



APPEARANCES

BOARD MEMBERS

Gregory Ferraro, Chairman

Oscar Gonzales, Vice Chair

Wendy Mitchell, Commissioner

Dennis Alfieri, Commissioner

Damascus Castellanos, Commissioner

Brenda Washington Davis, Commissioner

Thomas Hudnut, Commissioner

STAFF

Scott Chaney, Executive Director

ALSO PRESENT

Christopher Schick, Watch and Wager Harness

Larry Swartzlander, California Authority of Racing Fairs

Alan Balch, California Thoroughbred Trainers

Orlando Gutierrez, Marketing Director of Los Alamitos Race  
Course

Jerome Hoban, Alameda County Fair

Rick Baedeker, OC Tavern

Chris Dalgaard, OC Tavern

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will be limited to two minutes.

13. Closed Session: For the purpose of receiving advice from counsel, considering pending litigation, reaching decisions on administrative licensing and disciplinary hearings, and personnel matters, as authorized by section 11126 of the Government Code. 66
- A. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending litigation described in the attachment to this agenda captioned "Pending Litigation," and as authorized by Government Code section 11126(e).
- B. The Board may convene a Closed Session to confer with and receive advice from its legal counsel regarding the pending administrative licensing or disciplinary matters described in the attachment to this agenda captioned "Pending Administrative Adjudications," as

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Closed Session:

authorized by Government Code section  
11126(e).

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

Adjournment

66

1  
2 P R O C E E D I N G S

3 9:30 A.M.

4 THURSDAY, MAY 19, 2022

5 CHAIR FERRARO: The meeting of the California  
6 Horse Racing Board will please come to order. Please take  
7 your seats.

8 This is a regular meeting, noticed meeting, of the  
9 California Horse Racing Board conducted on Thursday, May  
10 19th, 2022, at the California Exposition and State Fair  
11 Grandstand Clubhouse Sacramento, California.

12 Present at today's meeting are: myself, Dr.  
13 Gregory Ferraro, Chair; also, Oscar Gonzales, Vice Chair;  
14 Dennis Alfieri, Commissioner; Damascus Castellanos,  
15 Commissioner; Brenda Washington Davis, Commissioner; Thomas  
16 Hudnut, Commissioner; and Wendy Mitchell, Commissioner. And  
17 with us is Mr. Scott Chaney, Executive Director.

18 Before we go to the business of the meeting, I  
19 need to make a few comments.

20 The Board invites public comment on the matters  
21 appearing on the meeting agenda. Procedurally, the Board  
22 will first hear from those directly involved in the agenda  
23 item. I will then invite public comment on the agenda item.  
24 The Board will not answer questions. This item is for  
25 comment, not questions.

1           Unsolicited speakers are limited to two minutes  
2 each. During all public comments a sign will be raised  
3 after the first 90 seconds, meaning the speaker will have 30  
4 seconds remaining to conclude their remarks. At two minutes  
5 a second sign will be raised to indicate the speaker's time  
6 is up. The Board may ask questions of individuals who speak  
7 which may extend their two-minute time limit.

8           There are public comment sign-in sheets located on  
9 a table by the entrance for each agenda item on which the  
10 Board invites comments. There is also a sign-in sheet for  
11 those wishing to speak during the public comment period for  
12 matters not on the Board's agenda if it concerns horse  
13 racing in California. Please print your name legibly on all  
14 sign-in sheets.

15           When a matter is open for public comment, your  
16 name will be called. Please come to the podium. Introduce  
17 yourself by stating your name and organization. This is  
18 necessary for the court reporter to have a clear record of  
19 all those who speak. When your two minutes are up, I will  
20 ask you to return to your seat so others can be heard.

21           I will insist that all speakers stay strictly on  
22 topic for each agenda item. If a speaker strays off topic,  
23 I will ask to move to the next speaker. If a speaker  
24 represents themselves, I will ask if the speaker -- repeats  
25 themselves, I will ask if the speaker has any new comments

1 to make. If there are none, the speaker will be asked to  
2 let others comment to the Board.

3 If anyone has comments of a more general nature  
4 that are not specific to earlier agenda items, those  
5 comments must wait until agenda item number 12, Public  
6 Comment. There will be a 30-minute time limit for Public  
7 Comment. In order to allow as many individuals to speak as  
8 possible during that half-hour, I will strictly enforce the  
9 two-minute time limit for each unsolicited speaker.

10 And with that, we can commence our meeting,  
11 starting with approval of the minutes. Do we have a motion  
12 to approve?

13 COMMISSIONER DAVIS: Davis moves.

14 COMMISSIONER CASTELLANOS: Castellanos seconds.

15 CHAIR FERRARO: Okay. Do we have a public comment  
16 on this? No? Okay.

17 Commissioner Davis?

18 COMMISSIONER DAVIS: Aye.

19 CHAIR FERRARO: Commissioner Mitchell?

20 COMMISSIONER MITCHELL: Aye.

21 CHAIR FERRARO: Commissioner Gonzales?

22 VICE CHAIR GONZALES: Aye.

23 CHAIR FERRARO: Commissioner Alfieri?

24 COMMISSIONER ALFIERI: Yes.

25 CHAIR FERRARO: Commissioner Hudnut?

1 COMMISSIONER HUDNUT: Yes.

2 CHAIR FERRARO: Commissioner Castellanos?

3 COMMISSIONER CASTELLANOS: Yes.

4 CHAIR FERRARO: And the Chairman votes yes.

5 Item number two, report from the Jockey and Driver  
6 Welfare Committee.

7 Chairman Gonzales?

8 VICE CHAIR GONZALES: Thank you, Mr. Chairman.

9 Yesterday, here in this very room, Commissioner  
10 Castellanos, Commissioner Hudnut and I convened a  
11 Jockey Welfare and Driver Committee. I thought, overall, it  
12 was very productive. Five key items were taken up,  
13 including public comment. I'll just quickly go over, for  
14 the Commissioners who weren't able to listen in, what are  
15 some of the items that we touched on.

16 First, a proposed rule that will apply to  
17 apprentice jockey. Currently, there is a ten-pound claim or  
18 a break in weight to incentivize trainers to use beginning  
19 riders, better known as apprentices. The way things  
20 currently are is that any rider will have to weigh about 110  
21 pounds or so, which is pretty difficult these days. You  
22 know, times have changed, physiology, you name it. We're  
23 not, I guess, as light as we used to be. At least I'm  
24 speaking for myself. This low-weight threshold can be a  
25 barrier to entry because a trainer can naturally want a

1 jockey to be as light as possible.

2           The proposed rule will move to a seven-pound  
3 claim, as opposed to ten, which can make a huge difference.  
4 After a certain number of wins, in this case after their  
5 tenth win, it will shift to five pounds. The way things are  
6 now is that California riders claim ten pounds until their  
7 5th win and several pounds after their 40th career win.  
8 Typically, after a certain milestone, the public is pretty  
9 familiar with that five-pound allowance, which really is the  
10 number that we ought to concentrate on. But we're going to  
11 try to do is eliminate a barrier of entry for the young  
12 riders coming up.

13           The second item we talked about was the maximum  
14 overweight and Rule 1611, Minimum Weights, also dealing with  
15 weight issues. This proposal is to raise minimum weights  
16 for jockeys for thoroughbreds to 114 pounds and 120 pounds  
17 for Quarter Horses. The rule also proposes that jockeys can  
18 carry no more than five pounds over an assigned weight,  
19 compared to the current seven.

20           Both Commissioner Hudnut and Commissioner  
21 Castellanos weighed in, asked some really great questions.

22           I did ask Executive Director Chane just to make  
23 sure we're circling back with the Jockeys' Guild, especially  
24 on this five-pound versus seven-pound overage. Because when  
25 I was at Santa Anita over the weekend, a couple of jockeys

1 approached me about that. So as long as we make sure that  
2 we're synced up with them, I think this Board will go along  
3 with what's right.

4           The third item we discussed was to bring in some  
5 consistency. The whip that's used by the drivers, you know,  
6 for the public who may not know, we also regulate harness.  
7 They don't use a crop but, rather, a very extended and  
8 longer than a traditional crop. And it looks like we have  
9 agreement that there should be some alignment between the  
10 drivers' whip and the riders' crop as it relates to the  
11 number of times or the limited or the maximum number of  
12 times that can be used in succession.

13           You know, Scott, on the HISA concussions, because  
14 I know you're -- I want to make sure I get this right. Can  
15 you share with the Board the HISA concussion, maybe a  
16 readout on how that conversation went?

17           EXECUTIVE DIRECTOR CHANEY: Yeah, of course.

18           So for a number of years, as I explained to the  
19 Committee yesterday, the CHRB has been considering a rule, a  
20 regulation, with respect to concussion protocol for riders,  
21 as well as a return-to-riding protocol. For a various  
22 number of reasons, we haven't gotten that done.

23           HISA actually requires, the Authority, the  
24 national Authority, requires a concussion come July 1st and  
25 actually makes it a little bit easier on us, I believe,

1 because it doesn't have to be regulatory. We can come up  
2 with a protocol similar to what we do with inclement  
3 weather.

4           So we reached out to the Jockeys' Guild. They  
5 provided sort of their wish list, their best practices, I  
6 would say, around the country with respect to concussion  
7 protocol, including baseline concussion analysis, you know,  
8 before anything happens, concussion protocol in terms of  
9 deciding whether riders can ride, as well as a return,  
10 what's required for return to riding.

11           So the direction from the Committee yesterday was  
12 to reduce that to one concussion protocol, present it to the  
13 Board in June, and then we'll have it ready to go come July  
14 1st, which is part of our requirements with HISA.

15           VICE CHAIR GONZALES: Thank you, Scott.  
16 Appreciate you hearing that and, also, paying very close  
17 attention to the HISA developments. I thought at the last  
18 meeting, us opting in hopefully garners some of that  
19 goodwill, which will allow you to be the first to know what  
20 the industry ought to expect out here.

