

STATE OF CALIFORNIA

HORSE RACING BOARD

In the Matter of:)

)

Regular Meeting)

)

TELECONFERENCE

WEDNESDAY, NOVEMBER 17, 2021

9:30 A.M.

Reported by:

Martha Nelson

APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

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

Zachary Voss, Regulation Analyst

Francisco Gonzales, Audit Supervisor

Jeff Blea, Equine Medical Director

Mike Marten, Associate Analyst

ALSO PRESENT

Tony Allevato, NYRabets

Mathew Feig, NYRabets

Alan Balch, California Thoroughbred Trainers

Christopher Schick, Watch and Wager

APPEARANCES

ALSO PRESENT

Dino Perez, Pacific Coast Quarter Horse Racing Association

Cathy Monji, Los Alamitos Quarter Horse Racing Association

Ed Allred, Los Alamitos Quarter Horse Racing Association

Jack Liebau, Los Alamitos Race Course

PUBLIC COMMENT

Martha Sullivan, Kill Racing Not Horses

Bonnie Croker, Kill Racing Not Horses

Lynn Freudenberg, Kill Racing Not Horses

Elvia Sedano, Kill Racing Not Horses

Lori Saldana

Wayne Johnson

Mary Johnson

Kimberly Marrs, KTM Equine

Oscar de la Torre

Cliff Goodrich

Troy Tabak, Local 280

Pavla Nygaard

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matters, as authorized by section 11126 of the Government Code.

- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).

- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as authorized by Government Code section 11126(e).

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

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2 P R O C E E D I N G S

3 9:30 A.M.

4 TELECONFERENCE, WEDNESDAY, NOVEMBER 17, 2021

5
6 CHAIR FERRARO: Good morning, everyone. This is
7 the noticed meeting of the California Horse Racing Board
8 conducted by teleconference pursuant to Executive Order
9 N-29-20.

10 Participating in this meeting are myself, Gregory
11 Ferraro, Chair; Dennis Alfieri -- (clears throat) excuse
12 me -- Commissioner; Brenda Washington Davis, Commissioner;
13 Wendy Mitchell, Commissioner; and Alex Solis, Commissioner.

14 Unfortunately, Chairman [sic] Gonzales could not
15 be with us this morning because of the death of his mother,
16 Yolanda Aguilar Gonzales last night. The Boards sends their
17 condolences and sympathies to Oscar and we wish him and his
18 family well.

19 We are joined in this conference, also, by Scott
20 Chaney, Executive Director; Cynthia Alameda, Assistant
21 Executive Director; Robert Brodnik, Chief Counsel; Amanda
22 Brown, Staff Counsel; Amanda Drummond, Manager of Policy and
23 Regulations; Shawn Loehr, Chief of Licensing and
24 Enforcement; Darrel McHargue, Chief Steward; Francisco
25 Gonzales, CHRB Audit Supervisor; Zachary Voss, Regulation

1 Analyst; and Dr. Jeff Blea, Equine Medical Director.

2 Now the Board invites comments on matters
3 appearing on the meeting agenda. In that regard, please
4 advised that items 9, 10, 11 and 12 are being postponed
5 until the December meeting, so there will be no discussion
6 on those items.

7 Procedurally, the Board will first hear from those
8 directly involved in the agenda item. I will then invite
9 public comment on the agenda item. The Board will not
10 answer questions. This item is for comment, not questions.
11 Those wishing to speak must follow the directions of the
12 operator to have their individual phone lines opened for
13 comment.

14 Unsolicited speakers are limited to two minutes.
15 During all public comments, a bell will be rung after the
16 first 90 seconds, meaning the speaker will have 30 seconds
17 remaining to conclude his or her remarks. At two minutes a
18 more distinctive sound will be heard to indicate the
19 speaker's time is up. The Board may ask questions of
20 individuals who speak which may extend their two-minute time
21 limit.

22 I will insist that all speakers stay strictly on
23 the topic for each agenda item. If a speaker strays off
24 topic, I will ask the operator to move on to the next
25 caller. If a speaker repeats himself or herself, I will ask

1 if the speaker has any new comments to make. If there are
2 none, the speaker will be asked to let others make comments
3 to the board.

4 If anyone has comments of a more general nature
5 that are not specific to earlier agenda items, those
6 comments must wait until the Public Comments at agenda item
7 number item 14, Public Comment. There will be a 30-minute
8 time limit for the Public Comment, item number 14. In order
9 to allow as many individuals to speak as possible within
10 that half-hour, I will strictly enforce the two-minute time
11 limit for each unsolicited speaker.

12 And with that, we can begin our meeting.

13 First agenda item is approval of the minutes of
14 October 20th, '21. Can I have a motion to approve, please?

15 COMMISSIONER DAVIS: Davis moves.

16 CHAIR FERRARO: Second?

17 COMMISSIONER SOLIS: Alex seconds. Solis seconds.

18 CHAIR FERRARO: Chairman -- thank you.

19 Chairman [sic] Alfieri?

20 COMMISSIONER ALFIERI: Yes.

21 CHAIR FERRARO: Commissioner Mitchell?

22 COMMISSIONER MITCHELL: Yes.

23 CHAIR FERRARO: Commissioner Solis?

24 COMMISSIONER SOLIS: Yes.

25 CHAIR FERRARO: Commissioner Davis?

1 COMMISSIONER DAVIS: Yes. CHAIR FERRARO:

2 Thank you. Minutes approved.

3 Item number two, discussion and action by the
4 Board regarding an amendment to the application for the
5 Advance Deposit Wagering provider NYRabets, LLC, pursuant to
6 Board Rule 2072(1).

7 Amanda?

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

11 Agenda item two is the amendment of the
12 application for NYRA and ADW providers. NYRA has submitted
13 a letter to the Board -- to Board Staff advising that
14 another entity, Fox, has entered into an option agreement
15 with NYRA to acquire a minority interest at 25 percent of
16 NYRabets. So effective July 1st, 2021, SSB (phonetic) Fox
17 will take a minority ownership interest in NYRabets and a
18 new director of NYRA will be appointed.

19 And pursuant to Board Rule 2072(1), changes or
20 amendments to information or operating procedures contained
21 in an ADW application must be approved by the Board. Since
22 a change of ownership structure has occurred (indiscernible)
23 asks the Board for their consideration and approval.

24 Additional, NYRA has included additional exhibits
25 which are contained in the Board packet. And the current

1 ADW approval for NYRA is active until December 21st, 2022,
2 as it was last approved by the Board at the November 19th,
3 2020 Board meeting.

4 And representatives from NYRA are available if the
5 Board has any questions.

6 Thank you.

7 CHAIR FERRARO: Do we have Mr. Alvarado [sic] in
8 the queue, Operator?

9 MR. ALLEVATO: Yes. Tony Allevato. I'm here.

10 CHAIR FERRARO: Yes. Do you want to make a few
11 comments? Do you have comments to make?

12 MR. ALLEVATO: Yeah. I just would like to say
13 that, you know, we're really -- we appreciate the Board's
14 consideration. And we are excited about the growing
15 opportunities that we have with Fox Sports and all the
16 resources that they are dedicating to horse racing with over
17 700 hours of live programming that they do every year in
18 conjunction with NYRA and other racetracks. And are excited
19 that they want to be a part of the ADW space. We feel that
20 them having skin in the game can only be a good thing for
21 the entire industry.

22 CHAIR FERRARO: Thank you. Thank you.

23 Any questions from the Board for Mr. Allevato?

24 Thank you, Tony.

25 Do we have a queue on this, Operator?

1 OPERATOR: We do.

2 CHAIR FERRARO: Well, let's go start.

3 OPERATOR: We take our first comment from Matthew
4 Feig with NYRabets.

5 CHAIR FERRARO: Thank you. Go ahead, please.

6 COMMENT MODERATOR: Matthew, your line may be
7 muted.

8 MR. FEIG: Yeah. Good morning. I believe I was
9 actually just in the queue just to support Mr. Allevato, if
10 you have any questions (indiscernible).

11 CHAIR FERRARO: Okay. Thank you very much.

12 Next, please.

13 OPERATOR: We'll take our next comment from Martha
14 Sullivan with Kill Racing Not Horses.

15 CHAIR FERRARO: Go ahead, please.

16 MS. SULLIVAN: Yes. Good morning. I just wanted
17 to point out something in terms of the media coverage of
18 horse racing, that NBC's flagship, long-running show,
19 Saturday Night Live, satirized horse racing the weekend of
20 the Breeders' Cup, even though NBC Sports was broadcasting
21 the Breeders' Cup. You know, it referred to a jockey that
22 had been injured in six places --

23 CHAIR FERRARO: I'm sorry to interrupt, Martha --

24 MS. SULLIVAN: -- (indiscernible) --

25 CHAIR FERRARO: -- but what has this got to do

1 with approval of --

2 MS. SULLIVAN: -- (indiscernible) --

3 CHAIR FERRARO: -- of this license?

4 MS. SULLIVAN: -- these horses and turned into
5 glue. And the replacement jockey wound up dead.

6 So I just want to point out the media coverage of
7 horse racing, you know, on the --

8 CHAIR FERRARO: This item has nothing to do --

9 MS. SULLIVAN: -- (indiscernible).

10 CHAIR FERRARO: -- with media coverage, Martha.
11 Operator, move on to the next, please.

12 OPERATOR: And at this time, we show no further
13 comments.

14 CHAIR FERRARO: Have I got a motion from the
15 Board?

16 COMMISSIONER SOLIS: So moved.

17 COMMISSIONER ALFIERI: So moved.

18 COMMISSIONER SOLIS: Alex Solis.

19 CHAIR FERRARO: Second?

20 COMMISSIONER ALFIERI: Second. Alfieri.

21 CHAIR FERRARO: Commissioner Davis?

22 COMMISSIONER DAVIS: Yes.

23 CHAIR FERRARO: Commissioner Solis?

24 COMMISSIONER SOLIS: Yes.

25 CHAIR FERRARO: Commissioner Mitchell?

1 COMMISSIONER MITCHELL: Yes.

2 CHAIR FERRARO: Commissioner Alfieri?

3 COMMISSIONER ALFIERI: Yes.

4 CHAIR FERRARO: Chairman votes yes. Thank you.

5 Moving on to item number two -- three, excuse me.

6 This is a presentation from the California Thoroughbred
7 Trainers regarding a status update on the Task Force
8 regarding animal safety.

9 Mr. Balch, can you speak to that item, please?

10 MR. BALCH: Yes, Mr. Chairman. Thank you, Mr.
11 Chairman, Commissioners, and Staff of the California Horse
12 Racing Board. Thank you for this opportunity to speak again
13 about our ongoing commitment to reducing serious equine
14 injuries and accidents still further from the already
15 remarkable improvements the sport has made since 2019. This
16 is the first of what I expect will be several progress
17 reports. And we appreciate the Board keeping the pressure
18 on for results by placing the matter on the agenda once
19 again for us to update our efforts.

20 The Task Force, which I advocated and described at
21 last month's meeting, and which CTT is leading at your
22 request, is in the final stages of formation, given that the
23 attention of racing's many constituencies over the last few
24 weeks of necessity was mainly on the Breeders' Cup at Del
25 Mar.

1 Immediately following your October meeting, I
2 addressed invitations for a commitment to all major track
3 and horsemen stakeholders and thoroughbred, Quarter Horse,
4 and harness racing throughout the state, as well as the
5 Jockeys' Guild. All have responded positively, I'm happy to
6 report. But now, of course, comes the hard work.

