that natural instinct is to run from danger.  
20 When running -- when you see a horse running away from the  
21 starting gate or the field, it is sensing danger. Many of  
22 these horses are dead because they were not able to follow  
23 their natural instincts and forced into racing, and now  
24 they're dead.

25           So these are the reasons why I call in. I have 73

1 this year that I need to speak up for.

2 Thank you.

3 CHAIR FERRARO: Thank you.

4 Next, please.

5 OPERATOR: Thank you. And next, we'll go to Mary  
6 Johnson, equine advocate.

7 Please, go ahead.

8 MS. JOHNSON: Yes. Thank you very much. I just  
9 want to piggyback on what Heather Wilson said in her comment  
10 about Vertical Threat, and I love the word that she used,  
11 "trafficked." That horse was trafficked across the country  
12 until racing killed him at the age of four. I don't really  
13 know how anyone on the California Horse Racing Board, or Ms.  
14 Marrs, or any pro-racing individual can be okay with that  
15 because that, to me, is truly horrifying. So we're going to  
16 remember Vertical Threat.

17 Now, let's get back to Bob Baffert. And he's the  
18 face of the horse industry. He's a very polarizing  
19 individual, as you know. And he has a very poor drug safety  
20 record that goes back, literally, decades. His issues when  
21 thyroid medication when six or seven of his horses just  
22 dropped dead over about, approximately, a year-and-a-half  
23 was swept under the rug. Was that swept under the rug by  
24 the California Horse Racing Board? I think it was.

25 Now, that goes back quite a few years. And I

1 don't remember who was on the California Horse Racing Board  
2 at that time but shame on them. That should have been  
3 nipped in the bud a long time ago but there are so many  
4 people that love Bob Baffert, they cover of Bob Baffert, and  
5 he has his tenacles in everyone. People just like Bob  
6 Baffert. I'm not sure why. Maybe it's because of his  
7 Foster Grant glasses or his silvery-gray hair. I have no  
8 idea. But the man, literally, disgusts me. His atrocities  
9 toward the horses go back decades.

10           Now, Peter Miller, I think he's killed five horses  
11 this year, he was hit with a \$5,000 fine. What did he do?  
12 He's taking a six-month vacation.

13           What the hell is going on? How do you say you  
14 love horses, whether your Oscar de la Torre or Ms. Marrs or  
15 anybody on the California Horse Racing Board? How do you  
16 let this happen to horses that cannot speak for themselves?

17           Thank you.

18           CHAIR FERRARO: Thank you.

19           Next, please.

20           OPERATOR: Thank you. And next, we will go to  
21 Oscar de la Torre, worker advocate.

22           Please, go ahead.

23           MR. DE LA TORRE: Yes. Thank you for giving me  
24 the opportunity to speak up. You know, everyone that's  
25 talking about accountability and transparency, we totally

1 support.

2 I first off want to just applaud the CHRB and the  
3 motion made by Commissioner Gonzales to send a message to  
4 Golden Gate. Whenever we see a spike in accidental horse  
5 racing fatalities, we should do what we can to send a  
6 message that someone needs to look into that, someone needs  
7 to prevent that from happening moving forward. And so I  
8 really applaud the CHRB for, you know, for doing that. And  
9 even though the motion failed I think that message was still  
10 delivered loud and clear, and it's an appropriate and  
11 responsible thing to do.

12 So you know, I think all of us want the same  
13 thing, we want to make sure that we improve conditions for  
14 horses because so many lives of horses depend on that, but  
15 also the lives of humans. A lot of people's lives depend on  
16 safer horse racing and that's why we support the reform  
17 effort, and the reform effort is working.

18 You know, for the caller that stated that  
19 backstretch workers can get jobs at McDonalds, you know,  
20 just shows the ignorance, you know, of people. I mean, if  
21 you're concern is animal welfare, killing animals for food,  
22 I think, is a lot more harmful of a relationship than horse  
23 racing where 99.4 percent, I think, of all races that were  
24 conducted at Del Mar last race meet happened without an  
25 accidental horse racing fatality. I mean, that's success

1 and that's progress. We've seen the progress, also, at  
2 Santa Anita.

