

BEFORE THE
CALIFORNIA HORSE RACING BOARD
STATE OF CALIFORNIA

In the Matter of:)
California Horse Racing Board)
)
vs)
)
MATTHEW GARCIA,)
Jockey)
_____)

Case No. 18DM0075
Case No. 18DM0076

STATEMENT OF DECISION

November 4, 2018

PROCEDURAL BACKGROUND

The California Horse Racing Board (hereinafter “CHRB “or” Complainant”) filed a complaint against Jockey Matthew Garcia (hereinafter “Mr. Garcia” or “Respondent”) alleging a violation of California Horse Racing Board rule #1874 (2) (Disorderly Conduct). Present at the hearing on October 7, 2018 at Santa Anita Park Stewards’ Office were the Board of Stewards – Mr. Grant Baker, Ms. Kim Sawyer, and Mr. Tom Ward. Also present at the hearing were the Respondent, his wife, Ms. Pamela Garcia, jockey Tiago Pereira and his agent, Patty Sterling. Supervising Investigator James Hamilton presented the case for the California Horse Racing Board. Also present were Safety Steward Luis Jauregui, who acted as interpreter for Tiago Pereira, and Naomi Boinus Reehorst, as an observer. Michelle Derieg transcribed the proceedings.

LIST OF EXHIBITS

STATES' EXHIBITS

Exhibit A CHRB Complaint Against Matthew Garcia 18DM0075

Exhibit B CHRB Complaint Against Tiago Pereira 18DM0076

RESPONDENT'S EXHIBITS

Exhibit 1 Matthew Garcia's Written Statement

APPLICABLE REGULATION

California Horse Racing Board rule 1874(2) (Disorderly Conduct)

No licensee, shall be under the influence of any alcoholic beverage, and/or any illegal substance while performing their respective duties while within the inclosure of any racing association or fair, simulcast wagering facility, auxiliary stabling facility or Board-approved training facility. Nor shall any licensee conduct themselves in a disorderly or boisterous manner at any time while within the inclosure of any racing association or fair, simulcast wagering facility, auxiliary stabling facility or Board-approved training facility including but not limited to: 1. Fighting; 2. Threatening, abusive or aggressive behavior toward another person; 3. Any behavior that impedes others from performing their duties; and/or 4. Any other behavior that is detrimental to the public and racing. NOTE: Authority cited: Sections 19440 and 19460, Business and Professions Code. Reference: Sections 19440 and 19460, Business and Professions Code.

FINDINGS OF FACT

I

At all times herein mentioned, Matthew Garcia was licensed as a Jockey under the jurisdiction of the California Horse Racing Board. At all times herein mentioned, Tiago Pereira was licensed as a Jockey under the jurisdiction of the California Horse Racing Board.

II

Respondent and jockey Tiago Pereira both rode in the second race at Del Mar Thoroughbred Club on September 3, 2018.

III

An alleged incident occurred during the race involving Mr. Pereira's horse and the horse that Respondent was riding.

IV

Following the race, a verbal altercation took place between Respondent and Mr. Pereira, escalating to a physical altercation back in the Jockeys' Room. Matt Garcia said he confronted Jockey Pereira on his reckless riding when both jockeys returned to the Jockeys' Room.

V

Clerk of Scales Matt Nichols stepped between the two and de-escalated the situation. Mr. Nichols testified, after Mr. Pereira walked away, Mr. Garcia was still yelling at him. Mr. Garcia told Mr. Pereira that he'd "get him when they were outside". Clerk of Scales Nichols said he took that to be a threat.

VI

Following the incident, Respondent elected to go to first aid to be examined by the track physician.

VII

Jockey Tiago Pereira was also fined \$200.00 (Ref: SA Ruling #023 dated October 8, 2018) for his involvement in the altercation.

DISCUSSION

Both Respondent and Tiago Pereira rode in the second race at Del Mar Thoroughbred Club on September 3, 2018. Mr. Pereira testified that following the race, on the way back to the jockeys' room, the Respondent started berating him for his actions during the race. Once in the room, Respondent continued the verbal attack, "got in his face", and grabbed his vest. Mr. Pereira said he pushed Respondent away, but Respondent returned to continue the confrontation. At that point, Clerk of Scales Matt Nichols stepped between the two in order to diffuse the situation. Mr. Nichols testified that Mr. Pereira went to his corner but Respondent wanted to continue the matter stating that he would "take care of" Mr. Pereira off of the track. Respondent testified that there was no interaction between himself and Mr. Pereira until they were both in the jockeys' room. He admitted to being upset and did raise his voice toward Mr. Pereira, but said he did not touch him. Respondent testified that Mr. Pereira punched him in the back of the head, knocking his riding helmet off. Respondent chose to go to first aid for treatment of an injury suffered in the incident. He also filed a Sheriff's report, seeking to press charges against Mr. Pereira. No charges were filed. Respondent was cleared to ride a couple of days after the incident.

CONCLUSION

It is the unanimous decision of the Board of Stewards that Respondent is in violation of California Horse Racing Board rule #1874 (Disorderly Conduct). Not only did he threaten Mr. Pereira, he was an equal participant in the altercation that occurred on September 3, 2018. This decision was memorialized in ruling #022, issued at Santa Anita Park on October 8, 2018.

State of California
CALIFORNIA HORSE RACING BOARD

Official Ruling
of the
Board of Stewards

SANTA ANITA AUTUMN MEET
(Association)

October 8, 2018
(Date)

LATC #022

Jockey MATT GARCIA is fined TWO HUNDRED DOLLARS (\$200)* for violation of California Horse Racing Board rule #1874 (Disorderly Conduct – altercation in Jockeys' Room) on September 3, 2018.

LIC: #222955 exp. 06/2019
CASE: #18DM0075

*Rule #1532. Fine shall be paid to the Paymaster within seven calendar days from the date of this ruling, or the license of the person upon whom the fine has been imposed shall be suspended.

BY ORDER OF THE
BOARD OF STEWARDS

Tom Wall

Grant Baker

Kim Sawm

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