7 We're all mindful of both the unspoken and spoken
8 criticism of such a task force. And as we heard in the
9 public comment last month, quote unquote, "Everyone knows
10 that a task force of blue ribbon committee never gets
11 anything done." But as the Nobel Laureate Economist Milton
12 Friedman once remarked, quote, "If everyone knows it, it's
13 probably wrong." And there are still some flat earthers out
14 there, I suppose.

15 So one of our first orders of business is to
16 overcome skepticism, including from some in our midst. We
17 appreciate having had immediate access to the CHRB's
18 Commission and Staff leadership just prior to the Breeders'
19 Cup, as you know, Mr. Chairman, where we discussed what our
20 approach will be.

21 Initially, we will be forming a small Steering
22 Committee which will marshal the resources for Staff and
23 volunteers and any professionals needed to rank our
24 priorities. One fundamental principle of successful
25 engineering, as you know, is to tackle and solve a complex

1 problem by first dividing it into its component parts. In
2 our case, given the interdependent nature of this sport,
3 that's difficult but critically important to do. All
4 segments must be working simultaneously on the same
5 objectives, however, from their particularly perspectives.
6 Horsemanship, horse ownership, veterinary medicine, track
7 management, and the regulatory and political environment all
8 intersect.

9 We need to remember that it's because of the
10 complex nature of our industry, as well and maybe more
11 importantly as the complex physiology of the equine, that we
12 have the sometimes seemingly intractable problems we do.
13 But the last year or more is an indication that none of
14 those problems is incapable of being resolved.

15 Let's just stake two examples, sudden unexplained
16 mortality, and fractured shoulders of horses returning from
17 layoff. If we could make progress in just those two areas
18 alone, we would immediately improve our safety by an
19 enormous measure. These are important examples of
20 conditions which, by their nature, are hidden from the
21 observers. We need to bend every effort to determine how
22 they can be addressed in advance and how we can afford the
23 necessary diagnostics.

24 Nor will we ignore the potentially critical role
25 of peer pressure among trainers and owners themselves. CTT,

1 itself, will take additional steps to be sure that track
2 management and regulators fully understand that CTT's role
3 is to enhance standards of horsemanship, as well as fairness
4 and discipline, and never to defend improper behavior.

5 And I want to emphasize that any suggestion we
6 receive in any area of safety will be considered carefully,
7 whatever the source, including from those hostile to us. In
8 my own experience over the decades I've learned that even an
9 apparently bad idea carefully considered for what might be
10 good in it can lead to a breakthrough. Nevertheless, the
11 fact that we've improved our statistics so much since 2019
12 is, in itself, indicative that the distance we still have to
13 go will be even more challenging and we can't, necessarily,
14 expect quick progress.

15 Given the worlds human health issues over the last
16 two years or so, epidemiologists are in very short supply.
17 We will probably turn to academia to see if we can secure
18 assistance from experts in that field who are willing to
19 concentrate on our equine issues. Funding may well be
20 available from some of the same sources that have already
21 made horse racing the world's preeminent philanthropy in all
22 of equine health as we try to focus on the path ahead of us.
23 There is a lot to do in the weeks and months ahead and we
24 all feel the urgency.

25 I have also been pleased to receive unsolicited

1 interest and support from so many members of the public in
2 the last few weeks that I haven't been able even to
3 acknowledge all of them.

4 We have also heard, as well, from many only
5 indirectly tied to racing but who are sincerely interested
6 in animal welfare. We applaud all progress who appreciate
7 it, rather than deny it, and who are willing to join us in
8 learning more and doing more to improve our efforts of
9 safety still further.

10 So bottom line, all we've done at this point is
11 begun, but that's important in itself. And we believe we
12 have an approach that will deliver results. I don't suppose
13 we'll ever silence the skeptics but good works will speak
14 louder than mere words once they're achieved.

15 And of course, I'm available to answer any
16 questions or engage in any further discussion at this time.

17 CHAIR FERRARO: Thank you, Alan.

18 Do we have questions or comments from the Board
19 for Mr. Balch?

20 COMMISSIONER DAVIS: Yes. Alan, what is your
21 timeline? Do you have a set timeline in mind?

22 MR. BALCH: Well, when we met with Chairman
23 Ferraro and Executive Director Chaney at Del Mar, I
24 anticipate giving an update to the Board every month or
25 every other month, whatever the pleasure of the Board is.

1 We have to get the individual people in place and be able to
2 really encourage some action in the very near future. We
3 all know what time of year it is, of course. It's the
4 holidays. There's always going to be a reason why it's hard
5 to get people together. That's why we're going to take the
6 leadership of the Task Force in a different direction. It
7 will be a much smaller Steering Committee.

8 And to try to answer your question more directly,
9 I hope to have a concrete report each month of what we're
10 done and where we're going. If you go back and look at my
11 remarks from last month, we had several specific things that
12 we're going to be doing simultaneously. And I look to
13 myself to be able to provide you more concrete progress each
14 month.

15 Those two things that I mentioned today, the
16 sudden deaths and the shoulder injuries for horses coming
17 back off layoffs, are probably our top priorities to try to
18 address but also, potentially, the most difficult. But I
19 think we're going to make some progress, certainly month by
20 month. And I'm sure hoping that we have something very
21 concrete by February.

22 CHAIR FERRARO: Any other questions from the
23 Board?

24 Alan, I'm hoping next month, when you report to
25 us, that you could give us -- identify the members of your

1 Steering Committee, and maybe give us a short report.
2 Hopefully, you'd have your first meeting, then give us a
3 little indication of who and what and where and how you're
4 going to go from there. Is that agreeable to you?

5 MR. BALCH: Absolutely. The Steering Committee,
6 once it's in place, is going to be meeting very regularly.
7 The larger Task Force, which, you know, I feel will be 30
8 people or more based on the input that I've had from so many
9 people, will meet less frequently because it's hard to get
10 that many people together, you know, on a regular basis.
11 But the Steering Committee is going to be working on this on
12 an ongoing basis, so I anticipate, you know, December, we
13 should have had at least a meeting or two of the Steering
14 Committee by then.

15 CHAIR FERRARO: So the Steering Committee, the way
16 I understand it from what you told me before, the Steering
17 Committee, that's the one that's going to kind of direct
18 things, to make policy decisions. And you're going to use
19 the larger group to generate ideas of things that can be
20 done and they can make recommendations to the Steering
21 Committee and the Steering Committee can then try to
22 implement those things they think are useful; is that
23 correct? Am I understanding that correctly?

24 MR. BALCH: Sure. I think it will go back and
25 forth. But the Steering Committee is going to be staff-

1 driven, mainly by me and the CTT staff, trying to get other
2 people. We have a lot of people who are professionally
3 engaged in this who are willing to work on this right away.
4 The larger group, we want to provide progress to them and
5 make sure that the larger group says, wait a minute, you're
6 on the wrong track here or, yes, that's a good direction to
7 go. But there's -- it's going to be back and forth.

8 And fortunately, one of the things we've learned
9 in the pandemic is we can get a lot of things done virtually
10 that we used to have to wait for a long time to get
11 everybody in the same room at the same time. So I think, I
12 hope, that I'm going to surprise you with progress.

13 CHAIR FERRARO: Great, Alan. I love surprises.
14 Thank you.

15 Do we have any --

16 MR. BALCH: I'll probably surprise a lot of people
17 --

18 CHAIR FERRARO: Do we have a queue on this,
19 Operator?

20 MR. BALCH: -- if we can make any --

21 CHAIR FERRARO: Do we have a queue on this,
22 Operator?

23 OPERATOR: We do. We'll take our first comment
24 from Betty -- I'm sorry, Bonnie Croker with Kill Racing Not
25 Horses.

1 CHAIR FERRARO: Go ahead, please.

2 MS. CROKER: Thank you. Regarding the concept of
3 a task force for animal safety, you must first address
4 reality.

5 There have been seven CHRB-recorded horse
6 fatalities since the October meeting of the Medication,
7 Safety, and Welfare Committee during which the proposed
8 safety task force was perceived as a valuable tool for
9 reducing equine injuries and deaths, yes, Del Mar couldn't
10 make it through the opening day of its fall meet without a
11 catastrophic accident. Set the Tone, a two-year-old filly
12 with three racing starts lost her rider during training and
13 ran loose on the track. She ran into a pole, injuring her
14 shoulder. Veterinarians deemed her injury unrepairable and
15 she was euthanized.

16 There was, actually, one thing the task force for
17 animal safety could have done to prevent this from
18 happening. Let me explain.

19 The CHRB's recently published annual Postmortem
20 Examination Report states that the largest proportion of
21 submissions, 79 percent, were horses between two and four
22 years old, with 25 percent overall being horses who were two
23 years of age or less. The number of horses submitted with
24 catastrophic injuries or deaths dropped dramatically after
25 the fourth year of age. This trend has been consistent in

1 prior years.

2 I am 100 percent certain there isn't a person on
3 the safety task force who doesn't know damn well that two-
4 year-old horses have immature bones that are not fit for
5 racing, or even the demands of training. What good is your
6 task force if you are going to ignore this basic reality?

7 Your first task in the interest of safety is to
8 stop racing two-year-old horses. The death of two-year-old
9 Set the Tone could have been presented and, possibly, 25
10 percent of all future racehorse deaths could be prevented if
11 you'd stop racing two-year-olds.

12 The second task (indiscernible).

13 (Background conversation.)

14 MS. CROKER: And your second task should be to
15 close the CHRB loophole that allows so many horse deaths to
16 go unaccounted for and ignored because the horse was taken
17 off the track where injured and euthanized at a CHRB -- non-
18 CHRB facility. You can't fix failure if you don't have a
19 clear understanding of the problem.

20 But the ultimate problem is, clearly, horse racing
21 itself. But until we can end horse racing, please save as
22 many lives as you can.

23 Thank you.

24 CHAIR FERRARO: Thank you.

25 Next, please.

1 OPERATOR: We'll take our next comment from Lynn
2 Freudenberg with Kill Racing Not Horses.

3 MS. FREUDENBERG: Hey. Good morning. Does this
4 task force include the fourth steward assigned to following
5 up on injured, vanned, or bleeding horses?

6 Per the CHRB, in addition to the three-member
7 panel that oversees operations at each track, the CHRB
8 assigns a fourth steward to serve the specific role of
9 safety steward to ensure the protection of horses and
10 licensees. One of the safety steward's responsibilities is
11 to follow up on all horses that are vanned off or injured on
12 the track. If those horses leave the facility shortly after
13 injuries occur, CHRB investigators follow up along with the
14 safety steward.

15 Does this fourth steward only follow up on if the
16 horses are transferred to a facility with CHRB oversight? I
17 think that question needs to be answered.

18 Two horses were vanned from Los Alamitos who
19 should have been pulled up or listed at did not finish.
20 Instead, they were made to hobble across the wire. Each
21 horse placed last and then was vanned off. First, it was
22 Listen Linda, a seven-year-old mare, took a bad step, placed
23 last out of six, and was vanned off, placed on the vet list
24 that day as unsound. Francisco Ortega Rojas did not pull
25 her up, nor did he list her as a did not finish. Listen

1 Linda dropped back sharply, obviously injured, but then was
2 still forced to hobble to the finish line.

3 Fashion Icon, on May 22nd, 2021 at Los Alamitos,
4 four-year-old filly with 18 starts, listed as lost early
5 action, vanned. After placing last out of six, she's still
6 MIA. Why didn't Ruben Lozano pull her up? She finished
7 very far behind. And was this in desperation to earn \$300
8 for the race?