3           So for people that say that these workers that are  
4 skilled, that are professional in their jobs, caring for  
5 horses and handling horses, that you can go and get a job  
6 flipping burgers, where what does McDonalds do? I mean,  
7 every day they're killing cows, chickens, and pigs; right?  
8 That's a lot more than what's happening at the racetrack.  
9 So I think you should focus more on fast food if you think  
10 that animal welfare issues is part of your principles. You  
11 know, I think that's just as good.

12           But the attacking workers like that and saying  
13 that they should go flip burgers, I mean, that's demeaning  
14 to their profession. They see themselves as professionals  
15 and they love their careers working with horses.

16           Thank you.

17           CHAIR FERRARO: Thank you.

18           Next, please.

19           OPERATOR: Thank you. Next, we will go to  
20 Kimberly Marrs with KTM Equine.

21           Please, go ahead.

22           MS. MARRS: Hello Board. I just wanted to say I  
23 mirror Cliff Goodrich's comment, and Oscar de la Torre's. I  
24 was going to say how offended I was that, in all my years  
25 and the experience and education I put forth to learn what

1 I've learned and to be told that I can go flip burgers,  
2 that's just so demeaning.

3           But to the point, I understand, and I want answers  
4 about all these things that the animal extremists want, too,  
5 I don't want to see horses getting hurt or being euthanized  
6 on the racetrack. I spend my time, when I'm not training,  
7 studying, trying to learn as much as I can because I want to  
8 put forth out of my training so I can do a better job to  
9 make sure that my horses are safe and out of harm's way.  
10 It's -- a lot of trainers and a lot of people in the  
11 industry are doing the same thing. I'm just the vocal one  
12 about it.

13           We do care about these animals. We don't get up  
14 in the morning going, hey, let's see what we can destroy  
15 this morning. That's not our goal. That's not our  
16 livelihood. We love this industry. We love the people in  
17 it and we love the animals. And are learning, every day  
18 we're learning, and we are, honestly, we're taking a lot of  
19 educational courses. We've got a lot of unique horses that  
20 are coming our way that we have to take. There's a -- we're  
21 probably the most educated trainers in the country right now  
22 with all the education that they're giving us, and there's a  
23 lot more coming.

24           So just happy holidays and keep up the good work  
25 with the reforms. I'm with you.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: And next, we will go to Zvi Kriple.

4 Please, go ahead.

5 MR. KRIPLE: As you know, I love horse racing, but  
6 I don't like the people who run it. They do a really bad  
7 job of running it. They're old age. They're thinking old.  
8 And to approve that these horses dying on the racetrack,  
9 it's no good. I love horse racing.

10 I have another issue with the CHRB. How come they  
11 allow racetrack owner to have trainers working for them as  
12 independent contractors? Those people, most of them, are  
13 poor peoples, they are made to bend and kneel, you know?  
14 They live in a tack room. And the purpose is  
15 (indiscernible) please have a descent income so they won't  
16 have to play with the horses and let them run  
17 (indiscernible) and not on the racetracks.

18 So this picture is very bad. And I don't  
19 understand how Alan Balch, Alan Balch, you know, he is  
20 supposed to represent the trainers, what is he doing? When  
21 I tell him about these problems, he said, "Oh, I don't  
22 understand it, I don't understand (indiscernible)." I say,  
23 go open the Labor Code 226.8. It says clearly that  
24 misclassification of workers is an act of defrauding the  
25 people. What are they doing? What is the CTT doing and

1 what is CHRB doing?

2           So I'm very sorry for all this, what happens on  
3 the racetrack. I'm crying for the dying horses. It hurts  
4 my -- it hurts me deeply every time I see horse accidents,  
5 especially Los Alamitos, it's a butcher place. They should  
6 have closed it a long time ago. A butcher runs this place.

7           Thank you very much.

8           CHAIR FERRARO: Thank you.

9           Next, please.

10          OPERATOR: Thank you. We have no additional  
11 comments at this time.

12          CHAIR FERRARO: All right. Thank you.

13          At this time the Board will now go into executive  
14 session. At its conclusion, we will reconvene the public  
15 meeting for the sole procedural purpose of adjourning the  
16 public meeting without further comment. Anyone wishing to  
17 hear that meeting adjournment can use the link to audio  
18 webcasts on the CHRB website.

19          And with that, we will now go into closed session.  
20 Thank you.

21          (The California Horse Racing Board recessed into closed  
22 session at 11:51 a.m. and was later adjourned.)

23

24

25

## CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of December, 2021.



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

December 27, 2021