21           The last issue that we talked about was a proposal  
22 that is still very much in its preliminary stages that will  
23 grant a winning jockey on a California-graded stakes win a  
24 one-time breeding right. I thought that Commissioner  
25 Castellanos and Commissioner Hudnut provided some very

1 important feedback. I think there was a recommendation to  
2 get a preliminary legal analysis. But we also hope that  
3 staff can begin incorporating some of the written comments  
4 that we received as it relates.

5 In short, this has to do with a couple. One, it  
6 has to do with embracing the tradition of California racing,  
7 which was to always have the preeminent jockey colony in the  
8 world. So it has a lot to do with recruiting, retaining,  
9 but also returning our current jockeys who do an amazing and  
10 outstanding job.

11 The other thing I believe this has to do with is  
12 about fairness and equity. And I mentioned in yesterday's  
13 meeting how we were all thrilled and upbeat about the  
14 Kentucky Derby win when we saw the winning jockey on Rich  
15 Strike navigate a winning race like we've never seen before.  
16 I continue to believe that jockeys remain perhaps the best  
17 ambassadors of this sport. They have been supportive and, I  
18 believe, cooperative as we've gone about our reform efforts.

19 I also mentioned that we also had our own kind of  
20 hometown hero stories in the form of two jockeys who rode  
21 Triple Crown races and, to my knowledge, neither one of them  
22 received a breeding right. So I question the fairness. I  
23 believe that there's a lack of consistency. And this Board,  
24 being as reform-minded as we strive to be, are always  
25 looking for disparities and things that we can fix.

1           But again, I will repeat, we are still very much  
2 early in the stages of this process. But I encourage all  
3 Commissioners just to remain openminded and ask the right  
4 questions because, if you're like me, you've probably gotten  
5 a few phone calls by now, or maybe even read a couple of  
6 articles covering this issue. I think that pretty much sums  
7 up.

8           The one thing that I will say is I think we  
9 should, also, at some point when we take up this issue, is  
10 to have a very thorough and comprehensive understanding of  
11 what it is that the industry does to support jockeys on the  
12 one hand and how they make a living. I believe when we see  
13 the entire picture -- I also can use as a refresher,  
14 yesterday I made a comment about pension and retirement. I  
15 maybe have fallen just a little bit short because I do know  
16 that we are much different than other states. But  
17 regardless, I think because jockeys remain important to what  
18 we do in this industry, I think it's time that this Board  
19 has a fuller understanding of how we could be supportive of  
20 jockeys.

21           So Commissioner Hudnut, Commissioner Castellanos,  
22 I know you made a few positive comments throughout  
23 yesterday's agenda. If there was anything that either of  
24 you would like to touch on, I'd like to turn to either of  
25 you to fill the public in on some of the things that you

1 picked up on these different agenda items.

2 COMMISSIONER HUDNUT: I mean, most of our comments  
3 were about the last item and you've summarized them very  
4 well. Thank you.

5 VICE CHAIR GONZALES: Thank you, sir.

6 COMMISSIONER HUDNUT: Thank you for Chairing a  
7 good meeting yesterday. We had a full exchange of  
8 information and agree with the direction that you're going  
9 in for legal analysis and wider staff inquiry, so thank you  
10 very much.

11 VICE CHAIR GONZALES: Thank you, Mr. Commissioner.

12 Commissioner Castellanos, are you good, sir?

13 Anything you'd like to add?

14 COMMISSIONER CASTELLANOS: Just to reiterate, you  
15 know, what you've spoken about already, is that it's a good  
16 idea to kind of get Legal involved prior to do anything such  
17 as that and I'm in support of it.

18 So I will always keep an open mind when it comes  
19 to anything that comes to this Board but, yeah, we need to  
20 look into it a little further, so exactly what you said.  
21 Appreciate it.

22 VICE CHAIR GONZALES: Thank you, sir.

23 Any questions from the Board as it relates to  
24 yesterday's Jockey and Driver Welfare?

25 CHAIR FERRARO: I have one. And I know the

1 representative from the harness horse track is here.

2           You made the comment yesterday that you do not  
3 permit onehanded whipping. Could you clarify what you meant  
4 by that? Being a thoroughbred guy, I need a little help.

5           MR. SCHICK: Good morning, Chairman Ferraro,  
6 Commissioners. Christopher Schick, Watch and Wager Harness.  
7 Oh, good morning.

8           Anyway, yes, under the current rule as it stands  
9 right now, the whip -- the current driving whip rule, the  
10 driver is allowed to take a line and put it in the -- so  
11 he's driving with two hands. He's allowed to take his lines  
12 into one hand and, obviously, strike the wheel disk or the  
13 saddle pad with the whip in a nonexaggerated motion. That  
14 currently is permitted under the current rule, only in the  
15 final eighth of a mile. And under our current rule, he's  
16 allowed three strikes. He has to wait and see if the horse  
17 will respond and then he's allowed to continue with,  
18 potentially, more strikes in the final eighth of a mile.

19           So the onehanded whipping is only permitted in the  
20 final eighth. The proposal that we spoke about at the  
21 Committee yesterday would totally eliminate onehanded  
22 whipping. We are against onehanded whipping. The optics of  
23 onehanded whipping are not acceptable in our view. As a  
24 matter of fact, we actually imposed a house rule for the  
25 last three years that we, even though the stewards really

1 couldn't impose it, we, as management, told the drivers, we  
2 are not going to accept onehanded whipping. If you want to  
3 do onehanded whipping, you can go race somewhere else.

4 So maybe I got off a little bit but I hope I  
5 answered your question.

6 CHAIR FERRARO: No, that clarifies it for me.  
7 Thanks very much.

8 VICE CHAIR GONZALES: Yes, Commissioner Mitchell?

9 COMMISSIONER MITCHELL: Thank you. I just wanted  
10 to address or, you know, lean my comments to the breeding  
11 rights for the jockeys. I read one press report that it's a  
12 radical idea. And I appreciate that, you know, we're making  
13 changes. This Board is going in new directions that have  
14 not been seen in horse racing. And we see, you know, other  
15 states and other jurisdictions following suit.

16 As far as the breeding rights for jockeys, I mean,  
17 I think that that, sort of a policy looking at that, is a  
18 brilliant idea because it goes to the equity lens that --  
19 which every Commission in the State of California is looking  
20 at policies through it. I just spent, you know, six hours  
21 yesterday at the Transportation Commission meeting and every  
22 policy about roads is looked at through an equity lens.  
23 It's the Governor's directive. It's what, you know,  
24 everyone is talking about and what we should be looking at.  
25 And this is like at the heart of an equity issue.

1           So I applaud you for bringing it up. I think it's  
2 a great idea. Obviously, you know, it needs to be flushed  
3 out in longer discussions. But at the same time, like we  
4 need to keep in mind, this is where, you know, looking at  
5 our policies through an equity lens is where the State of  
6 California is going, it's where our Governor, who has  
7 appointed us, is going. And so I think it's a really  
8 important policy to be looked at and I thank you and commend  
9 you for bringing it up.

10           COMMISSIONER HUDNUT: If I may, I would like to  
11 second Commissioner Mitchell's comments and add that we  
12 really need to take a wholistic approach to the whole  
13 question of jockeys and jockey welfare because relatively  
14 few jockeys ride stakes' winning horses. It's a food chain  
15 matter of the jockeys who don't get the chance who are  
16 chronically underpaid and frequently overworked and we need  
17 to keep them in our sights, as well. Because if we're  
18 talking about looking at this through the lens of equity,  
19 those are the guys who, more often than not, are getting the  
20 short end of the stick.

21           VICE CHAIR GONZALES: I said, I apologize, both  
22 Commissioners, thank you for your input. We're going to  
23 have plenty of time to discuss and, perhaps, even abate this  
24 issue. Really appreciate your preliminary input.

25           And, Mr. Chaney, thank you in advance for

1 empowering your staff to work on this important issue.

2 Mr. Chairman, back to you.

3 CHAIR FERRARO: Do we have any public comment on  
4 this agenda item? None? Okay.

5 Move on to item number three, discussion and  
6 action by the Board on the Approval for the continuation of  
7 a distribution from ADW Market Access fees for wagers placed  
8 by California residents on all live and imported races  
9 hosted by the signatory racing fairs for the period June 1,  
10 2022, through December 31, 2022, to be utilized to fund a  
11 California coop marketing program as permitted under  
12 Business & Professions Code section 19604(f)(5)(E).

13 I'll turn this over to Mr. Chaney but I believe  
14 this is just a reup of what we've done in the past; is that  
15 correct?

16 EXECUTIVE DIRECTOR CHANEY: Yeah, that's right,  
17 Mr. Chairman. I believe TOC was going to present this but I  
18 think they've had an illness. It looks like Larry  
19 Swartzlander can carry the water on this one.

20 I will say that the Board approved a similar  
21 distribution last month for Southern California and this is  
22 the same thing for the Association of Racing Fairs.

23 As I always say, this is their money. We just  
24 approve how they spend it.

25 Go ahead, Larry.

1 MR. SWARTZLANDER: Good morning, Chairman,  
2 Commissioners. Larry Swartzlander, the Executive Director  
3 of California Authority of Racing Fairs.

4 Yeah, just to add to that, Mr. Chaney summed it  
5 up, but last year was the first year we did this. We did it  
6 because we had a void in our incentive programs. The  
7 programs we currently have in place only benefitted the  
8 trainer. This is an opportunity now to any owner at any one  
9 of the meets that has five horses under his name that runs  
10 gets a \$2,000 bonus. Last year we expended close to  
11 \$120,000 to owners at the three fairs that ran last year,  
12 Pleasanton, Humboldt, and Fresno.

13 It's a very good program, very positive feedback,  
14 and I'd like to give out more if I could but the TOC gives  
15 me a limit, so thank you.