9 I can only hope that the CTT prioritizes a need to
10 investigate why injured horses are forced to finish a race.

11 CHAIR FERRARO: Thank you.

12 Next, please.

13 OPERATOR: Our next comment comes from Elvia
14 Sedano with Kill Racing Not Horses.

15 MS. SEDANO: good morning. This is Elvia.

16 Nothing in the Board meeting packet regarding the
17 California Thoroughbred Trainers Task Force on safety. How
18 convenient. At least six dead horses since last CHR
19 meeting on 10/20, Major Tabby (phonetic), Star of Africa,
20 Storm Spun, Set the Tone, Racer (phonetic), Galloping Slew
21 (phonetic).

22 Next, I want to talk about horses who break
23 through the front of the starting gate. They need to be
24 scratched (indiscernible), but it's only when the world is
25 watching. For example, the Breeders' Cup, do they scratch?

1 CHAIR FERRARO: Excuse me. Excuse me but this has
2 nothing to do with the Thoroughbred Trainer's report. Can
3 you confine your comments to suggestions or comments on
4 their report, please?

5 MS. SEDANO: Modern Games was scratched because
6 Ageless Spot (phonetic), he broke through the gate. But in
7 fact, the gate was opened by crew. And Dr. Blea's
8 justification for the scratch, and I quote --

9 CHAIR FERRARO: Excuse me.

10 MS. SEDANO: -- "I do know" --

11 CHAIR FERRARO: This has nothing to do --

12 MS. SEDANO: -- "they come back" --

13 CHAIR FERRARO: -- with this item.

14 MS. SEDANO: -- "for when" --

15 CHAIR FERRARO: Operator, move on, please.

16 OPERATOR: We'll take our next comment from Martha
17 Sullivan with Kill Racing Not Horses.

18 MS. SULLIVAN: This task force --

19 CHAIR FERRARO: Go ahead, please.

20 MS. SULLIVAN: -- came out of the Board's proposal
21 to penalize trainers for the deaths of horses in their care.

22 You know, as of November 3rd, when a second horse
23 died, Storm Fun, in training at the nearby San Luis Rey
24 Training Center, just north of Del Mar, a three-year-old
25 unraced colt who is just listed as musculoskeletal for his

1 death, the CHRB listed Peter Miller as his trainer in the
2 fatalities' list. Storm Fun is the fourth horse trained by
3 Peter Miller to die in training this year at the San Luis
4 Rey Training Center. In fact, Peter Miller is the trainer
5 for all of the fatalities at the San Luis Rey Training
6 Center this year.

7 Miller also trained Fight On Ron, who died racing
8 at Santa Anita on October 1st. And Abito (phonetic), he
9 died racing at Santa Anita the first weekend of this racing
10 season this year on December 27th, 2020.

11 So in all, Trainer Peter Miller now has six horses
12 die in his care as reported by the CHRB in this racing
13 season. So why does Peter Miller keep being allowed to
14 enter horses? He had 11 horses entered in the Breeders'
15 Cup, and he continues to have horses entered in Del Mar
16 races.

17 This, right here, is the poster boy for why this
18 task force was formed in response to proposals to penalize
19 trainers for horse fatalities. Just keep that I mind.

20 CHAIR FERRARO: Thank you. Your time is up.
21 Thank you very much.

22 Next, please.

23 OPERATOR: Our next comment will come from Lori
24 Saldana with retired California Assemblymember.

25 MS. SALDANA: Thank you. Yes. My --

1 CHAIR FERRARO: Go ahead, please.

2 MS. SALDANA: Can you hear me? Hello?

3 CHAIR FERRARO: Yes. Go ahead.

4 MS. SALDANA: Okay. My name is --

5 CHAIR FERRARO: Go ahead.

6 MS. SALDANA: -- Lori Saldana. I'm trying to
7 speak, sir. Hi. My name is Lori Saldana. I was a Speaker
8 Pro Tempore in the California Assembly and last year retired
9 after 20 years of teaching information technology and
10 accounting. And the first thing I taught students is you
11 can't improve on what you don't measure. Measurements are
12 important. And as the speaker noted, this is a complex
13 industry. You're trying to measure improvements to horse
14 safety.

15 So I have to ask, why wasn't the public provided
16 with a written report related to this issue? If you're
17 going to introduce a complex issue to people, provide
18 written materials and go through the analysis to help us
19 understand the complexities.

20 So I'd like to ask that the Board require a
21 written report, along with the rest of the Board packet,
22 that can be provided to the public regarding the work of
23 this task force. It's especially important when so many
24 horses have been injured and have died recently. And you
25 can't improve what you don't measure, so how is this being

1 measured?

2 I'm also understanding that as the media is doing
3 live broadcasts of horse races, they often cut away from a
4 horse when it tumbles and is injured on the track. Videos
5 are often edited to remove evidence of those injuries.

6 So again, if you're going to be honest and
7 straightforward with the taxpayers who are funding this
8 operation, that requires accountability and accuracy. And
9 what I heard today, and what I tried to read in the document
10 provided, the information is missing. All we are doing is
11 hearing someone make comments on the issue without providing
12 effective information.

13 So as someone who presided over the State
14 Legislature, who listened to reports, who observed people
15 present complicated and, as the speaker said, complex
16 information, I would ask this Board, require before anyone
17 does a report that they put together a written document
18 ahead of time so people can be prepared to ask questions
19 about the work that they are doing.

20 Thank you.

21 CHAIR FERRARO: Thank you.

22 Next, please.

23 OPERATOR: We'll take our next come from Dr. Wayne
24 Johnson, citizen.

25 CHAIR FERRARO: Go ahead, please.

1 DR. JOHNSON: Thank you very much and good
2 morning, Chairman Ferraro and Board.

3 On the 20th of October, Mr. Balch, the head of
4 this task force, said, quote unquote, "A life is a life." I
5 wanted to compliment him on that because no animal rights
6 activist or anti-horse person -- or anti horse racing person
7 could say it better than that, a life is a life, so thank
8 you for saying that.

9 He said it in relationship to PETA, the People for
10 Ethical Treatment of Animals, killing of dogs in their so-
11 called shelter in Norfolk. He is absolutely right about
12 PETA. He is 100 percent right. That is obscene that they
13 are killing dogs in their Norfolk shelter. But a life is a
14 life also applies to horses. It also applies to the horses
15 that have died, including Star of Africa, since we met last.

16 Mr. Balch invites, quote unquote, "comments from
17 even hostile people." Twenty months ago I called Mr. Balch
18 to ask him to lunch. I emailed him to ask him to lunch. I
19 called him again when I didn't hear from him and left
20 another message to ask him to lunch because I believe in
21 dialogue. I've called Mr. Chaney, no response. I've
22 emailed Chairman Ferraro, no response. A dialogue is a two-
23 way street, so you'll pardon me if I'm a little bit
24 skeptical about the invitation to dialogue to those who
25 disagree with Mr. Balch.

1 Thank you.

2 CHAIR FERRARO: Thank you.

3 Next, please.

4 OPERATOR: Our next comment will come from Mary
5 Johnson, equine advocate.

6 MS. JOHNSON: Good morning, Chairman Ferraro and
7 Board Members.

8 A previous commenter mentioned a horse --
9 mentioned a trainer by the name of Mr. Peter Miller. He has
10 a horrific track record, as you well know. There was a
11 horse, back in October of 2020, by the name of Julius.
12 2015, 18 starts, sold for \$600,000 as a yearling, \$130,000
13 in winnings. His last race was in October last year at a
14 Kentucky track, it was either Keeneland or Churchill, but
15 prior to that he raced at Del Mar, Golden Gate, and Santa
16 Anita. Where is that horse?

17 I know exactly where that horse is. That horse is
18 dead as of October 2020, about a year ago. So somebody
19 needs to reach out to Mr. Miller, ask him, what happened to
20 Julius? Again, he was five years old and he was
21 (indiscernible), pretty well bred.

22 I also want to say something else. This goes to
23 Mr. Balch. And he seems to view us as the enemy.

24 And by the way, Chairman Ferraro, I think you're
25 very disrespectful to us who speak for the horses. It makes

1 me quite angry. I will always speak for the horses and I
2 will never be silenced.

3 But this is a quote from someone you know, Dr.
4 Rick Arthur. He said, "It's hard to justify how many horses
5 we go through. In humans, we never see someone -- in
6 humans, we never see someone snap their leg off in the
7 Olympics, but you see it in horse racing." Why is that?
8 Because you put money ahead of what's best for the horses.

9 Thank you.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: At this time, we show no further
13 comments.

14 CHAIR FERRARO: Any comments or questions for Mr.
15 Balch from the Board?

16 If not, we'll move on to item number four, this is
17 discussion and action by the Board on the Application for
18 License to Conduct a Horse Racing Meeting of Watch and
19 Wager, LLC at Cal Expo, commencing December 22nd, 2021
20 through May 10th, 2022.

21 Mr. Voss?

22 MR. VOSS: Yeah. Good morning, Commissioners.
23 This is Zachary Voss, Regulation Analyst at the CHRB.

24 Agenda item number four is the Application for
25 License to Conduct a Horse Racing Meeting of Watch and Wager

1 at Cal Expo. The race meet would run December 22nd, 2021
2 through May 10th, 2022. The application is complete and no
3 items are outstanding.

4 We have representatives from Watch and Wager
5 available should the Board have any questions.

6 Thank you.

7 CHAIR FERRARO: Questions or comments from the
8 Board?

9 Representative of Watch and Wager would like to
10 address the Board? No?

11 EXECUTIVE DIRECTOR CHANEY: Hey, Mike, Scott
12 Chaney here. That would probably be Chris Schick.

13 MR. MARTEN: Chris Schick, would you press star
14 one?

15 OPERATOR: Your line is now live.

16 MR. SCHICK: Good morning, Chairman Ferraro.

17 CHAIR FERRARO: Go ahead, please.

18 MR. SCHICK: Chris Schick. Can you hear me?

19 CHAIR FERRARO: Yes, we can. Go ahead.

20 MR. SCHICK: Hi. Good morning. Chris Schick,
21 Watch and Wager at Cal Expo.

22 We're all set to open our fall meeting here this
23 coming Friday. The application you have before you is for
24 37 days, two more than last season. We've expanded our
25 calendar a week going into the first week in May and we're

1 going to see how that works out this year.

2 The industry has really made a joint commitment to
3 our Cal Sire Stakes program this year. We have added ten
4 Cal Sire stakes -- ten Cal Sire stakes for a total of 30
5 stakes over a 37-day meeting. Eight of the stake races are
6 for \$20,000, and we've added two \$50,000 finals, so we're
7 really happy about this. This is something that's been in
8 the works for a number of years and we're really trying to
9 turn, you know, the breeding cycle around. We know it's a
10 heavy lift but we've got to start somewhere.

11 Anyway, our overnight purses have been increased
12 and we think we're heading in a really good direction.
13 We're optimistic about the upcoming meet. And we're asking
14 the Board for its continued support.

15 CHAIR FERRARO: Thank you.

16 Any questions for Mr. Schick from the Board?

17 If there are none, do we have a queue on this,
18 Operator?

19 OPERATOR: We do, sir. We will take our first
20 comment from Martha Sullivan with Kill Racing Not Horses.

21 CHAIR FERRARO: Go ahead, please.

22 MS. SULLIVAN: Yes. I'm concerned about harness
23 racing being kind of left out of the CHRB reform efforts.
24 Part of that is because, you know, one, when trying to, you
25 know, educate myself about harness racing, the CHRB replied

1 that an abbreviation used in that industry, DIS, meant
2 disqualified, and it actually means distance.

