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CHRB NEWS RELEASE

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RACING COMMISSIONERS TO HEAR VALENZUELA APPEAL

SACRAMENTO, CA – Moving quickly to expedite the appeals process, the seven racing commissioners who serve on the California Horse Racing Board have scheduled a May 18 hearing to consider the appeal of jockey Patrick Valenzuela themselves.

Valenzuela is appealing the April 22 ruling by the stewards at Santa Anita Park to suspend him through December 31, 2004, for violating the contractual terms of a conditional license relating to his failure to appear for a drug test on January 22. CHRB Chairman John Harris approved a stay of the suspension pending the appeal. The stay allows Valenzuela to resume riding Sunday.

Albert Fiss, vice president of the Jockeys' Guild, submitted a letter to Harris on behalf of 18 Southern California jockeys who expressed concerns about their safety when riding in races with Valenzuela. Fiss raised this issue Thursday during the monthly meeting of the Board and received assurances from Harris and CHRB Executive Director Roy Wood that the Board would do everything possible to expedite Valenzuela's appeal.

State laws provide government agencies with several options for handling appeals. Since the early 1990s, the Board has been referring appeals to the Office of Administrative Hearings to be heard by an administrative law judge (ALJ). Following a hearing, the ALJ submits a recommended decision to the racing commissioners, who make the final decision on each appeal.

Even with the racing commissioners hearing the Valenzuela case, the Business and Professions Code requires that an ALJ preside over the hearing to make certain the administrative process is correctly followed. A deputy attorney general will present the case for the stewards and CHRB investigators. Valenzuela has the right to be represented by an attorney.

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