16 CHAIR FERRARO: Thank you, Larry.

17 Any questions or comments from the Board?

18 Do we have any public comment on this? No public  
19 comment.

20 Can I have a motion for approval?

21 COMMISSIONER ALFIERI: So move.

22 COMMISSIONER HUDNUT: Second.

23 COMMISSIONER ALFIERI: Alfieri.

24 COMMISSIONER HUDNUT: Hudnut.

25 CHAIR FERRARO: And seconded approved.

1 Commissioner Davis?

2 COMMISSIONER DAVIS: Yes.

3 CHAIR FERRARO: Commissioner Mitchell?

4 COMMISSIONER MITCHELL: Yes.

5 CHAIR FERRARO: Commissioner Gonzales?

6 VICE CHAIR GONZALES: Yes.

7 CHAIR FERRARO: Commissioner Alfieri?

8 COMMISSIONER ALFIERI: Yes.

9 CHAIR FERRARO: Commissioner Castellanos?

10 COMMISSIONER CASTELLANOS: Yes.

11 CHAIR FERRARO: Commissioner Hudnut?

12 COMMISSIONER HUDNUT: Yes.

13 CHAIR FERRARO: And the Chairman votes yes. It  
14 passed.

15 Moving on to item number four, discussion and  
16 action by the Board regarding entering into a Voluntary  
17 Implementation Agreement with the Horseracing Integrity and  
18 Safety Authority. We discussed this at the last Board  
19 meeting.

20 Mr. Chaney, do you want to elucidate on this?

21 EXECUTIVE DIRECTOR CHANEY: Absolutely. Thank  
22 you, Mr. Chairman. Good morning, Commissioners.

23 As I previewed last Board meeting when the Board  
24 voted to opt in, sort of the next step, if you will, with  
25 the Authority under the HISA law is this concept of

1 Voluntary Implementation Agreement. In your packet is sort  
2 of their template. And really, at the end of the day, it's  
3 a contract between the California Horse Racing Board and the  
4 Authority where we agree to do certain -- carry out certain  
5 tasks, implement the concussion protocol, as I mentioned  
6 earlier, implement a jockey drug testing program, which we  
7 already have in a regulatory fashion, administer the  
8 national training test, in addition to the training test  
9 that we have now, identify certain individuals in terms  
10 of -- that administer safety, and human welfare and that  
11 sort of thing.

12 Frankly, it's most of the stuff we do already. I  
13 could imagine this being a fairly heavy lift for other  
14 states. But for us, I think it will be fairly  
15 straightforward.

16 We are in the process of going through the  
17 template and making a few alterations. As you can imagine,  
18 California law requires certain things in each contract, so  
19 we need to make sure that we do that, so working with  
20 Department of Government Services to make sure that's  
21 fulfilled.

22 So the ask today is to -- I will say that similar  
23 to the opting in/opting out question, which, as you recall,  
24 simply means that the State Racing Commission is submitting  
25 the fees -- remitting the fees to the Authority rather than

1 each individual track, is not super popular amongst the  
2 country. It's my understanding, I think there was a quote  
3 that they expect about 80 percent of voluntary -- states to  
4 sign Voluntary Agreements with the Authority. I think  
5 that's optimistic.

6 But my recommendation is to sign this agreement  
7 because, mostly, we do these things already. But the ask  
8 today is to give me the authority, for the Board to give me  
9 the authority to enter into it on your behalf and to, you  
10 know, complete it in the blanks, as you see, on the  
11 template.

12 The consequences of not entering into the  
13 agreement are that HISA then, the Authority, will fulfill  
14 all of those rules and obligations and duties, as you see in  
15 the contract, and then bill the states or individual tracks  
16 for those incremental costs. So by opting in we are --  
17 there won't be any additional cost past the 1.4 for 2021  
18 that we discussed last month. So it's not so much a  
19 question of I'm getting a reduction in the bill, it's  
20 preventing additional money to have to -- to be spent for  
21 stuff that we already do.

22 CHAIR FERRARO: And the tracks are in favor of us  
23 passing this; is that correct?

24 EXECUTIVE DIRECTOR CHANEY: They are.

25 CHAIR FERRARO: Any comments or questions from the

1 Board?

2 Public comment? No?

3 COMMISSIONER HUDNUT: I remain gravely concerned  
4 that UC Davis and Maddy Labs are somehow going to be  
5 overlooked, left out, or otherwise disadvantaged under the  
6 HISA agreement. And I would like some commentary from the  
7 Executive Director, please, about his efforts to make sure  
8 that they are included. After all, HISA is advancing a  
9 testing outfit that has never done equine testing. And we  
10 have the absolute leaders in the field right here in  
11 California. And it would be a misfortune, at the very  
12 least, were they not involved in nationwide testing.

13 EXECUTIVE DIRECTOR CHANEY: My phone's already  
14 blowing up. Two things.

15 The broadcaster says, "Make sure everybody leans  
16 into their mike when they speak."

17 The other thing is apparently I said 2021 for the  
18 calendar year and I obviously meant 2022, which is HISA's  
19 budget.

20 I share your concern. And Commissioner Hudnut and  
21 I have had that -- this conversation a few times.

22 For those that don't know, the Authority just  
23 named an agency who's going to administer the Antidoping and  
24 Medication Control Program, which they hope to go into  
25 effect January 1st of 2023, six months after the safety

1 regs.

2 And as everybody in this room knows, we contract  
3 with Maddy Lab to do all the testing in California. Maddy  
4 Lab, I think it goes without saying, is one of the best in  
5 the country if not world. And just so everyone knows, we  
6 basically fund their entire operation. It's approximately  
7 \$6 million a year. We literally pay the mortgage.

8 And so the concern is that -- I don't think  
9 there's any real concern that Maddy Lab will not be part of  
10 testing in the United States, it's the best, it's just how  
11 will the funding then work? What our industry doesn't want  
12 to do is fund the entire lab and then have to pay additional  
13 money for the testing.

14 So in my view, part of both opting in and agreeing  
15 total maximum daily load his Voluntary Agreement or signing  
16 this Voluntary Agreement is just to put us in a better  
17 position to negotiate, you know, regarding Davis and testing  
18 going forward.

19 So I share your concern, Commissioner Hudnut, and  
20 it's real.

21 COMMISSIONER HUDNUT: Thank you.

22 COMMISSIONER ALFIERI: I agree with you 100  
23 percent. And you know, this -- California was barely  
24 allowed into the negotiations when they started this whole  
25 idea of HISA. At the 12th hour, we were asked to come to

1 the table and, you know, give us your views, way back when.  
2 And so, you know, it's like they -- we're like the Wild West  
3 out there. They just, you know, they keep going and we're  
4 barely invited, again, barely invited to the table all the  
5 time.

6 I think we should figure out a way for the Maddy  
7 Lab to make money off of this, you know? And we are the  
8 best and could be the best in the world.

9 And so I'm with you 100 percent. We've really got  
10 to be proactive on this.

11 EXECUTIVE DIRECTOR CHANEY: If I might,  
12 Commissioner Alfieri, I think there is that possibility. It  
13 is my understanding that sort of the new fancy way of  
14 testing is intelligent testing or smart testing. And I  
15 don't really have an opinion about whether that's better  
16 than the more traditional method where it's, you know, first  
17 place finisher and first, second and third in stakes and  
18 it's very regimented that way.

19 But the smart folks, at least, are saying that  
20 less testing is actually what you need, it just needs to be  
21 targeted. If that's the case, then they'll -- we'll be  
22 testing probably less in California, meaning that Davis will  
23 have a lot more capacity to test for other states. It's my  
24 understanding that only nine states currently would be  
25 accredited under the regulations that were promulgated by

1 USADA when they were negotiating originally for the  
2 Authority contract.

3           And so if that extra capacity exists, I could  
4 imagine a scenario in which Davis would be taking samples  
5 from other states. And they do charge on a per-sample basis  
6 which, obviously, we don't do. We test as much as we want.

7           So I think there is an opportunity, at the very  
8 least, for it to be zero sum, if not, you know, financially  
9 profitable for Davis or, in the alternative, save our  
10 industry stakeholders, which fund us, money. So I think  
11 there is that opportunity. Hopefully it will play out that  
12 way.

13           COMMISSIONER ALFIERI: Just as an update, I mean,  
14 this is an aside, do we know what other states now have  
15 agreed to join to voluntarily --

16           EXECUTIVE DIRECTOR CHANEY: Yeah. From what I've  
17 heard so far the opting in is still Kentucky, Minnesota, us.  
18 And the same states are probably -- are, it sounds as if,  
19 are going to sign the Voluntary Agreement. I haven't heard  
20 of any definites beyond that. I will say the Authority is  
21 doing a pretty, you know, pretty hard push to get states to  
22 sign up.

23           I think as states realize what happens if you  
24 don't enter into the Voluntary Agreement and you're going to  
25 have additional costs, probably shouldered by racetracks

1 because most of those states aren't remitting fees through  
2 the State Racing Commission, that they'll realize it's the  
3 wrong thing. An example of that might be, come July 1st,  
4 the new crop rule, use rule, goes into effect. If you don't  
5 sign a Voluntary Testing Agreement, your stewards won't be  
6 implementing that rule. HISA will have to hire an  
7 additional, at least, one steward, if not three, to -- for  
8 the sole purpose of administering that rule. And then  
9 they'll pass that cost for the hiring onto the state or  
10 racetrack.

11 So I think, as this plays out, states will realize  
12 it's financially smarter to sign the Voluntary Agreement.  
13 But I mean, at the end of the day, I think we can only do  
14 what's best for California and I think that's it.

15 COMMISSIONER ALFIERI: Right. I had heard that  
16 Washington State may have opted out.

17 EXECUTIVE DIRECTOR CHANEY: That very well could  
18 be. I mean, that seems to be the -- kind of the order of  
19 the day. It's been my experience that most states are -- at  
20 least State Racing Commissions and, to be fair, tracks as  
21 well seem to be in this resist mode, and I don't disagree.  
22 I think it's fair to say, we would prefer not to be under  
23 this federal program because we think we do a pretty good  
24 job, both on the safety front and, also, the medication and  
25 antidoping front. But it's federal law, here we are, and I

1 think that we have a duty to our stakeholders to make this  
2 transition as easy as possible for them.