3 I've noticed that there's no medication or entry
4 condition agreement for this meet as there are for the
5 other, you know, licenses.

6 And I also would like to specifically ask, will
7 harness racing be covered in this new animal safety task
8 force?

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: We'll take our next comment from Lynn
12 Freudenberg with Kill Racing Not Horses.

13 MS. FREUDENBERG: Good morning. I have a question
14 about Cal Expo. Why isn't a horse pulled up, a did not
15 finish, when they are so distanced that the end time is not
16 even entered on the chart?

17 From the last Cal Expo meet, it happened numerous
18 times to a horse named Tropical Fruit, November 21, November
19 28, December 19th of 2020, and then again on March 7th the
20 horse was scratched. On April 25th, 2021, same thing,
21 listed as distanced on the racing chart with no finish time.
22 The steward's minutes listed this horse as being a first-
23 time Lasix use. So was Jessie Pechako (phonetic). The
24 Lasix didn't seem to help, and then we went to the U.S.
25 Training Association and entered Tropical Fruit. Where is

1 Tropical Fruit?

2 I think better monitoring of these horses needs to
3 be a top priority.

4 Thank you.

5 CHAIR FERRARO: Thank you.

6 Next, please.

7 OPERATOR: Our next comment comes from Elvia
8 Sedano with Kill Racing Not Horses.

9 MS. SEDANO: Good morning. When the CHRB update
10 the whipping rules for the harness horses?

11 Rule 1734 does not specific the total number of
12 allowable strikes in a harness race. It only states no more
13 than three in succession. But still, that means a driver
14 can beat his horse for the whole race so long as it is done
15 in steps of three. The Quarter Horses and thoroughbreds
16 have their own rules, no more than six strikes per race, so
17 why not the Standardbreds?

18 Thank you.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: I'm showing no further comments.

22 CHAIR FERRARO: Any questions or comments from the
23 Board? Can I have a motion to approve?

24 COMMISSIONER SOLIS: Solis moves to approve.

25 COMMISSIONER DAVIS: Davis moves -- Davis seconds.

1 CHAIR FERRARO: Solis. Okay.

2 Commissioner Alfieri?

3 COMMISSIONER ALFIERI: Yes.

4 CHAIR FERRARO: Commissioner Mitchell may not be
5 on.

6 Commissioner Solis?

7 COMMISSIONER SOLIS: Yes.

8 CHAIR FERRARO: Commissioner Davis?

9 COMMISSIONER DAVIS: Yes.

10 CHAIR FERRARO: And the Chairman votes yes.
11 Motion passes.

12 Item number five, discussion and action by the
13 Board regarding approval of an agreement, pursuant to CHRB
14 Rule 1581, Racing Secretary to Establish Conditions, between
15 Los Alamitos Quarter Horse Racing Association and the
16 Pacific Quarter Horse Racing Association, regarding entry
17 conditions and specified drug substances or medications to
18 be implemented by the LAQHRA at the Los Alamitos Race
19 Course.

20 Mr. Voss?

21 MR. VOSS: Yes. Good morning, Commissioners.
22 This is Zachary Voss again.

23 Agenda item number five is the discussion and
24 action by the Board regarding approval of the race day
25 medication agreement, pursuant to CHRB Rule 1581, between

1 the Pacific Quarter Horse Racing Association and the Los
2 Alamitos Quarter Horse Racing Association. The agreement
3 pertains to entry conditions and specified drug substances
4 and medications to be implemented by Los Alamitos for their
5 upcoming race meet. The agreement has been signed by Los
6 Alamitos and the PCQHRA and it's reflected in the Board
7 package.

8 A quick note about the Staff analysis is included.
9 It incorrectly lists Lasix in stakes races as part of the
10 agreement which is incorrect, but the agreement itself does
11 not and it is, therefore, correct.

12 Thank you.

13 CHAIR FERRARO: Yeah. Could you explain that
14 again regarding the Lasix?

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

17 Yeah, Lasix -- the staff analysis piece includes
18 the Lasix in stake races explanation. That is actually not
19 part of the agreement. So the agreement you're considering
20 is correct in your packet --

21 CHAIR FERRARO: Okay. Okay.

22 EXECUTIVE DIRECTOR CHANEY: -- regarding IA
23 injections, along with a few other things.

24 Los Angeles Quarter --

25 CHAIR FERRARO: Okay.

1 EXECUTIVE DIRECTOR CHANEY: -- LAQHA -- I'm sorry,
2 LAQH regulates IA injections more strictly than our
3 regulation which went into effect about two weeks ago. So
4 they need a new remand to do that in a more strict manner.

5 CHAIR FERRARO: Very good.

6 Any questions or comments from the Board?

7 Do we have a representative of the Quarter Horse
8 Association or Los Al who wish to speak to this item?

9 MR. PEREZ: Yes. This is Dino Perez with Pacific
10 Coast Quarter Horse. Can you hear us?

11 CHAIR FERRARO: Yes. Yes. Go ahead.

12 MR. PEREZ: Okay. We've submitted our agreement.
13 Staff and Dr. Blea reviewed it. They had us make a few
14 changes and we sent it back and we signed, so we're in good
15 shape, ready to go. If you guys have any questions?

16 CHAIR FERRARO: Any questions from the Board?

17 I think we have everything in your packet.

18 Operator, do we have a queue on this?

19 OPERATOR: We do. We have a comment from Lori
20 Saldana with retired California Assemblymember.

21 CHAIR FERRARO: Let me remind you, this is not
22 about the application for a license. It's about the
23 agreement between the association and the racetrack
24 regarding the use of medications, so go ahead, please.

25 MS. SALDANA: Yes. Thank you. And I just wanted

1 to acknowledge that, now, this is a complex issue. And it
2 is provided -- you have provided the public with a
3 considerable amount of information, and I want to
4 acknowledge that this is, actually, a very well done agenda
5 item packet. So -- but I -- so I don't really have any
6 specific questions on this. I just want to acknowledge that
7 this is how a complex issue should be presented to the
8 public before a meeting takes place, so thank you for
9 providing this level of information on this topic.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: We have no further comments.

13 CHAIR FERRARO: Questions or comments from the
14 Board? Can I have a motion, please?

15 COMMISSIONER DAVIS: Davis moves.

16 CHAIR FERRARO: Second?

17 COMMISSIONER SOLIS: Solis seconds.

18 CHAIR FERRARO: The Chairman seconds. Okay.

19 Commissioner Alfieri?

20 COMMISSIONER ALFIERI: Yes.

21 CHAIR FERRARO: Commissioner Solis?

22 COMMISSIONER SOLIS: Yes.

23 CHAIR FERRARO: Commissioner Davis?

24 COMMISSIONER DAVIS: Yes.

25 CHAIR FERRARO: And the Chairman votes yes.

1 Moving on to item number six, discussion and
2 action by the Board on the Application for License to
3 Conduct a Horse Racing Meeting of the Los Alamitos Quarter
4 Horse Racing Association at Los Alamitos Race Course,
5 commencing December 22nd, 2021 through December 20th, 2022.

6 Mr. Voss?

7 MR. VOSS: Good morning, again, Commissioners.
8 Zachary Voss.

9 Agenda item six is the Application for License to
10 Conduct a Horse Racing Meeting of the Los Alamitos Quarter
11 Horse Racing Association at Los Alamitos. The racing would
12 run from December 22nd, 2021 through December 20th, 2022.
13 The application is complete and no items are outstanding.

14 We have Dr. Ed Allred, Chairman and CEO, Kathy
15 Monji, President, and Frank Sheeran (phonetic), Facility
16 Manager, Belinda Gutierrez (phonetic) from Marketing, Dino
17 Perez, General Manager of the PCQHRA, and Rick English, CFO
18 at Los Angeles, available should the Board have any
19 questions.

20 Thank you.

21 CHAIR FERRARO: Can we have the group address the
22 Board, please, whoever wants to lead?

23 MS. MONJI: Good morning. This is Cathy Monji,
24 President of Los Alamitos Quarter Horse Racing Association.
25 This morning we are respectfully requesting approval of our

1 2022 race meet application.

2 Our Los Alamitos staff, Dr. Fitzgerald, our
3 veterinarians, trainers, owners, and jockeys, and our
4 Integrity Team have worked so very hard to constantly
5 improve the equine safety and integrity of our sport. Their
6 dedication and devotion to raising safety at LARC and each
7 other are key to our ultimate goal and their cooperation is
8 deeply appreciated.

9 Dr. Allred continues to persevere, working
10 directly with our Integrity Team to ensure, well, the
11 integrity of racing. We're all -- we are always so very
12 proud of what he does to bring integrity to our sport and
13 to -- and make Los Alamitos a great place to race.

14 This past year, we worked closely with the County
15 of Orange, hosting several COVID vaccine clinics for our
16 employees, backsiders, and our Orange County residents. And
17 last week we hosted our latest clinic for COVID vaccine
18 booster shots and flu vaccines for all of our employees and
19 backsiders to help them.

20 Los Alamitos management and our entire close
21 family of dedicated employees and horsemen remain truly
22 committed to the continued safety of our horses and riders.
23 Our deep love and strong passion for our sport is always at
24 the forefront of all our decisions and actions.

25 If you have any questions, we're all here for you.

1 CHAIR FERRARO: Cathy, first of all, I compliment
2 you and your organization on the improvements you've made
3 regarding equine safety over the last year. It's been a
4 very obvious and positive change, so I compliment you on
5 that.

6 The first question I have is, yeah, I see your
7 application, you're applying for three days a week
8 license -- or racing, but you have been only racing two days
9 a week. What is your plan regarding that?

10 DR. ALLRED: Ed Allred, Chairman. We will
11 probably continue racing two days a week during the winter,
12 anyway. We're hopeful that next spring and summer, we will
13 increase to three days a week. But actually, the two days a
14 week may be the best format for us. Only time will tell.

15 CHAIR FERRARO: Okay. All right. That's very
16 good. Thank you.

17 And Cathy, I hope you or one of the
18 representatives of Mr. Allred would participate in Mr.
19 Balch's committee. I think you guys could have some
20 important input on that regard. So when asked, I hope
21 you'll participate. Thank you.

22 MS. MONJI: We did. We already let --

23 CHAIR FERRARO: Any questions? Yeah, I guess so.
24 I was informed that you were asked, so great, I'm glad
25 you're on board.

1 Any questions from the Board?

2 If there are none, do we have a queue on this,
3 Operator?

4 OPERATOR: We do, sir. We'll take our first
5 comment from Martha Sullivan with Kill Racing Not Horses.

6 MS. SULLIVAN: Yes. Hello. I just want to
7 highlight the really tragic story of two-year-old gelding
8 Favorite Doc, who won his race on October 16 of this year at
9 Los Alamitos in the night races. But he was mortally
10 injured, and you can see him on video being whipped
11 repeatedly to get to the winner's circle by his jockey,
12 Jesus Ayala. The dying horse came to a complete stop but
13 continued to be whipped by Ayala and became a reported
14 fatality. And this is excruciating to watch.

15 And I hope, I haven't gone to look at the
16 steward's minutes, I will confess, but I hope that Jockey
17 Ayala has experienced some kind of consequence for this
18 because it was extremely inhumane treatment for this dying
19 horse. And if this is what is allowed at Los Al, yeah,
20 they've reduced their fatalities, I will give that to them,
21 (indiscernible) 11 fatalities this year at Los Al. But this
22 was a really horrendous, horrendous example of the
23 inhumanity given so-called equine athletes that are loved
24 like family.