3 CHAIR FERRARO: Commissioner Hudnut, did you have  
4 another comment? No.

5 Anybody else? Any comments from the Board?

6 COMMISSIONER DAVIS: Yes. I just wanted to  
7 express my strong support for Commissioners Hudnut and  
8 Alfieri on the Maddy Lab issue. And I hope that we can  
9 position ourselves to leverage that and make that a premiere  
10 lab and make some money on it if we can.

11 COMMISSIONER ALFIERI: I'm all about money.

12 COMMISSIONER MITCHELL: We're in government.  
13 We're not here to make money but, anyway, no.

14 I just wanted to say I agree with Commissioner  
15 Alfieri about us being kind of late to the party. But I  
16 want to commend our Executive Director for going and getting  
17 on the Board, interjecting himself in this process, which is  
18 not an easy thing given we're California and they're  
19 everybody else and, you know, we're not exactly, you know,  
20 ABC, anybody but California is the mantra. So I just want  
21 to commend you for doing that and getting in the middle of  
22 it and really making this thoughtful and having California  
23 have a seat at the table, so thank you.

24 COMMISSIONER ALFIERI: And he actually took heat.  
25 He took some heat at those meetings.

1 CHAIR FERRARO: I would agree with Commissioner  
2 Mitchell's comments.

3 And I'd also interject that, you know, the loss of  
4 our Equine Medical Director, who was originally on the  
5 Medication Committee, is a hindrance to our position. We  
6 would be much better off if we could get our Equine Medical  
7 Director reinstated and we'd be in a lot better bargaining  
8 position with HISA.

9 So do we have public comment? None? Okay.

10 Can I have a motion to approve?

11 EXECUTIVE DIRECTOR CHANEY: Just for  
12 clarification, the motion would be to grant me the authority  
13 to enter --

14 CHAIR FERRARO: Correct.

15 EXECUTIVE DIRECTOR CHANEY: -- into the Voluntary  
16 Agreement?

17 CHAIR FERRARO: Correct. Yeah.

18 COMMISSIONER DAVIS: Davis moves.

19 COMMISSIONER CASTELLANOS: Castellanos seconds.

20 CHAIR FERRARO: Okay. Commissioner Davis?

21 COMMISSIONER DAVIS: Yes.

22 CHAIR FERRARO: Commissioner Mitchell?

23 COMMISSIONER MITCHELL: Yes.

24 CHAIR FERRARO: Commissioner Gonzales?

25 VICE CHAIR GONZALES: Yes.

1 CHAIR FERRARO: Commissioner Alfieri?

2 COMMISSIONER ALFIERI: Yes.

3 CHAIR FERRARO: Commissioner Castellanos?

4 COMMISSIONER CASTELLANOS: Yes.

5 CHAIR FERRARO: Commissioner Hudnut?.

6 COMMISSIONER HUDNUT: Yes.

7 CHAIR FERRARO: And the Chairman votes yes.

8 Moving on, I think, to number five, which is  
9 presentation from the California Thoroughbred Trainers  
10 regarding a status update on the Task Force regarding animal  
11 safety.

12 Mr. Balch?

13 MR. BALCH: Mr. Chairman, thank you. Mr. Vice  
14 Chairman, Commissioners, staff, and all those in attendance  
15 here at Cal Expo or via the web, thank you for another  
16 opportunity to share more thinking and opinions with you on  
17 our ongoing work developing and refining ideas for improving  
18 safety in racing.

19 First, I'll begin with a brief update on  
20 continuing education for licensed trainers. I think I've  
21 touched on this in each of my prior reports with particular  
22 emphasis on our excellent module about shoulder fractures  
23 produced by the University of California, Davis.

24 We have around 200 active licensed trainers in  
25 state, and scores more who are licensed but largely

1 inactive. As their statutory representative organization,  
2 CTT has been, for weeks now, in the process of contacting  
3 each active licensee individually by telephone.  
4 Approximately 150 of the 200 either have taken the course or  
5 have been reached and verbally committed to taking the  
6 course. We have simply been unable so far to connect in  
7 person with most of the remainder but we will continue our  
8 efforts, of course.

9           One suggestion we've repeatedly received from  
10 those who are most technologically challenged is that we  
11 reschedule one or more of the so-called live presentations  
12 of the module, particularly if we can arrange for a  
13 question-answer session to follow. We are following up on  
14 that since a significant number of our members find that  
15 signing up and getting credit on our Horsemen's U website is  
16 somewhat daunting.

17           Presently, while California's overall trend in  
18 improving our equine safety performance continues in the  
19 right direction, when we do have accidents they tend,  
20 somehow, to be more worrisome, probably for the very reason  
21 that they are even more rare than before. They are also  
22 surprising, in a sense, occurring as they still occasionally  
23 do despite our elaborate new rules and protocols, plus  
24 intense scrutiny pre-race and during training due to all the  
25 procedures we put in place.

1           As you know, we're concentrating most of our  
2 efforts on methods of accident prevention given the  
3 fundamentally interdependent nature of this sport where  
4 every participant group must work together to achieve  
5 success for the whole. We don't think that pointing fingers  
6 of blame at one or another segment or individual among us is  
7 productive or honest.

8           We seek to prevent willful, willful misbehavior or  
9 lack of care through attention to interlocking programs of  
10 education, regulation, oversight and, ultimately, deterrents  
11 via severe penalties, which we believe are already in place  
12 for any such willful misbehavior.

13           In some important respects I liken our work and  
14 the work of this Board and its regulatory staff to the  
15 accident prevention activities of the National  
16 Transportation Safety Board, the NTSB, which carefully  
17 analyzes every serious aviation and transportation accident  
18 in order to learn from each of them and take any necessary  
19 educational, regulatory, or other steps which can  
20 continually improve safety.

21           So to the many suggestions we have already made in  
22 these regular reports to the Board, we have a few more to  
23 add. (Clears throat.) Excuse me.

24           First, we, and by we, I mean CTT leadership, we  
25 believe the Board should consider harmonizing the safety and

1 oversight protocols currently in place track by track. Here  
2 we're referring to so-called house rules and safety  
3 oversight which can and does vary by racing association. We  
4 recognize a case can be made for various of the differing  
5 track protocols and don't want to preclude experimentation  
6 with new ideas and new methods of oversight.

7           But, at the same time, we don't believe owners,  
8 practicing veterinarians, regulators, track officials or  
9 staff, and trainers should be needlessly confused when they  
10 are sincerely attempting to comply with protocols, nor  
11 should they be justified in pointing to confusion as a  
12 reason when a particular protocol isn't followed.

13           The best rulemaking is consistent rulemaking among  
14 jurisdictions which, in some respects, lies at the heart of  
15 the rationale for the new Horse Racing Integrity and Safety  
16 Authority itself, which you've just discussed. The same  
17 should apply within our own state.

18           In particular, we note that there is a difference  
19 among major racing associations in follow-up investigations  
20 when a catastrophic accident occurs. We believe there  
21 should be an immediate analytical meeting among track  
22 officials, CHRB representatives, the owner, trainer, rider,  
23 and veterinarians involved in any such incident without  
24 waiting for necropsy results.

25           So far as we can determine, only one major track

1 follows this plan. The others wait for necropsy results to  
2 convene the review meeting and, in so doing, lose the  
3 immediate perspectives they would otherwise have.

4           We believe a second and possibly more formal  
5 meeting should also be required when the necropsy results  
6 are available as a follow-up to compare the original with  
7 the more scientifically-informed perspective. This  
8 approach, we believe, even though taxing for all concerned  
9 and potential difficult emotionally and otherwise, is of  
10 great assistance in emphasizing and conveying to all  
11 participants the immediacy of cultural change underway among  
12 all stakeholders that has been ongoing for at least a decade  
13 now. And it's entirely possible that some potential or  
14 actual factor in the accident will be revealed which can be  
15 acted upon immediately.

16           Next, you will recall our emphasis in our last  
17 report on tracking high-speed furlongs -- excuse me -- on  
18 tracking high-speed furlongs incurred by individual horse  
19 and developing methodologies for levels of warning,  
20 increased scrutiny and, possibly, mandatory diagnostics when  
21 certain verifiable thresholds of high-speed furlongs are  
22 reached.

23           We believe the same type of scrutiny should also  
24 be considered for all administrations of joint therapy,  
25 including IRAP, which is Interleukin Receptor Antagonist

1 Protein. We ought to consider engaging in immediate  
2 epidemiological investigation of this factor on a parallel  
3 track with a high-speed furlong research.

4 New rules governing an equine therapeutic joint  
5 treatment since 2019 have almost certainly been helpful in  
6 our improved stats. But it's entirely possible that we need  
7 to go further to prevent overuse of legitimate therapy,  
8 particularly within scientifically-defensible timeframes.  
9 This is a subject that our veterinary Task Force members  
10 should immediately explore together.

11 In particular, I personally am of the opinion,  
12 which is not by any means unanimously embraced, that some  
13 palpable stress may exist and may have long existed between  
14 some regulatory veterinarians and practicing vets, or even  
15 between those specified groups of veterinarians. I believe  
16 this ought to be overcome where it exists, particularly  
17 where any actually adversarial situations arise.

18 As with all potential stereotypes, whether of  
19 trainers, jockeys, owners, lawyers, track managers or  
20 horseplayers, we do need to be cautious about  
21 generalizations. There is no doubt that veterinarians with  
22 differing duties and responsibilities and clients might well  
23 view any individual situation from differing perspectives.  
24 Similar stresses and differing perspectives can and do also  
25 exist in human medicine, as we all should realize.

1           Can somebody bring me my water back there? Sorry.  
2           It's right by my chair over there.

3           Please consider that we've evolved -- let me take  
4           a little swig here. Sorry. Excuse me.

5           Please consider that we've evolved more and more  
6           into a society of specialists in many fields. To take human  
7           medicine is just one example. Almost every aspect is now a  
8           specialty. The general practitioner seems sometimes to be a  
9           referral service, depending on the ailment. At California  
10          racetracks, for another example, owners and trainers are  
11          separated by law into different organizations which, at  
12          times, inhibits necessary and intense communication.