25 CHAIR FERRARO: Thank you.

1 Next, please.

2 OPERATOR: We'll take our next comment from Elvia
3 Sedano with Kill Racing Not Horses.

4 MS. SEDANO: Good morning. This is Elvia.

5 Great Power, let's look at his so-called career.
6 He was just vanned for a second time from Los Alamitos. On
7 08/31/20 at Del Mar, he clips heels, fell and trampled, and
8 vanned off. Del Mar butchered the video.

9 On 02/26/21, broke through gate at Santa Anita,
10 not scratched, placed second to last.

11 CHAIR FERRARO: Excuse me, but we're talking about
12 Los Alamitos here, so let's confine your comments to
13 events --

14 MS. SEDANO: Okay.

15 CHAIR FERRARO: -- that happened at --

16 MS. SEDANO: So --

17 CHAIR FERRARO: -- Los Alamitos, please.

18 MS. SEDANO: Okay. So next thing you know, he is
19 dumped at Los Alamitos in claiming races, vanned for a
20 second time at Los Alamitos on 10/03/21 after taking a bad
21 step with Edgar Morales (phonetic), listed as unsound that
22 day, not seen since. Where is Great Power, who has the
23 unfortunate distinction of being vanned off on two separate
24 occasions?

25 Thank you.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: Our next comment will come from Lynn
4 Freudenberg with Kill Racing Not Horses.

5 MS. FREUDENBERG: Hey. Good morning. Horse
6 racing at Los Alamitos is a public display of violence and
7 brutality. The example I was going to give was Favorite
8 Doc, but Martha commented on it and she just, you know,
9 commented very well on the sad display of cruelty this was
10 by Jesus Ayala, along with an example of unsportsmanlike
11 conduct. I really do hope that Jesus Ayala did have
12 consequences for what he did during this race.

13 Another example is also Too Gawdy (phonetic). The
14 video to watch was really difficult. This happened on
15 January 23rd, 2021. This race should have been canceled due
16 to weather. It was just such sloppy conditions. As soon as
17 the gate opened, Gawdy runs out, both legs, front legs, go
18 separate ways. He cannot get back up. He's on a sloppy
19 track. This race was deleted by Los Alamitos. The chart
20 was also altered. The original chart stated, "Injured,
21 vanned," and then was changed to "locked up and vanned off."

22 Forced to race in the pouring rain on a muddy slope --
23 muddy, sloppy track. Why did the track superintendents or
24 the stewards allow this to happen? You should not be racing
25 on an unmanageable racetrack.

1 The post parade was abbreviated due to lighting
2 per the track announcer. And the race was also delayed by
3 20 minutes because of the weather. The Paulick Report even
4 commented on this, saying, "Los Alamitos pride itself on
5 safety as a top priority but then does racing in this, in
6 the weather, unmanageable track."

7 The L.A. Times also commented on this. You know,
8 why would this race take place on such an unmanageable
9 track?

10 Please stop saying that safety is a top priority
11 when so many videos are out there to dispute safety as a top
12 priority at Los Alamitos.

13 Thank you.

14 CHAIR FERRARO: Next, please.

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

17 DR. JOHNSON: Just last month, not last year, not
18 two years ago but on the 17th of October, Luca's Ride died
19 at Los Al.

20 Ed and Cathy want to talk about integrity. Where
21 is the integrity when all these horses are dying at their
22 track?

23 Thank you.

24 CHAIR FERRARO: Next, please.

25 OPERATOR: Our next comment will come from Lori

1 Saldana, retired California Assemblymember.

2 MS. SALDANA: Yes. Thank you. I have attended
3 racing at other locations, not physically at Los Alamitos,
4 but I have watched videos of some of their races. And I
5 would just say, the event that was described recently of a
6 horse being whipped to the point that it couldn't even walk,
7 you know, Californians, even those of us who have in the
8 past attended horse racing events, we have a really low
9 tolerance for what appears to be displays of cruelty against
10 animals in these competitions. And when a similar type of
11 incident happened at the Tokyo Olympics last year, the
12 International Olympic Committee decided to eliminate that
13 sport from future Olympic events.

14 So as someone who does not participate in horse
15 racing as much as I have in the past, and has a lower
16 tolerance for some of the behavior that I've seen exhibited
17 at times, including deaths of animals, of horses, on the
18 track, I just have to say that to continue to permit these
19 races without addressing the behavior of the jockeys,
20 without addressing the televised cruelty that is being
21 broadcast, representing the state of California to others
22 around the country and around the world, it really is not
23 sustainable. It is not a way to promote an industry. It's
24 not a way to promote something that is only possible in
25 California because of the state Constitution, which can be

1 changed by people who are unhappy with those activities.

2 So as someone who was a constitutional officer in
3 the California Legislature, I just have to say, this sport
4 does not represent the State of California admirably. And
5 Los Alamitos needs to do a better job of protecting people
6 and animals in its care.

7 Thank you.

8 CHAIR FERRARO: Thank you.

9 Next, please.

10 OPERATOR: There are no further questions --
11 comments in queue.

12 CHAIR FERRARO: Any questions or comments from the
13 Board? If not, can I have a motion?

14 COMMISSIONER SOLIS: I move to approve.

15 CHAIR FERRARO: Second?

16 COMMISSIONER ALFIERI: Second. Alfieri.

17 CHAIR FERRARO: Okay. Commissioner Davis?

18 COMMISSIONER DAVIS: Yes.

19 CHAIR FERRARO: Commissioner Solis?

20 COMMISSIONER SOLIS: Yes.

21 CHAIR FERRARO: Commissioner Alfieri?

22 COMMISSIONER ALFIERI: Yes.

23 CHAIR FERRARO: And the Chairman votes yes.

24 Motion approved.

25 Moving on to item number seven, discussion and

1 action by the Board regarding approval of an agreement,
2 pursuant to CHRB Rule 1581, Racing Secretary to Establish
3 Conditions, between the Los Alamitos Horse Racing
4 Association and the Thoroughbred Owners of California
5 regarding entry conditions and specified drug substances or
6 medications to be implemented by LARA at the Los Alamitos
7 Racetrack.

8 Amanda, would you like speak to this, please?

9 MS. DRUMMOND: Yes. Good morning, Commissioners.

10 Amanda Drummond again.

11 Agenda item seven is the discussion and action by
12 the Board regarding approval of the race day medication
13 agreement, pursuant to Board Rule 1581, between the TOC and
14 LARA. The agreement pertains to entry conditions and
15 specified drug substances and medications to be implemented
16 by Los Alamitos for their upcoming meet. The agreement has
17 been signed by Los Alamitos and the TOC and it is reflected
18 in the Board package.

19 Thank you.

20 CHAIR FERRARO: And the agreement has been signed.

21 We don't necessarily need comments from TOC or Los Alamito
22 but, if you would like to say something, we'd entertain that
23 now, either TOC or Los Alamitos.

24 MR. LIEBAU: Yes. This is Jack Liebau. This is a
25 standard agreement entered into by all the tracks and TOC.

1 And we would assume that -- or we would hope that the
2 agreement would be approved by the Board.

3 Thank you.

4 CHAIR FERRARO: Thank you.

5 Does TOC have a comment? It's not necessary but if
6 they'd like to make one, we'll take it.

7 Do we have a queue on this, Operator?

8 OPERATOR: We do not have a queue.

9 CHAIR FERRARO: Questions or comments from the
10 Board? Can I have a motion, please?

11 COMMISSIONER DAVIS: Davis moves.

12 CHAIR FERRARO: Second?

13 COMMISSIONER ALFIERI: Second. Alfieri.

14 CHAIR FERRARO: Okay. Commissioner Davis?

15 COMMISSIONER DAVIS: Yes.

16 CHAIR FERRARO: Commissioner Solis?

17 COMMISSIONER SOLIS: Yes.

18 CHAIR FERRARO: Commissioner Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 CHAIR FERRARO: And the Chairman votes yes.

21 Moving on to item number eight, discussion and
22 action by the Board on the Application for License to
23 Conduct a Horse Racing Meeting of the Los Alamitos Horse
24 Racing Association at Los Alamitos Race Course, commencing
25 December 1st, 2021 through December 14th, 2021, inclusive.

1 Amanda?

2 MS. DRUMMOND: Yes. Good morning, again,
3 Commissioners. Amanda Drummond here.

4 Agenda item eight is the Application for License
5 to Conduct a Horse Racing Meeting for the Los Alamitos Horse
6 racing Association at Los Alamitos. And the racing would
7 run December 1st through 14th, 2021. And the application is
8 complete and there are no items outstanding.

9 And we do have representatives from Los Alamitos
10 available if the Board has any questions.

11 Thank you.

12 CHAIR FERRARO: Mr. Liebau or a representative of
13 Los Alamitos, would you like to make a comment to the Board?

14 MR. LIEBAU: Yes. This is Jack Liebau. We're
15 looking forward to our two-week meet. It starts -- racing
16 starts on December 3rd. It's sort of an action packed two
17 weeks in that we have five stakes' races with aggregate
18 purses of almost \$1 million. Our purses have been
19 substantially raised. And we look forward to a good meet
20 and we urge the Board to approve our application.

21 Thank you.

22 CHAIR FERRARO: Questions from the Board for Mr.
23 Liebau?

24 Do we have a queue on this, Operator?

25 OPERATOR: We do. We'll take our first comment

1 from Bonnie Croker with Kill Racing Not Horses.

2 MS. CROKER: Thank you. Los Al should not be
3 granted a license until they account for all injured and,
4 subsequently, missing horses.

5 For example, on 09/10/21, Investment Account, a
6 three-year-old gelding, who was horse two in race eight at
7 Los Alamitos, sustained an injury that looked catastrophic
8 on private video taken during the race. He was pulled up
9 and vanned off. He has since disappeared from public
10 record. If anyone knows Investment Account's whereabouts or
11 status, please speak up.

12 Thank you.

13 CHAIR FERRARO: Thank you.

14 Next, please.

15 OPERATOR: Our next comment comes from Martha
16 Sullivan with Kill Racing Not Horses.

17 MS. SULLIVAN: I watch the horse races in
18 California, including the Los Alamitos thoroughbred races
19 this year, and particularly this last one in September, I
20 mean, the fields were quite small. I really question
21 whether this race meet is sustainable. It's just subjecting
22 horses, you know, to racing. I mean, they gamble -- I mean
23 their lives are gambled every time a race is run. And with
24 such consistently small fields, this just strikes me as, you
25 know, the epitome of, you know, profit before so-called, you

1 know, first priority of horse safety.

2 I really recommend that the Board, you know, cease
3 licensing this meet. It's not sustainable and it's
4 jeopardizing horses, really, for not, you know, not even
5 worth jeopardizing their lives and their health.

6 CHAIR FERRARO: Thank you.

7 Next, please.

8 OPERATOR: Our next comment will come from Lynn
9 Freudenberg with Kill Racing Not Horses.

10 MS. FREUDENBERG: Hey. Good morning. At the last
11 Los Alamitos thoroughbred meet, Sherlock was involved in a
12 two-horse crash. This happened on June 27, 2021. The chart
13 says that Sherlock walked off, but this two-year-old
14 (indiscernible) has not been seen since. He was, however,
15 placed on the vet list as unsound that day. Status listed
16 is unknown on Horse Racing Nation. Where is Sherlock? Is
17 the CTT task force investigating this incident? I sure hope
18 so.