13          Practicing equine vets at the track have their own  
14          organization. Separate from non-racing equine sport vets,  
15          regulatory vets attend their own meetings without which  
16          practicing vets are not invited. Shouldn't these gaps be  
17          bridged if only to stimulate better, more thorough  
18          communication of differing perspectives? Shouldn't we  
19          determine if, how, and where communication stresses or  
20          issues may exist or arise between veterinarian groups?  
21          Let's determine what steps should be taken, could be taken,  
22          probably in the nature of regular, improved, thorough, and  
23          open communication to expedite true teamwork to the extent  
24          possible.

25          In this elaborate, interdependent sport of ours,

1 which, obviously, I'm a broken record about, there are  
2 inescapable differing perspectives all the time. But it is  
3 absolutely essential that we all agree that the welfare of  
4 the horse comes first, paramount above all else. Our  
5 differing perspectives must all then be required to serve it  
6 and not just to serve it be seen to serve it.

7 I'm not certain what's next. We put a number of  
8 serious suggestions on the table today and previously. But  
9 to become actionable, I don't know how many are suitable for  
10 formal CHRB rules or track protocols.

11 We await your further guidance. And, of course,  
12 I'm available to answer any of your questions or discuss  
13 these matters. And thank you, again, for the opportunity to  
14 be heard.

15 CHAIR FERRARO: Questions from the Board, anyone?

16 I have a few, Alan. You mentioned triggers for an  
17 inordinate amount of high-speed works in that whether or not  
18 that's something someone or somebody or something should  
19 intercede. Isn't that a little difficult in terms of  
20 interfering with the individual trainer's perspective on  
21 what he's doing with his horse? How would that work?

22 MR. BALCH: Well, first of all, the high-speed  
23 furlong research, as you've heard from Sue Stover, I covered  
24 more intensely in my last report. And I think, of course,  
25 people are -- owners, as well as trainers and others, are

1 always going to say, well, wait a minute, don't tell me how  
2 to train my horse.

3           So I don't think we're talking about that as much  
4 as we are tracking this as an aid to the trainer or the  
5 owner, here's where your high-speed furlongs exist based on  
6 all the technology we have now. And when you reach these  
7 certain plateaus, which in Dr. Stover's research indicate  
8 greater risk, then at that point, potentially, there's a  
9 rule or a protocol that says this horse needs to be subject  
10 to additional diagnostics, PET scan, whatever. Because the  
11 problem are always overt potential injuries, the symptoms of  
12 which are not seen by the veterinarians or the trainer or  
13 the owner and that's what we need to concentrate on.

14           Now, that's expensive. And that's why I mentioned  
15 in my previous report, we have to figure out a way to assist  
16 in funding things if we possible can so the excuse -- so  
17 that excuse is removed -- well, I don't see the need to have  
18 this horse to have a PET scan or a standing MRI or whatever  
19 it may be that is indicated -- but that's the type of thing  
20 we're talking about.

21           CHAIR FERRARO: Well --

22           MR. BALCH: But that's as far as the high-speed  
23 furlongs go.

24           CHAIR FERRARO: -- just to clarify that, so would  
25 you look at this as -- suppose you picked up that a horse

1 was going over the edge and was in the danger zone, would  
2 this be just an advisory to the trainer to say, hey, look,  
3 your horse -- this horse is at high risk, you may want to  
4 take a look at them, or are you talking about some mandatory  
5 thing where we would impose mandatory diagnostic procedures  
6 or something like that?

7 MR. BALCH: Well, to begin with, I think it would  
8 have to be advisory. But we were, when we had the meeting  
9 with the veterinarian subgroup before the last report I  
10 gave, we were talking, we were talking about a mandatory  
11 trigger at some point. And it's very difficult to impose  
12 that but it's something that has to be considered because,  
13 as you, Mr. Chairman, have said yourself, we have to bring  
14 our experience more favorable. We can't just continue to  
15 say, well, we've done as best we can. Because the problems  
16 that we have now are very difficult problems to address or  
17 see because the symptoms are hidden.

18 CHAIR FERRARO: Correct. Yeah. We've done all  
19 the easy ones.

20 The next question is, you're talking about  
21 intraarticular injections, particularly of IRAP, but it  
22 could be any agent. And multiple serial injections in a  
23 horse, I mean, we have seen instances of horses that have  
24 been injured. When you look back at their record, they've  
25 had monthly injections or multiple injections. So, again,

1 now you're getting into the area of the veterinarian's  
2 judgment and the trainer's judgment. Would you have some  
3 sort of mandatory limit on the number of repeated injections  
4 or how would you see that being carried out?

5 MR. BALCH: Well, in my opinion, it's very similar  
6 to the discussion we just had about high-speed furlongs.  
7 Nobody paid any attention, too much anyway, to high-speed  
8 furlongs until Dr. Stover did her research. Now in the case  
9 of -- and I've, as I'm sure you've noticed, I've carefully  
10 avoided using some of the terms you did. I talk about  
11 therapy, joint therapy. These are therapeutic  
12 administrations designed to -- you're the veterinarian, I'm  
13 not, but my understanding is they're designed to enhance  
14 healing.

15 CHAIR FERRARO: Right.

16 MR. BALCH: That's what therapy is. But it can be  
17 abused.

18 So what's happened is that we, when we do take an  
19 analytical look at the catastrophic breakdowns, some of them  
20 have indicated, my gosh, look how many injections a  
21 particular horse received or, shall I say more politely, how  
22 much joint therapy. Now, if a horse is undergoing continual  
23 joint therapy, it would seem to indicate that there's  
24 something more here that needs to be looked at.

25 So, again, I think my answer is the same as this

1 as it was before, you have to start by some advisory trigger  
2 or, gee, are you aware that? Let's remember, horses get  
3 claimed, horses change ownership, horses come from other  
4 jurisdictions. But we do have the digital tools now to be  
5 able to track a joint therapy.

6 CHAIR FERRARO: So --

7 MR. BALCH: I'm going to venture a little bit  
8 further here into somewhat uncharted waters, so I have to  
9 be careful because, you can tell, I write this very  
10 precisely so I don't say something I shouldn't. But I do  
11 think we need to enhance security in the stable area. You  
12 know, I'm a dinosaur, as you all know. We used to have much  
13 greater security in the stable area because there's no  
14 substitute, including with cameras and high tech, there's  
15 still no substitute toward people being the stable area who  
16 represent the racing Board and the track and the  
17 authorities. And we used to have extremely elaborate  
18 procedures, including undercover people and everything else,  
19 to actually have eyes looking at what's going on.

20 And that's important because people need to  
21 understand that they are always under scrutiny. In my  
22 opinion, we have very, very, very few cheaters or people who  
23 want to cheat. But the great, vast, overwhelming majority  
24 of people who want to go by the rules, they really don't  
25 like the suggestion that a cheater, somebody who would bend

1 or break or the rules, could get away with it, so that means  
2 we need more security, in my opinion.

3 CHAIR FERRARO: So could I imply that you would be  
4 in favor of cameras at all racetracks, not just at Santa  
5 Anita?

6 MR. BALCH: Absolutely.

7 CHAIR FERRARO: Okay.

8 MR. BALCH: But let's remember, even the cameras,  
9 shed row cameras, we made this point when the Camera Program  
10 was first started a few years ago, many years ago, which is  
11 cameras in the shed row are an important step forward. And  
12 that was a massive expense and a very good thing to do.

13 We also, though, examined the feasibility of  
14 cameras inside stalls. That was proven to be wildly  
15 expensive and super difficult because the cameras are  
16 action, you know, action triggered, motion activated, and  
17 the horses are constantly moving. So you know, the  
18 capacity, among other things, and the installation, the  
19 capacity, the digital capacity of surveilling all of that  
20 area with cameras is probably impractical.

21 CHAIR FERRARO: Okay. Final question before we  
22 bore everybody to death here.

23 MR. BALCH: Sorry.

24 CHAIR FERRARO: As you know, the overall picture  
25 on this from the beginning of this Board's beginning to try

1 to get progressive, the needed change is a cultural change,  
2 a cultural change in the way we think, the way we act,  
3 amongst all participants in racing. Are we getting anywhere  
4 in that cultural change?

5 MR. BALCH: I think so. I'm confident we are. I  
6 made some comments here about the after-accident review that  
7 I think would enhance the attention of people to the  
8 cultural change, that it needs to be immediate, that it  
9 needs to -- everybody needs to be sensitized to the fact  
10 that things have changed and are constantly changing, so I  
11 think we're getting somewhere.

12 But culture -- we all read the papers and look at  
13 social media, so we know that the culture wars are very much  
14 in evidence. Everybody seems to have their own idea of what  
15 the culture ought to be. Our culture has to be animal  
16 welfare, paramount, as I said, absolutely paramount. Where  
17 animals are involved, we can spare no effort.

18 So I believe that the vast, overwhelming majority  
19 of people in racing realize that horses are not, quote  
20 unquote, "just livestock," which some people used to  
21 believe. And I think that number of people is very, very  
22 miniscule now of people who are actually in racing,  
23 certainly in California and everywhere, at any kind of high  
24 level.

25 CHAIR FERRARO: Thank you.

1 MR. BALCH: So it is happening.

2 CHAIR FERRARO: Thank you very much.

3 MR. BALCH: But it can't happen fast enough.

4 CHAIR FERRARO: Thank you very much.

5 Any questions for Alan from the Board?

6 COMMISSIONER HUDNUT: No.

7 CHAIR FERRARO: Please.

8 COMMISSIONER HUDNUT: I don't have a question for  
9 Alan but I do have a comment.

10 I would like to underscore the point that Mr.  
11 Balch made about the immediacy of getting the parties  
12 together after a catastrophic accident --

13 CHAIR FERRARO: Yeah.

14 COMMISSIONER HUDNUT: -- or injury.

15 CHAIR FERRARO: I think that's a good idea, too --

16 COMMISSIONER HUDNUT: I think that --

17 CHAIR FERRARO: -- yeah.

18 COMMISSIONER HUDNUT: -- that makes a lot of  
19 sense.

20 CHAIR FERRARO: Yeah.

21 COMMISSIONER HUDNUT: It's done in every other  
22 injury when there is --

23 CHAIR FERRARO: Yeah.

24 COMMISSIONER HUDNUT: -- an injury or an accident  
25 or a crash. And I would like to see CHRB embrace this and

1 move towards some concrete protocols to see that it happens.

2 CHAIR FERRARO: Anyone else?

3 Mr. Chaney, can we expedite something like that?

4 I think we could, couldn't we?

5 EXECUTIVE DIRECTOR CHANEY: Yeah. I mean, it's an  
6 interesting concept; right? We do have our Postmortem  
7 Review Program, so I'm sort of -- I have that in the back of  
8 my head. And I'm kind of like pushing back a little bit  
9 just because I think it's an extremely good program and it  
10 happens really efficiently. We produce a report with both  
11 the necropsy and every other piece of information you could  
12 imagine within a month or a catastrophic injury which, I  
13 think, if you know anything about state government is  
14 lightning fast.

15 MR. BALCH: Mr. Chaney --

16 EXECUTIVE DIRECTOR CHANEY: But in --

17 MR. BALCH: -- we're not criticizing that.

18 EXECUTIVE DIRECTOR CHANEY: No, no, no, and I'm  
19 not taking that as much. I'm just wondering.

20 So I think the follow-up one, I don't think, is --  
21 you mentioned a follow-up.

22 MR. BALCH: No. To me --

23 EXECUTIVE DIRECTOR CHANEY: I think we do that  
24 already.

25 MR. BALCH: Well, to me, the report you're talking

1 about would be the follow-up. I'm talking about something  
2 within --

3 EXECUTIVE DIRECTOR CHANEY: Right. No, no.

4 MR. BALCH: -- within 48 hours or something of the  
5 incident --

6 EXECUTIVE DIRECTOR CHANEY: Yeah, I get that.

7 MR. BALCH: -- immediately.

8 EXECUTIVE DIRECTOR CHANEY: I understand. So it  
9 is, I think it's possible. I'd have to kind of figure out,  
10 A, do we want to do it from a regulatory standpoint? Should  
11 it be more just an administrative type thing? But, sure,  
12 like an initial discussion makes sense. I mean --

13 CHAIR FERRARO: Yeah.

14 EXECUTIVE DIRECTOR CHANEY: -- we start gathering  
15 information regarding a fatality immediately.

16 CHAIR FERRARO: Yeah.

17 MR. BALCH: To me, Mr. Chairman, potential, this  
18 could be as simply as directive to the stewards. The  
19 stewards are empowered, they're there 24/7. And stewards  
20 have decided that, in the case of any catastrophic incident,  
21 parties shall be summoned for a preliminary investigation or  
22 something.

23 I know my own constituents, believe me. I take  
24 heat on a lot of these things I say. But in the old days,  
25 you know, it was looked upon as oh, well that's --

1 (microphone is jostled) excuse me -- that's the last time.  
2 You know, you don't want to get somebody in here right after  
3 this has happening. It's a horrible thing and it's  
4 emotional, and that's why I referred to that in my remarks.

5 But by the same token, I believe one of the major  
6 racing associations in Southern California does do that.  
7 and they handle it delicately but they summon everybody  
8 while the incident is fresh in everybody's mind. I mean, to  
9 the extent that a trainer or an owner might criticize the  
10 track maintenance, for example, that gives them an  
11 opportunity to come in and say, hey, wait a minute, you  
12 know, the course wasn't properly maintained or the -- you  
13 know, somebody jumped out of the grandstand and spooked my  
14 horse and he ran into another horse, or who knows what it  
15 could be.

16 There are an infinite number of possibilities.  
17 And those things need to be identified right as fast  
18 afterward as possible before memories fade and people forget  
19 what happened.

20 CHAIR FERRARO: We'll look at --

21 COMMISSIONER ALFIERI: Is it Del Mar that does  
22 that?

23 CHAIR FERRARO: Yeah.

24 MR. BALCH: Yes.

25 CHAIR FERRARO: Yeah.

1 COMMISSIONER ALFIERI: Yeah. That's what I  
2 thought.

3 CHAIR FERRARO: We'll work with Del Mar and see  
4 how their program is working and then maybe see what we  
5 could institute. Mr. Chaney and I will get after that.

6 Do we have public comments on this? None?

7 Thank you very much.

8 MR. BALCH: I apologize for the boredom and the  
9 cottonmouth. Thank you.

10 CHAIR FERRARO: That's no problem. No need to  
11 have a vote on this.

12 So we move on to number six, discussion and action  
13 by the Board regarding approval of an agreement, pursuant to  
14 CHRB Rule 1581, Racing Secretary to Establish Conditions,  
15 between the Los Angeles County Fair and the Thoroughbred  
16 Owners of California regarding entry conditions and  
17 specified drug substances or medications to be implemented  
18 by LACF at Los Alamitos.

19 Mr. Chaney, do you want to start this off?  
20 There's really nothing.

21 EXECUTIVE DIRECTOR CHANEY: Yeah, I don't -- I  
22 have nothing further. I mean, I think the agreement speaks  
23 for itself.

24 CHAIR FERRARO: Yeah.

25 EXECUTIVE DIRECTOR CHANEY: It's a standard

1 agreement.

2 CHAIR FERRARO: It's a standard agreement.

3 Is there anyone from the audience that likes to  
4 make -- would like to make a comment?

5 EXECUTIVE DIRECTOR CHANEY: Okay.

6 MR. GUTIERREZ: Good morning, Chairman, and good  
7 morning, honorable Commissioners. Orlando Gutierrez,  
8 Marketing Director of Los Alamitos Race Course, just here  
9 representing Los Alamitos on behalf of number six, and then  
10 following with our license application, number seven, not  
11 really a comment or --

12 CHAIR FERRARO: All right. This is a standard  
13 agreement.

14 Do we have a motion to approve?

15 EXECUTIVE DIRECTOR CHANEY: Is there --

16 CHAIR FERRARO: No public comment; right? No.  
17 Motion to approve this?

18 COMMISSIONER ALFIERI: Motion to approve.

19 CHAIR FERRARO: Second.

20 COMMISSIONER HUDNUT: Second. Hudnut.

21 CHAIR FERRARO: Okay. Commissioner Davis?

22 COMMISSIONER DAVIS: Yes.

23 CHAIR FERRARO: Commissioner Mitchell?

24 COMMISSIONER MITCHELL: Yes.

25 CHAIR FERRARO: Commissioner Gonzales?

1 VICE CHAIR GONZALES: Yes.

2 CHAIR FERRARO: Commissioner Alfieri?

3 COMMISSIONER ALFIERI: Yes.

4 CHAIR FERRARO: Commissioner Castellanos?

5 COMMISSIONER CASTELLANOS: Yes.

6 CHAIR FERRARO: Commissioner Hudnut?

7 COMMISSIONER HUDNUT: Yes.

8 CHAIR FERRARO: The motion is approved. The  
9 Chairman votes yes, too, by the way.

10 Okay, item number seven is discussion and action  
11 by the Board on the Application for License to Conduct a  
12 Horse Racing Meeting of the Los Angeles County Fair at Los  
13 Alamitos, commencing June 22, 2022, and continuing through  
14 July 12, 2022, inclusive.

15 MR. GUTIERREZ: Again, Orland Gutierrez, Los  
16 Alamitos Race Course Marketing Director. I'm here humbly  
17 requesting the approval of our application for our license  
18 for the upcoming L.A. County Fair Meet at Los Alamitos. We  
19 will have three weeks of racing, highlighted by the 4th of  
20 July weekend of racing with the great -- two Great Lady M  
21 Stakes being our main event on that weekend. We will also  
22 include the Bertrando Stakes on our opening week. And we'll  
23 conclude with the Los Alamitos Derby on our closing week.  
24 Our closing day of the meet is on July the 10th.

25 So I'd be happy to answer any questions. Thank

1 you, Commissioner. Thank you, honorable Chairman.

2 CHAIR FERRARO: Thank you.

3 Questions or comments from the Board?

4 Public comment?

5 EXECUTIVE DIRECTOR CHANEY: I just have a quick  
6 comment if you will?

7 I just want to commend Los Alamitos for -- and  
8 also my staff for having a complete application. This has  
9 been, as this Board knows --

10 COMMISSIONER MITCHELL: Wow.

11 EXECUTIVE DIRECTOR CHANEY: -- a labor over the  
12 last few years. And we appreciate them getting everything  
13 on time and for being complete.

14 MR. GUTIERREZ: Thank you so much for that.

15 CHAIR FERRARO: Okay. Can we have a motion to  
16 approve?

17 COMMISSIONER CASTELLANOS: Castellanos. Motion.

18 COMMISSIONER HUDNUT: Hudnut. Second.

19 VICE CHAIR GONZALES: Second.

20 CHAIR FERRARO: Okay. Commissioner Davis?

21 COMMISSIONER DAVIS: Yes.

22 CHAIR FERRARO: You got to be quicker on the draw.  
23 Commissioner Mitchell?

24 COMMISSIONER MITCHELL: Yes.

25 CHAIR FERRARO: Yes.

1 CHAIR FERRARO: Commissioner Gonzales?  
2 VICE CHAIR GONZALES: Yes.  
3 CHAIR FERRARO: Commissioner Alfieri?  
4 COMMISSIONER ALFIERI: Yes.  
5 CHAIR FERRARO: Castellanos?  
6 COMMISSIONER CASTELLANOS: Yes.  
7 CHAIR FERRARO: Hudnut?  
8 COMMISSIONER HUDNUT: Yes.  
9 CHAIR FERRARO: And Chairman votes yes. Approved.  
10 MR. GUTIERREZ: Thank you.  
11 CHAIR FERRARO: Moving on to item number eight is  
12 Discussion and action by the Board regarding approval of an  
13 agreement, pursuant to CHRB Rule 1581, Racing Secretary to  
14 Establish Conditions, between the California Authority of  
15 Racing Fairs and the Thoroughbred Owners of California,  
16 Pacific Coast Quarter Horse Racing Association, and the  
17 Arabian Racing Association of California regarding entry  
18 conditions and specified drug substances or medications to  
19 be implemented by CARF at all affiliated fairs.  
20 Larry, unless you have something to say? No.  
21 Do Commissioners have any comments?  
22 Do we have public? No.  
23 EXECUTIVE DIRECTOR CHANEY: If --  
24 CHAIR FERRARO: Can I have a motion?  
25 EXECUTIVE DIRECTOR CHANEY: -- if I might, Mr.