19 Thank you.

20 CHAIR FERRARO: Next, please.

21 OPERATOR: Our next comment comes from Lori
22 Saldana with retired California Assemblymember.

23 MS. SALDANA: Yes. Regarding item eight, I
24 noticed in the Board packet -- and again, thank you for
25 providing this level of detail -- that the San Luis Rey

1 Downs facility is listed as an auxiliary stabling site but
2 does not comply with the Board rule that's required. And
3 apparently, a few months ago, the Board extended this fire
4 safety issue until after this meet takes place, into
5 January.

6 I hope the Board Members are aware of the extreme
7 fire risk that the entire state of California remains under.
8 Yes, we've had some rains but we are still in a prolonged
9 drought, especially here in Southern California. When I was
10 in the legislature, my district was surrounded by wildfires.
11 We had people evacuating and coming into the stadium in my
12 district and living there for almost two weeks.

13 If you are going to allow a race to take place,
14 based on an auxiliary stabling site that does not comply
15 with your own rules, what is the point of having the rules?
16 If you're going to allow this Board to simply ignore the
17 necessity for fire clearance around a facility that will
18 have people and horses in place as part of this, then you
19 need to uphold your rules. You are the ones that created
20 them and you did so for a good reason.

21 We have wildfires often in Southern California.
22 There are still fires burning in some places of the state.
23 And what you are doing is irresponsible and is a failure of
24 your responsibilities, both fiduciary responsibilities to
25 protect Californians and, also, basic public safety.

1 So why in the world are you allowing this to go
2 forward knowing this auxiliary stabling site is still in
3 violation of your Board Rule 1927? I'd really like an
4 answer to that question.

5 Thank you.

6 CHAIR FERRARO: Next, please.

7 OPERATOR: Our next comment comes from Elvia
8 Sedano with Kill Racing Not Horses.

9 MS. SEDANO: Good morning. On 09/10/21, opening
10 day of the last Los Alamitos thoroughbred meet, Investment
11 Account injured in upper stretch and vanned off. Perhaps
12 Jockey Jessica Pfeiffer knows what happened to this horse
13 since the jockey claims to love them so much.

14 This was a three-year-old gelding with 12 starts,
15 still a maiden, appears to hold a broken right front leg in
16 the video, placed on vet list as unsound. What information
17 does this so-called horse safety steward have on this
18 thoroughbred who was vanned off the course?

19 Thank you.

20 CHAIR FERRARO: Thank you.

21 Next, please.

22 OPERATOR: At this time, we have no further
23 comments.

24 CHAIR FERRARO: Questions or comments from the
25 Board? If there are none, can I have a motion, please?

1 COMMISSIONER SOLIS: Solis moves to approve.
2 CHAIR FERRARO: Second?
3 COMMISSIONER ALFIERI: Second. Alfieri.
4 COMMISSIONER DAVIS: Davis seconds.
5 CHAIR FERRARO: Okay. Commissioner Davis?
6 COMMISSIONER DAVIS: Yes.
7 CHAIR FERRARO: Commissioner Solis?
8 COMMISSIONER SOLIS: Yes.
9 CHAIR FERRARO: Commissioner Mitchell?
10 COMMISSIONER MITCHELL: Yes.
11 CHAIR FERRARO: Commissioner Alfieri?
12 COMMISSIONER ALFIERI: Yes.
13 CHAIR FERRARO: And the Chairman votes yes.
14 We'll move on to item number 13, Executive
15 Director's Report, followed by the Equine Medicine
16 Director's Report.
17 Mr. Chaney?
18 EXECUTIVE DIRECTOR CHANEY: Thank you, Mr.
19 Chairman, and good morning, Commissioners.
20 Turning first toward handle report, specifically
21 for the month of October, daytime handle was up 20 percent
22 on two less programs, nighttime handle was down 3 percent on
23 four less programs, and total handle was up 17 percent, all
24 compared to handle for October 2020. Year to date compared
25 to 2020, daytime handle is up 20 percent, nighttime handle

1 is down 6 percent, and total handle is up 16 percent.

2 As all of you know and some attended, the
3 Breeders' Cup World Championship was held for the second
4 time in its history at Del Mar on November 5th and 6th.
5 Much of the press was centered on a premature scratch in the
6 Juvenile Turf race -- excuse me -- which was the last race
7 on Friday's card. The CHRB is conducting an investigation
8 which will determine whether any regulations were violated,
9 and it will offer suggestions with respect to how such
10 mistakes can be avoided in the future.

11 I also expect to convene a meeting of the
12 Parimutuel Committee to determine if our rules relating to
13 wagering can be improved or updated.

14 On a more positive note, the Breeders' Cup
15 achieved another record handle, which seems to be the case
16 when it comes to California. But, more importantly, all
17 races on both days, including under-card races, were
18 conducted without Lasix or any other medication and were
19 completed without significant injury. A restrictive crop
20 rule was also in effect for the event, as it is every other
21 racing day in California.

22 Next, I would like to inform the Board,
23 stakeholders, and public that the CHRB is in the midst of
24 examining its retention policy as a general matter, and
25 specifically with respect to electronic communications. As

1 I know our critics like to assume bad intent and trafficking
2 conspiracy theories, I wanted to make this a public process
3 and transparent. We expect the updated policy to go into
4 effect in the next couple months and more closely align
5 itself with other state departments.

6 At last month's Board meeting the Board recognized
7 the former race meet agreement between Del Mar and the CTT.
8 Vice Chairman Gonzales asked Staff to look at the agreement
9 and prepare a protocol should the CHRB be required to obtain
10 a hearing officer pursuant to the agreement for the steps
11 required by the agreement should the CTT and an association
12 not agree on outcome. In consultation with Counsel, we are
13 currently working on such an outline.

14 Lastly, as most of you know, the HISA, the federal
15 legislation that seeks to regulate horse racing, has begun
16 to make its proposals -- this proposed rule and regulations
17 public. Internally, the CHRB has been commenting on the
18 regulations before they became public and will continue to
19 do so now. The authority will be submitting its final
20 version of the regs to the FTC in December, at which time we
21 will again be able to comment on a more formal way.

22 Suffice it to say that each draft has seen an
23 improvement but the regulations still have a ways to go.
24 The CHRB's goal in the process is to maintain our strict
25 rules regarding safety and continue our best-in-the-country

1 testing. We are hopeful that we can continue to maintain
2 these high, strict standards, even within the federal
3 structure. The financial piece will, most likely, not be
4 clear for some time. I expect, at that point, a discussion
5 of HISA will be agendized at a future Board meeting.

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

7 CHAIR FERRARO: Thank you very much.

8 Dr. Blea?

9 EQUINE MEDICAL DIRECTOR BLEA: Good morning,
10 Chairman Ferraro and Commissioners.

11 Following up on Mr. Chaney's comments, an update
12 on HISA, or the Horse Racing and Safety Integrity Act.
13 Three documents are currently available on the HISA website
14 from public comment. Those documents are the definition
15 document, the protocol, and the prohibited list. Three
16 additional documents should be made available in the coming
17 weeks. The website to view the documents and make public
18 comment is hisaus.org. The three available documents can be
19 found there. You can log in, create an account, and provide
20 comment to these documents.

21 Along with the HISA update, Dr. Tessa Muir,
22 Director of Equine Science, Dr. Matt Fedoruk, Chief Science
23 Officer, and Dr. Laura Lewis, Director of Science, all from
24 USADA, will be visiting the Ken Maddy Lab on November 29th
25 of this month.

1 Following up on Breeders' Cup, on November the
2 11th the Maddy Laboratory cleared all tests on both
3 Breeders' Cup days. The standard protocols (indiscernible)
4 600 compounds of concern for racing integrity, such as
5 controlled therapeutics, anabolic steroids, beta2-agonists,
6 selective adjunct receptor modulators, (indiscernible), and
7 other similar doping agents. Results also included TCO2
8 samples on 148 horses that competed in 14 Breeders' Cup
9 races, along with 69 horses that competed in other races on
10 the two Breeders' Cup cards. All post-race samples were
11 also tested for cobalt. Again, all samples were returned
12 with negative or pass findings.

13 The Maddy Lab continued its work throughout the
14 year -- or throughout the month, excuse me, in the month of
15 October. 1,508 samples from 822 individual horses,
16 including 751 post-race blood samples, 686 post-race urine
17 samples, and 71 post-work blood samples were tested in
18 October. There were three Class 4 overage violations of
19 therapeutic medications in post-race testing, consisting of
20 one methocarbamol, one DNMO, and one dexamethasone overage.
21 The Maddy Lab continues its Out-of-Competition Testing
22 Program with 1,368 out-of-competition samples in blood,
23 urine, and hair tested by the Maddy Lab in October.

24 The month October, we saw a number of fatalities.
25 There were eight fatalities in the state of California, two

1 musculoskeletal cases, five sudden death cases, and one case
2 of neurologic disease. Of the five sudden deaths, four were
3 related to, we presume, related to cardiovascular incidents,
4 and one was a result of anaphylaxis.

5 That concludes my report.

6 CHAIR FERRARO: Do we have questions or comments
7 from the Board for either Mr. Chaney or Dr. Blea, please?

8 Do we have a queue on this, Operator?

9 OPERATOR: We do. We'll take our first comment
10 from Lori Saldana with retired California Assemblymember.

11 MS. SALDANA: When leaders in public organizations
12 attempt to conduct business without providing a written
13 report of their activities to document what they've been
14 doing, it suggests a lack of accountability and, frankly, a
15 lack of respect for the public that are trying to
16 participate in this meeting. Without a written report, it's
17 impossible for us to know what it is you've been doing and
18 what you plan to do and hold you accountable to complete
19 those tasks. And to be more direct, it's an insult to the
20 public to be denied a written Executive Director's Report.

21 And as I participate in more of these meetings,
22 it's become increasingly clear, you really have little
23 respect for public participation. Under your leadership,
24 this Board has taken steps to limit public comment, restrict
25 participation, and now you're even refusing to provide a

1 written report. Are you going to provide one after the
2 meeting concludes at some time where we can review it?

3 Preparing a report is part of your
4 responsibilities. And if you're not willing to give the
5 public a written document explaining what you have been
6 doing with your time as the Chair of this Board, I think you
7 seriously need to consider terminating your Chairmanship and
8 finding someone who can put in the time to prepare a
9 document, provide it in advance to the public, and let us
10 understand more fully how you are spending your time as
11 Chair of the California Horse Racing Board.

12 If you're not going to provide us with a written
13 packet of material so that we can, in our limited time,
14 provide comments that are relevant to what is being
15 discussed, to prepare in advance, that is a disservice to
16 the community that you are supposed to be representing,
17 because it is not just the horse racing community you
18 represent. You are part of the state Constitution. You
19 represent everyone in the state of California. Please
20 prepare written reports before your next meeting for us to
21 review.

22 Thank you.

23 CHAIR FERRARO: Next, please.

24 OPERATOR: Our next comment will come from Martha
25 Sullivan, Kill Racing Not Horses.

1 MS. SULLIVAN: Yes. On the subject of handle, you
2 know, we hear about the increases in the daytime handle and
3 the overall handle. And obviously, this is, you know, one,
4 it's an increase over 2020 which is, you know, the pandemic
5 year. But, also, I want to point out that horse racing is
6 an industry for the wealthy. And I think increases in
7 handle in the face of, you know, a lot of other economic
8 uncertainty just reflects other increases for wealthy
9 people, like record sales of super yachts and, you know, the
10 stock market is hitting records.

11 So you know, we also know that the gambling
12 platforms own the offshore betting clubs, high-volume
13 betting clubs, that can be used to manipulate handle.

14 So I just, you know, I -- when I hear the
15 increased handle thing, that's just boosterism for an
16 industry that truly is (indiscernible).

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Our next comment comes from Dr. Wayne
20 Johnson, citizen.

21 DR. JOHNSON: Well, Dr. Blea, these eight horses
22 that died had names, from Major Cabbie at Santa Anita, all
23 the way north to Galloping Slew at Golden Gate. Not only do
24 they have names, Dr. Blea, they want to live as much as you
25 and I.

1 Thank you.

2 CHAIR FERRARO: Thank you.

3 Next, please.

4 OPERATOR: There are no further comments.

5 CHAIR FERRARO: Okay. With completion of those
6 reports, the Board will now go into executive session. At
7 its conclusion we will reconvene the public meeting for the
8 sole purpose, procedural purpose, of adjourning the public
9 meeting.

10 EXECUTIVE DIRECTOR CHANEY: Pardon me, Mr.
11 Chairman. Executive Director Chaney here.

12 CHAIR FERRARO: Yes?

13 EXECUTIVE DIRECTOR CHANEY: We still have one
14 agenda left, that general public comment --

15 CHAIR FERRARO: Oh.

16 EXECUTIVE DIRECTOR CHANEY: -- number 14.

17 CHAIR FERRARO: Excuse me. Excuse me. You're
18 right. I'm sorry.

19 EXECUTIVE DIRECTOR CHANEY: No worries.

20 CHAIR FERRARO: Do we have a queue for this,
21 Operator?

22 OPERATOR: We do. We'll take our first comment
23 from Lori Saldana with retired California Assemblymember.

24 MS. SALDANA: Oh, I the other --

25 CHAIR FERRARO: Go ahead, please.

1 MS. SALDANA: -- I appreciate one of the other
2 directors bringing to the Chair's attention that the agenda
3 was not complete.

4 As I mentioned in my previous comments, this Chair
5 does not seem to respect the public's right to comment, and
6 you do everything you can to limit it, including trying to
7 go into closed session before you even complete the agenda.

8 Please consider stepping down. I just can't be
9 any more direct than that. Please consider finding someone
10 else who respects public participation and will feel that
11 you are being -- that we are being listened to and not
12 ignored and not challenged as we make our comments.

13 So as I recently authored, along with Martha
14 Sullivan, a resolution that was approved by the San Diego
15 County Democratic Party Central Committee to repeal sports
16 wagering on horses, on horse racing here in California.
17 And, in part, it's because of the actions of this Chairman,
18 that this was able to get through the second largest county,
19 San Diego, home to the Del Mar Thoroughbred Club.

20 We are tired of an agency that is not well
21 managed. We are tired of a Board that ignores the public
22 when we voice reasonable concerns and it's time for a
23 change. And I think that you are going to find that that
24 change is coming and we will be working on that from here in
25 San Diego and through other counties around the state of

1 California.

2 So thank you for allowing us to have public
3 comment, despite the efforts of the Chair. I'm not sure if
4 he was sincere or just wants to avoid allowing us to speak.
5 But whatever the reason for limiting public discourse, that
6 is not the intent of the laws regarding public transparency
7 and accountability of public boards and commissions. And
8 having served on public boards and commissions from the city
9 level up to the national level as a presidential appointee,
10 please take your responsibilities more seriously. The
11 public deserves at least that from you.

12 And please consider finding another chair for this
13 Board.

14 Thank you.

15 CHAIR FERRARO: My oversight regarding public
16 comment was just that, an oversight. There was no intent.

17 Next, please.

18 OPERATOR: Our next comment will come from Mary
19 Johnson, equine advocate.

20 MS. JOHNSON: Yeah. I would like to piggyback on
21 what Lori just said. I think that Chairman Ferraro has been
22 very disrespectful, not only to me but to other people who
23 are against horse racing.

24 And you, Chairman Ferraro, you answer to the
25 public. You do not answer to, I don't know, somebody up in

1 the heavens.

2 But I want to quote something from Upton Sinclair.
3 And I think this describes the California Horse Racing Board
4 to a tee. "It is difficult to get a man to understand
5 something when his salary depends upon him not understanding
6 it." So you really couldn't care less. I'm not just
7 referring to Chairman Ferraro. I'm referring to everybody
8 on the Board. You don't give a darn what we say as we speak
9 for these horses that snap off their legs, sever their
10 spines, break their necks, and die in the dirt. For you,
11 it's all about, quote unquote, "the handle." So we're never
12 going to stop speaking for the horses.

13 I'm very, very disappointed that the disrespect is
14 rampant. And I agree with Lori, maybe it's time, Chairman
15 Ferraro, to step down. But your salary depends on filling
16 these cards and keeping racing going in California, so how
17 can you be objective? How can you speak for the horses?

18 Thank you.

19 CHAIR FERRARO: Thank you.

20 Next, please.

21 OPERATOR: We'll take our next comment from Bonnie
22 Croker, Kill Racing Not Horses.

23 MS. CROKER: Thank you. I spoke earlier regarding
24 the concept of a task force for animal safety. This concept
25 was presented to the CHRB's Medication, Safety, and Welfare

1 Committee in hopes that it would divert focus and blame away
2 from trainers who have frequent horse injuries and
3 fatalities, but focus has to remain sharply fixed on such
4 trainers.

5 For example, Peter Miller, who is mentioned
6 frequently, on November 3rd, the same day that Del Mar
7 killed Sepracone (phonetic), a two-year-old filly, there was
8 the death of Storm Spun, a Peter Miller-trained horse at San
9 Luis Rey. Storm Spun was the fourth horse trained by Peter
10 Miller to die in training this year at San Luis Rey Training
11 Center. Miller also trained Fight On Ron, who died racing
12 at Santa Anita on October 1st, as well as Abito, who died
13 racing at Santa Anita on December 27th, 2020, the first
14 weekend of the 2021 racing season.

15 Peter Miller had 11 horses entered in the
16 Breeders' Cup and continues to have horses entered in Del
17 Mar races. Why is Del Mar, who considers itself the safest
18 track in North America, allowing horse racing for the
19 notorious Killer Miller who has six horses die in his care
20 just in this current California racing season?

21 If the task force for animal safety is going to
22 ignore and, thus, further enable trainers who have frequent
23 injuries and fatalities, if they are going to deny the need
24 for consequential penalties and fines, then the task force
25 will be nothing but a sideshow distraction, much like the

1 violinist who played sweet music while the Titanic sunk.

2 Thank you.

3 CHAIR FERRARO: Thank you.

4 Next, please.

5 OPERATOR: And our next comment will come from Dr.

6 Wayne Johnson, citizen

7 DR. JOHNSON: Good morning again.

8 CHAIR FERRARO: Go ahead.

9 DR. JOHNSON: Thank you very much, Chairman.

10 I really -- I don't really think it matters who is
11 the chair of this Board. The Board, itself, is simply a
12 rubberstamp for the industry. That should be pretty clear.
13 And I only speak for myself, not for any other advocates
14 here.

15 But the bottom line on this is that nothing is
16 going to change because we talk to the Board. We bring up,
17 I think, pretty cogent arguments about the state of horse
18 racing in the world. Those arguments do nothing. This is a
19 rubberstamp Board and it's not going to change anything to
20 simply rearrange the deck chairs on the Titanic.

21 Thank you.

22 CHAIR FERRARO: Next, please.

23 OPERATOR: We'll take our next comment from
24 Kimberly Marrs, KTM Equine.

25 MS. MARRS: Hello. Good morning, Board. I just

1 wanted to say I think you guys are doing an excellent job.
2 I can't be happier with where we're headed. The welfare of
3 the horses is definitely first and foremost with all the
4 changes and the different rules that have been made and we
5 are proving this. We just had a Del Mar Breeders' Cup with
6 no racing fatalities, which is absolutely an incredible
7 event. They did a fantastic job monitoring the horses,
8 making sure all the horses got to the post safely. I can't
9 be happier with the outcome and just the world's view on us.

10 Regarding the activists, I understand your plight,
11 but I really think that if you want to help and you want to
12 be heard, then maybe you need to take up the cause a little
13 bit more for animal welfare and not animal extinction,
14 because, basically, that's what you're asking the Board to
15 do is extinct this Board of horse racing.

16 Well, I'm just going to tell you, we're in a
17 pretty small movement upwards. Our sales this year for
18 racehorses has just gone through the roof. There's not
19 enough horses to be bought right now. The numbers that
20 people are buying and the amounts that they're spending
21 are -- we haven't seen records like this in a long time. So
22 this sport is not going to go anywhere for a long time, so
23 we need to make the changes, get on the right path and, you
24 know, the horse first, the sport second, I will agree.

25 But if you want to help, maybe start thinking

1 about ways to help with welfare. I'm always an open door.
2 You're welcome to come to my barn and see how I take care of
3 my animals and maybe we can teach you something that you
4 don't know that might give you a little bit more insight
5 into how we take care of our animals in this industry the
6 right way, and how we are good stewards for this industry.

7 Thank you, Board. You're doing a great job.
8 Don't listen to the negative.

9 Good day.

10 CHAIR FERRARO: Thank you.

11 Next, please.

12 OPERATOR: Our next comment will come from Martha
13 Sullivan, Kill Racing Not Horses.

14 MS. SULLIVAN: Yeah. Yeah, don't listen to the
15 negative, don't learn from any criticism, that's a sure way
16 to success.

17 I just want to read from the resolution that was
18 passed by the San Diego County Democratic Central Committee,
19 which is composed, primarily, mostly of elected, you know,
20 members who are elected on the ballot. I'm going to do the
21 last two resolve clauses to make sure I have time.

22 "Therefore, be it resolved, we encourage the San Diego
23 Democratic Legislative Delegation to end California's
24 exploitation of horses and prevent additional abuse,
25 injuries, and deaths in an industry that produces very

1 little revenue for residents of the state.

2 "Be it further resolved, we request the Democratic
3 Legislative Delegation of San Diego County, which
4 includes the Del Mar Fairgrounds which leases
5 facilities for live horse racing three months of the
6 year, to introduce and work to pass a bill to put the
7 repeal of gambling on live horse racing currently in
8 the California Constitution on the 2022 State Ballot
9 which provides for the retirement of public revenue
10 bonds issued by the state to benefit horse racing."

11 This was passed overwhelmingly on, I believe it
12 was the 26th of October. I would take heed. This is the
13 home of Del Mar racing. It's the second largest city and
14 county in California. And this is how racing will end in
15 the fifth largest economy in the world.

16 CHAIR FERRARO: Thank you.

17 Next, please.

18 OPERATOR: Our next comment will come from Elvia
19 Sedano, Kill Racing Not Horses.

20 MS. SEDANO: Good morning. Wild Cat Canyon,
21 10/16/21, per chart, bad step early, vanned, placed on vet
22 list as unsound. Any status on this five-year-old horse?

23 Big Cheddar (phonetic), 10/09/21, vanned, DNF from
24 Los Alamitos for bleeding, another dump from the top-tier
25 killing fields, Santa Anita and Del Mar, even ran at Oaklawn

1 once.

2 For Dr. Blea, horses who break through the front
3 of a starting gate need to be scratched. But it's only when
4 the world is watching, for example, the Breeders' Cup, do
5 they scratch. Modern Games was scratched because they just
6 thought he broke the gate. But, in fact, the gate was
7 opened by crew. Dr. Blea's justification for the scratch,
8 and I quote,

9 "As you know, they can lunge forward, hit that gate,
10 and you may have a shoulder stress fracture or a
11 humeral stress fracture that won't be identified until
12 it happens in the race."