1 Chairman, I just want to point out to the Board that this is  
2 for all of the associated fairs. So while we will be taking  
3 up Alameda County Fair's license next, this medication  
4 agreement applies to all of the CARF fairs.

5 CHAIR FERRARO: Okay. Motion to approve?

6 COMMISSIONER DAVIS: Davis moves.

7 CHAIR FERRARO: Second?

8 COMMISSIONER MITCHELL: Second.

9 CHAIR FERRARO: Okay. Commissioner Davis?

10 COMMISSIONER DAVIS: Yes.

11 CHAIR FERRARO: Commissioner Mitchell?

12 COMMISSIONER MITCHELL: Yes.

13 CHAIR FERRARO: Commissioner Gonzales?

14 VICE CHAIR GONZALES: Yes.

15 CHAIR FERRARO: Commissioner Alfieri?

16 COMMISSIONER ALFIERI: Yes.

17 CHAIR FERRARO: Commissioner Castellanos?

18 COMMISSIONER CASTELLANOS: Yes.

19 CHAIR FERRARO: Commissioner Hudnut?

20 COMMISSIONER HUDNUT: Yes.

21 CHAIR FERRARO: And the Chairman votes yes.

22 Approved.

23 Item number nine, discussion and action by the  
24 Board on the Application for a License to Conduct a Horse  
25 Racing Meeting of the Alameda County Fair at Pleasanton,

1 commencing June 15th, 2022, and continuing through July 12,  
2 2022, inclusive.

3 Larry?

4 MR. SWARTZLANDER: Good morning. Now? Okay.

5 Larry Swartzlander, Director of Racing, Alameda County Fair,  
6 joined by Jerome Hoban, the CEO and President of the Fair.

7 I'd just like to give you a quick synopsis again  
8 of the incentive programs we're offering and the purse  
9 structure, the stakes' schedule. It's going to be a three-  
10 week [sic] meet, 13 days of racing. The overnight purses  
11 have been raised approximately \$300,000 of reinstating the  
12 additional stake's race.

13 Similar to what we had in 2019, there will be  
14 three stakes' races, all \$75,000 guaranteed. The incentive  
15 programs, again, for the trainers, out-of-state trainers,  
16 first start they get \$300, second start for that horse gets  
17 another \$300. That's for all horses coming to our meet 600  
18 miles from Pleasanton. Then we also have the trainer  
19 incentive at each fair. If you start five starts, you get  
20 \$500, ten starts, you get \$1,000. And as we discussed  
21 earlier, the Co-Op Program, every owner at each fair who has  
22 five starts gets a \$2,000 bonus.

23 So I think our incentive program is being expanded  
24 and it's very well received by the horsemen. And the purse  
25 structure was well received also. As you know, Golden Gate

1 did raise their purses last year. And we're not equal to  
2 them but we're very close.

3           The other point of clarity that everybody, I'm  
4 sure, has a question about is stabling. CARF will be doing  
5 the auxiliary stabling this year. All horses will move from  
6 Golden Gate to Pleasanton and Sacramento. There will be  
7 approximately 650 horses at Pleasanton and approximately 450  
8 here at Sacramento.

9           Pleasanton will open on the 1st of June and will  
10 stay open all through the Santa Rosa Meet to August 14th.  
11 And this time, Sacramento will also open June 10th and stay  
12 open through August 14th.

13           One of the concerns here in the discussions was  
14 that once all these horsemen get situated and settled in at  
15 each facility to be -- we know that Golden Gate has said  
16 that they're going to open up on August 7th. But we just  
17 simply, the discussions between us and TOC and CTT, we just  
18 simply have to plan to be prepared to stay open during that  
19 time if there's a few days that we get pushed back. And we  
20 don't want to leave Santa Rosa hanging with one week and  
21 then the horsemen would have to move.

22           So we had a meeting yesterday, also, with Santa  
23 Rosa on stabling there. We will be the auxiliary stable for  
24 Santa Rosa. And we just have a couple details to work out  
25 and I think we'll be fine.

1 Jerome?

2 MR. HOBAN: Good morning. Jerome Hoban, Alameda  
3 County Fair. It's a pleasure to get to see everybody in  
4 person and match voices and names, so thank you for having  
5 us. We also look forward to hosting you in June at our  
6 offtrack betting for your June meeting.

7 Just a couple items that Larry did not cover  
8 related to the fair. I passed out some brochures. First  
9 and foremost, everybody is invited to the paddock and the  
10 party. This is a wonderful celebration that we host right  
11 after the race meet that day. Everybody in racing is  
12 invited, from owners, trainers, grooms, we try to  
13 accommodate everybody and really celebrate racing that day.

14 And then I also passed out a fun brochure. We  
15 really work hard to drive everybody to the track. The whole  
16 reason for the fair is to connect the fair with racing so  
17 they promote each other. On the back panel of one of the  
18 brochures that I gave you highlights, you know, we will have  
19 a large Brewfest and a large Winefest at the track. This  
20 brings thousands of people into the grandstand and exposes  
21 them to racing. On the back panel, you'll notice we have an  
22 Out at the Fair, a Bollywood at the Fair, a Bluesfest at the  
23 Fair, and a Fiesta at the Fair. These are all done on the  
24 grandstand stage intentionally to drive the traffic to the  
25 grandstand on those days and it's always been very

1 successful, so we're excited about it.

2 Nightly, there are drone shows at the fair. That  
3 will be done at the racetrack in the evening. So,  
4 potentially, people that never would engage in horse racing  
5 would come out there and say, whoa, there's a one-mile track  
6 here, maybe I'll come back to racing.

7 So these are just some of the promotions that we  
8 do to introduce new people to racing and we think it's  
9 exciting.

10 If you have any interest in making it out to  
11 Pleasanton, there's also a wonderful concert lineup, so let  
12 us know.

13 We're very excited about getting to race with the  
14 fair, rather than the last two years where it was separated  
15 from the fair. We're very anxious for 500,000 people to  
16 visit us this summer.

17 So if you're out, please join us. And I can  
18 answer any questions.

19 CHAIR FERRARO: Questions or comments from the  
20 Board?

21 VICE CHAIR GONZALES: Yes, Mr. Chairman, quick  
22 question.

23 Again, great leadership on your part. Thank you  
24 for what you're doing with the fairs active. And can you  
25 just briefly touch on the backstretch help, you know, in

1 terms of the move? I know you and I have had a couple  
2 conversations. Just either of you want to chime in? You  
3 know, we all care deeply about, you know, grooms,  
4 hotwalkers, nightwatchmen, exercise riders and others. We  
5 know this is going to be difficult for them. So I just want  
6 to know what you can share with us about what you're  
7 observing and what we could do to be --

8 MR. SWARTZLANDER: Yeah, I'll take it first, if  
9 Jerome wants to chime in?

10 What we had is the racing secretary spoke to each  
11 trainer individually to see what their requirements were for  
12 backside, whether it was hotwalkers, you know, exercise, and  
13 the support personnel, we call them, that we need to house  
14 when they move into our facilities. We're identified all  
15 the requirements of the personnel that we don't have room  
16 for in tack rooms. So we're leasing RVs, which will be in  
17 the trailer parks at each facility. We have an exact count  
18 of how many are required and everybody will have a place to  
19 stay.

20 VICE CHAIR GONZALES: Thank you for that.

21 I'm assuming Cliff Goodrich, you know, from  
22 thoroughbred -- I mean, what other organizations are being  
23 engaged here, just beyond, you know, CARF and Golden Gate?  
24 I mean, is the chaplain (phonetic) in Cliff's shop  
25 (phonetic) being involved in any kind of way?

1 MR. SWARTZLANDER: We have -- the chaplain is on  
2 their contract with us at each fair --

3 VICE CHAIR GONZALES: Okay.

4 MR. SWARTZLANDER: -- as far as Goodrich. No one  
5 physically is there but during our -- at least at  
6 Pleasanton, the facility at Golden Gate is still open on  
7 their backside, at least to my knowledge. But we've never  
8 had that in years, well, I guess maybe 10 or 15 years ago,  
9 they used to open up a facility on the backside of  
10 Pleasanton, but that's when we were an auxiliary stable and  
11 open year-round. But, no, there is none currently open.

12 VICE CHAIR GONZALES: Okay. Just keep me updated.  
13 If you ever want me to join a call, I pride myself of being  
14 an alum of the backstretch, so whatever I could do to be  
15 helpful. And then, of course, you know, it's -- you know,  
16 the transition back there will be -- again, thank you both.

17 MR. HOBAN: Yeah. Can I just add, also, and I  
18 know, Commissioner Gonzales, you've toured the backside with  
19 us, the backside has never looked better in history, except  
20 for maybe when it was brand new. I'm not sure. I wasn't  
21 around. But I would encourage anybody that would like a  
22 tour to come out and see our backside, see our track,  
23 especially in June when you're there for our meeting. We'd  
24 love to give you tours. I think everybody would be wildly  
25 impressed with the conditions of our facility, so thank you.

1 CHAIR FERRARO: Anybody else?

2 Commissioner Hudnut, do you have a comment? No?

3 COMMISSIONER HUDNUT: Well, we better approve  
4 this, because we won't have a place to meet next month if we  
5 don't.