13 Horses routinely break through the front of the
14 starting gate, especially at Los Alamitos, and they never --
15 they are never scratched or even examined by a vet. They
16 are just reloaded and forced to run.

17 This industry kills horses. How do they justify
18 that negative?

19 Thank you.

20 CHAIR FERRARO: Thank you.

21 Next, please.

22 OPERATOR: And our next comment will come from
23 Oscar de le Torre, worker advocate.

24 MR. DE LA TORRE: Yes. Good morning. Can you
25 call hear me?

1 CHAIR FERRARO: Yes. Go ahead, please.

2 MR. DE LA TORRE: Yes. Thank you. My name is
3 Oscar de la Torre. I had the opportunity to work with
4 backstretch workers during the Breeders' Cup, not in the
5 stable area but confronting these false allegations being
6 made by activists protesting horse racing. All the
7 backstretch workers that were there present, they were
8 really offended with the allegations made of animal abuse at
9 the racetrack. That's something that is not happening. I
10 mean, these workers wake up at 4:00 in the morning to start
11 taking care of the horses, and their well-being is a
12 priority

13 Many of the workers tell me, look, you know, we
14 take care of these horses better than, you know, most of the
15 people that we see, you know, living on our streets, you
16 know, and throughout San Diego and Los Angeles. And they're
17 very offended, you know, by hearing these allegations of
18 animal abuse when they have dedicated their profession to
19 promoting the well-being of horses under their care.

20 After the counterdemonstration that we supported
21 and, you know, the workers were very happy, also, with the
22 Breeders' Cup and the success of the Breeders' Cup, they
23 were very happy to learn that there were no accidental horse
24 racing fatalities in any race at Del Mar during the
25 Breeders' Cup. That is something that needs to be

1 acknowledged; you know? All the negative, you know,
2 regarding what we're hearing by callers, I mean, there's a
3 lot of positives going on.

4 And so we want to -- you know, I want to
5 personally thank all the members of the CHRB because you are
6 balancing the, you know, the impact, you know, of what
7 people are calling for. They're calling for a prohibition
8 of a sport that allows many families to feed their children.
9 There's an economic impact for the small businesses and the
10 local economy that also provides jobs so that people can
11 support themselves (indiscernible).

12 So thank you very much for the work that you are
13 doing, for balancing it out, for making decisions that are
14 going to put the welfare and the well-being of not just the
15 horses but, also, the humans involved in horse racing.

16 Thank you for doing that.

17 CHAIR FERRARO: Thank you.

18 Next, please.

19 OPERATOR: Our next comment will come from Cliff
20 Goodrich, CTHF.

21 MR. GOODRICH: Good morning --

22 CHAIR FERRARO: Go ahead, please.

23 MR. GOODRICH: -- Mr. Chairman and Commissioners.

24 As usual, I can't keep my mouth shut. I'm not speaking for
25 the CTHF as an industry participant for over 55 years. And

1 I think my comments are really for the good of the order in
2 recognizing that there's usually two sides of every story.

3 It's sad to see Del Mar conduct to glorious days
4 of racing on Breeders' Cup weekend with the world watching,
5 no racing injuries, and yet not one word of congratulations
6 or well done from the very people who are certainly
7 partially responsible for this superlative display of this
8 sport, the animal rights advocates. There's no question
9 that the racing industry and the CHRB, driven by the animal
10 rights advocates' concern for the safety and welfare of the
11 horse, they're recognized a drastic improvement was needed,
12 and that has happened. There's still much more work to do.

13 It's sad, in my opinion, the animal rights
14 advocates don't have the courage to salute themselves in
15 public as they would be admitting progress, let alone this
16 Racing Board and the industry as a whole, who have worked
17 diligently in the best interests of the horse and the sport
18 to improve safety regulations leading to a clear and
19 recognized concern for the welfare of the horse.

20 The industry and the CHRB recognized and admitted
21 in public that drastic improvement was required. The animal
22 rights advocates might at least recognize publicly that
23 clear progress has been made. If not, in my personal
24 opinion, (indiscernible) on the part of these individuals
25 will not kill racing, as these individual desires, but their

1 own credibility to act reasonably and responsibly.

2 And I regard to the comments about Chairman
3 Ferraro stepping down per the information of the former
4 Congresswoman, Chairman Ferraro's salary is zero, as are the
5 remaining Commissioners. They do this out of the goodness
6 of their heart and for the preservation of the sport and the
7 horses involved in it. And while you can criticize the jobs
8 they're doing, saying that they don't give a darn, and
9 because this is a public meeting, I will tone down my
10 remarks, but it's not only inappropriate but dead wrong.

11 Thank you.

12 CHAIR FERRARO: Thank you.

13 Next, please.

14 OPERATOR: We'll take our next comment from Troy
15 Tabak with President/Business Agency Local 280.

16 CHAIR FERRARO: Go ahead, please.

17 MR. TABAK: Good morning, Commissioners. Oh,
18 thank you. Good morning, Commissioners.

19 And Cliff, you hit it out of the park. Everything
20 that you spoke is absolutely correct. It's too bad that
21 they don't get the credit, you, the Commissioners don't get
22 the credit you deserve. The changes that have been made in
23 the past year, you know, are just remarkable, and you guys
24 are doing a great job to help make this industry better.

25 And also, again, Breeders' Cup was a success, two

1 days of wonderful racing. Everything went very well down at
2 Del Mar for the whole world to see that and, like I said, it
3 all starts here with the CHRB. Thank you.

4 I also have a little bit of business.
5 Unfortunately, I was going to speak under item 12, so now
6 I'm in public comment. Next month -- excuse me -- next
7 month, we're going to have a period from December 15th
8 through December 23rd where there will only be dark days
9 simulcasting. I would like to remind the Board that we
10 would like to keep our jobs, so what that means is that we
11 would like to keep the satellites open for dark days
12 simulcasting as it will accomplish two things.

13 Number one, it will accomplish, to patrons, we
14 will send a message to them that we are looking out for them
15 and that they are part of this huge industry in which we
16 will keep the satellites open so that they may come out and
17 vote -- I mean not vote, I'm sorry, come out and wager on
18 the dark day simulcasting.

19 And then, obviously, my concern is for labor in
20 which our members will have work available to them. This
21 past year has been very tough because of limited racing. So
22 like I said, this will send a message to both the patrons
23 and labor.

24 And thank you for your time. You guys are doing a
25 great job, you, the CHRB. Thank you.

1 CHAIR FERRARO: Thank you.

2 Next, please.

3 OPERATOR: Our next comment will come from Iggy
4 Peglisi, Jockey.

5 CHAIR FERRARO: Go ahead, please.

6 MR. PEGLISI: Good morning, Chairman and
7 Commissioners. My name is Iggy Puglisi. I'm a local
8 veteran jockey here at Santa Anita. I've been riding for
9 some 31 years now. I wanted to say that horse racing has
10 given me the opportunity to make a living while working with
11 the horses that I truly love.

12 Santa Anita is my base, home track. And
13 throughout the years, especially from, moreover, since 2019
14 on, after the spike of the accidental deaths and horse
15 racing fatalities that we had, it is just you could see the
16 change is just such a positive shift, which is what we're
17 now getting to, including what the two speakers before me
18 said about the Breeders' Cup going with an uninjured horses.
19 This just speaks in volumes of how much positives --
20 positive change there is in horse racing.

21 This started back from jockeys, including myself,
22 when it wasn't mandatory to wear vests. We didn't have
23 helmets that were regulated. It was then more of a
24 situation to addressing, to now it has gone nothing but
25 forward. The risks now that are being taken, our goals to

1 present any harm to the horses that are under our care. It
2 just, it evolves. Jockeys are just less aggressive. Riding
3 whip rules are changing throughout the country for the good.
4 Anybody who has been in this as long as I have, 31 years,
5 recognizes the good this is doing and the soundness of
6 safety to all of our horses on all of the tracks. They
7 continue to miss out on all of the positive change here.

8 I'll continue to do my part. I will ensure you
9 that I will do my part so we can keep the success to show
10 the world how much safer horse racing is now than even in
11 the past and it will continue to trend forward.

12 Thank you for listening. Thank you.

13 CHAIR FERRARO: Thank you.

14 Next, please.

15 OPERATOR: And our next comment will come from
16 Alan Balch, California Thoroughbred Trainers.

17 CHAIR FERRARO: Go ahead.

18 MR. BALCH: Thank you. Cliff Goodrich and others
19 have pretty much made my points. I did want to make it very
20 clear to their critics that the Commissioners of CHRB are
21 not compensated in any way.

22 But I'd like to make the broader point that
23 disagreement is not disrespect. When that word disrespect
24 is thrown around so -- in such a cavalier manner, it's very
25 offensive. People disagree with each other.

1 What we need is mutual respect. The critics of
2 racing claim they're not being respected. I disagree. I
3 think the facts speak for themselves, as Cliff indicated,
4 but we would appreciate some respect coming back the other
5 way for the Commissioners who serve the public and the
6 sport, despite it being a thankless job, and despite their
7 being subject to this merciless criticism, much of which is
8 misleading, exaggerated, or simply erroneous.

9 Thomas Aquinas once said that when you want to
10 convert someone to your view, you go over to where he is
11 standing, take him by the hand, mentally speaking, and guide
12 him to where you want him to go.

13 So what I think we need is mutual respect. And I
14 think the Racing Board, particularly under the circumstances
15 of some of these provocative and unjust comments that have
16 been made have been extremely respectful under the
17 circumstances. And as all the other industry people have
18 said before me, we appreciate the work of the Racing Board
19 in elevating the standard of this sport.

20 Thank you.

21 CHAIR FERRARO: Thank you.

22 Next, please.

23 OPERATOR: And our next comment comes from Pavla
24 Nygaard, owner and breeder.

25 MS. NYGAARD: Yes. Hello. So I came into the

1 racing industry from, first, from being involved in the
2 after industry. My first horse was a mare that I got when
3 she was four years old, obtained at a livestock auction, and
4 she stayed with me until she was -- she peacefully passed
5 away at 27 years of age when I had her 23 years. And she
6 followed me in between Canada and New York, Florida,
7 California. And when I got her, I wasn't from the inside of
8 the racing industry. And, frankly, I was a bit suspicious
9 of the racing industry.

10 When we later got involved in the racing industry,
11 I certainly became aware of many of the problems. And I,
12 also, became aware of the incredible goodness in so many of
13 the participants and the care that they genuinely wish upon
14 the horse.

15 It is far, far easier to attack than to defend.
16 It is far, far easier to criticize than to create solutions.
17 I believe that the activists have brought important issues
18 to the surface, certainly in 2019, and the results speak for
19 themselves. The industry is improving, and California being
20 on the forefront of that.

21 It is important, however, to -- for the activists
22 to realize that credibility comes when you are willing to
23 criticize what is not good but also to acknowledge what is
24 good and what progress is being made. We need each other to
25 do well. If racing was killed, as some of you wish to

1 espouse, that would create a far greater catastrophe for
2 horses than by creating a well-balanced, well-funded and
3 responsible industry that can continue going for the benefit
4 of the horses and all of the people who are taking good care
5 of them.

6 So let's work together to improve the good and
7 take away as much of the bad as we can.

8 Thank you.

9 CHAIR FERRARO: Thank you.

10 Next, please.

11 OPERATOR: We have no further comments, Dr.
12 Ferraro. I'll turn it back to you for closing remarks.

13 CHAIR FERRARO: Thank you.

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

20 This now concludes the meeting. Thank you.

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

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CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of November, 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

November 23, 2021

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