6 CHAIR FERRARO: So do we have a motion to --

7 EXECUTIVE DIRECTOR CHANEY: If --

8 CHAIR FERRARO: -- oh, we have --

9 EXECUTIVE DIRECTOR CHANEY: -- if --

10 CHAIR FERRARO: -- public comment on this?

11 VICE CHAIR GONZALES: Gonzales.

12 CHAIR FERRARO: No.

13 EXECUTIVE DIRECTOR CHANEY: -- if --

14 VICE CHAIR GONZALES: Gonzales moves.

15 EXECUTIVE DIRECTOR CHANEY: -- if I might, Mr.

16 Chairman?

17 CHAIR FERRARO: Yes?

18 EXECUTIVE DIRECTOR CHANEY: Sorry to --

19 CHAIR FERRARO: Go ahead.

20 EXECUTIVE DIRECTOR CHANEY: -- slow things down a  
21 little bit.

22 I wanted to correct, Larry, at the top, I think  
23 you said it's a three-week meet. I'm guessing you want to  
24 run four weeks?

25 MR. SWARTZLANDER: Oh, yes. Yes. Did I say three

1 weeks?

2 EXECUTIVE DIRECTOR CHANEY: Secondly, I would be  
3 remiss in, after recognizing Los Alamitos, in not  
4 recognizing Pleasanton --

5 MR. SWARTZLANDER: We had zero.

6 EXECUTIVE DIRECTOR CHANEY: -- for having a  
7 complete application, very much appreciated. And also to  
8 commend CHRB staff for making sure you get everything in on  
9 time. They're doing excellent work.

10 And lastly, as everybody recalls, in years past  
11 it's been, let's just say, last minute gymnastics to try to  
12 sort out auxiliary stabling. And I really want to commend  
13 CARF and Pleasanton, Golden Gate Field and The Stronach  
14 Group, CTT, TOC, and as it turns out, Santa Rosa, I didn't  
15 know that piece, for all working together. It's almost  
16 revolutionary in racing and it hasn't been true for a number  
17 of years. So I think it's important to recognize that it's  
18 an important step forward. Thank you.

19 MR. SWARTZLANDER: Thank you.

20 CHAIR FERRARO: Motion to approve?

21 VICE CHAIR GONZALES: Gonzales moves.

22 CHAIR FERRARO: Second?

23 COMMISSIONER HUDNUT: Hudnut.

24 CHAIR FERRARO: Commissioner Davis?

25 COMMISSIONER DAVIS: Yes.

1 CHAIR FERRARO: Commissioner Mitchell?

2 COMMISSIONER MITCHELL: Yes.

3 CHAIR FERRARO: Commissioner Gonzales?

4 VICE CHAIR GONZALES: Yes.

5 CHAIR FERRARO: Commissioner Alfieri?

6 COMMISSIONER ALFIERI: Yes.

7 CHAIR FERRARO: Commissioner Castellanos?

8 COMMISSIONER CASTELLANOS: Yes.

9 CHAIR FERRARO: Commissioner Hudnut?

10 COMMISSIONER HUDNUT: Yes.

11 CHAIR FERRARO: And the Chairman votes yes.

12 Moving on to item number nine -- wait a minute,

13 that was item number nine.

14 COMMISSIONER HUDNUT: Yeah.

15 CHAIR FERRARO: Moving on to item number ten,

16 discussion and action by the Board on the Application for

17 renewal to License to Operate a Minisatellite Wagering

18 Facility at the OC Tavern in San Clemente for a period of up

19 to but not exceeding five years.

20 Mr. Baedeker?

21 MR. BAEDEKER: Good morning. Good morning, Mr.

22 Chairman, Commissioners.

23 OC Tavern was the first minisatellite to be

24 approved in the state following the passage of enabling

25 legislation and they have been open 11 years and been

1 operating successfully. It's a great location in San  
2 Clemente, right on El Camino Real.

3 About four years ago, ownership changed and Chris  
4 Dalgaard became the owner of OC Tavern. Chris is here this  
5 morning to answer any questions or concerns you might have.

6 CHAIR FERRARO: Public comment?

7 EXECUTIVE DIRECTOR CHANEY: I think your  
8 microphone needs to be on. Webcast is going crazy over  
9 there when we don't talk into the microphone.

10 CHAIR FERRARO: Okay, Zach, do we have public  
11 comment on this item?

12 EXECUTIVE DIRECTOR CHANEY: It appears not.

13 CHAIR FERRARO: It appears not.

14 EXECUTIVE DIRECTOR CHANEY: I should also mention  
15 that --

16 CHAIR FERRARO: Go ahead.

17 EXECUTIVE DIRECTOR CHANEY: -- this application is  
18 complete. And we thank Mr. Baedeker and Mr. Dalgaard --

19 MR. DALGAARD: Dalgaard, yeah.

20 EXECUTIVE DIRECTOR CHANEY: -- yeah, for working  
21 with staff and getting all the items in. I know it's  
22 laborious but necessary.

23 CHAIR FERRARO: All right. Do we have a motion to  
24 approve?

25 COMMISSIONER DAVIS: Davis moves.

1 COMMISSIONER ALFIERI: I'll second. Alfieri.

2 CHAIR FERRARO: Commissioner Davis?

3 COMMISSIONER DAVIS: Yes.

4 CHAIR FERRARO: Commissioner Mitchell?

5 COMMISSIONER MITCHELL: Yes.

6 CHAIR FERRARO: Commissioner Alfieri?

7 COMMISSIONER ALFIERI: Yes.

8 CHAIR FERRARO: Commissioner Castellanos?

9 COMMISSIONER CASTELLANOS: Yes.

10 CHAIR FERRARO: Commissioner Hudnut?

11 COMMISSIONER HUDNUT: Yes.

12 CHAIR FERRARO: And the Chairman votes yes.

13 We move on now to the --

14 MR. DALGAARD: Thank you.

15 CHAIR FERRARO: -- Executive Director's Report,

16 please.

17 EXECUTIVE DIRECTOR CHANEY: Sure. Thank you, Mr.

18 Chairman, and good morning, Commissioners, again.

19 I'll begin with the handle report. In April,

20 night racing was down nine percent on two additional

21 programs, day racing was down four percent on two fewer

22 programs, and total handle was down six percent as compared

23 to April 2021. To be fair, Santa Anita was also dark for a

24 weekend, which was not the case in 2021.

25 Year-to-date, as compared to last year, day racing

1 was up two percent, night racing was down nine percent, and  
2 total handle was level compared to year-to-date this year  
3 and last year.

4           On the medication-positive side, I'd like to give  
5 the Board an update on how the year is going. January  
6 through April, Davis reported a total of 18 positives; of  
7 those 18 positives, none were Class 1, 2 or 3s, 8 were post-  
8 race, and 10 were non-competition based, either workouts or  
9 out-of-competition. The tracks close -- this tracks, sorry,  
10 closely to last year for this period when there were 16  
11 positives, one Class 1, 2 or 3, 6 were post-race positives.  
12 For context, California averages over 30,000 starts per year  
13 and over 70,000 timed workouts per year.

14           As the Board knows, Santa Anita has currently  
15 experienced an uptick in catastrophic injuries.  
16 Specifically, there were two musculoskeletal catastrophic  
17 injuries and one sudden death in a period of six days. The  
18 CHRB expressed concern to Santa Anita management, who  
19 responded immediately with both their initial observations,  
20 as well as requests for assistance from the CHRB. Those  
21 requests surround the veterinary medical records, as well as  
22 earlier access to necropsy reports, which dovetails with  
23 what Mr. Balch said earlier. Those requests surround -- I'm  
24 sorry.

25           We are working through the legality of both and

1 will do everything we can to provide associations with all  
2 of the information they require to effectively address  
3 equine injuries.

4 I should also point out that perspective is  
5 important, as well. In some ways, it seems as both the CHRB  
6 and stakeholders have effectively reformed to the point  
7 where catastrophic injuries are exceedingly rare in  
8 California and rarer each year. But because of that the  
9 impact of each injury is more greatly felt and, frankly,  
10 reported.

11 For example, at this meet at Santa Anita in 2019,  
12 or what, you know, really jumpstarted this regulatory push,  
13 there were 37 fatalities. In 2020, that number was 17. In  
14 2021, it was 13. And with a few weeks remaining in the meet  
15 this year, that number is eight. Statewide, in 2022, we are  
16 experiencing a similar trend, year-to-date total fatalities  
17 in 2020 were 42, 2019, 27, and this year, 19.

18 As I always say, there is, of course, more work to  
19 do. But the facts are clear, this reform is not only  
20 working but has been extremely effective. And we continue  
21 to examine ways and identify concepts for regulations that  
22 will continue the significant downward trend.

23 Lastly, some additional information regarding  
24 HISA. The Authority has identified an organization, as I  
25 mentioned earlier, to fulfill the role of agency in charge

1 of antidoping and medication control. That organization is  
2 Drug Free Sport International. They will begin the process  
3 of promulgating regulations for the FTC approval. And the  
4 current plan is to have the ADMC part in place on January  
5 1st, 2023.

6           The CHRB will continue to work with the Authority  
7 and the new agency to emphasize the importance of UC Davis  
8 Maddy Lab, as well as the importance of our necropsy and  
9 research programs, to successful and safe racing in  
10 California.

11           The racing safety regs, as we discussed last  
12 month, are set to go until July 1st. The CHRB has begun  
13 stakeholder outreach regarding the changes that licensees  
14 can expect and new requirements from the Authority. We have  
15 established a HISA tab on our website for this information  
16 and set out a communication regarding, generally, what to  
17 expect.

18           At the end of this week or early next week, more  
19 specific guidance will be communicated, too, in other areas  
20 of horse racing, such as shoeing, jockey protocols, and  
21 registering horses and humans with the Authority. We will  
22 continue to focus this effort on the most critical items in  
23 advance of that July 1st start date.

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

25           CHAIR FERRARO: Thank you, Mr. Chaney.

1 Questions or comments from the Board?

2 Do we have public comment? None?

3 We need a motion to approve, I guess, don't we?

4 EXECUTIVE DIRECTOR CHANEY: I don't think so. It  
5 was just a --

6 CHAIR FERRARO: No?

7 EXECUTIVE DIRECTOR CHANEY: -- it was just a  
8 report.

9 CHAIR FERRARO: Okay. Then we move on to public  
10 comment.

11 Do we have any signed up for public -- no public  
12 comments.

13 In that case, are we going into closed session?

14 EXECUTIVE DIRECTOR CHANEY: We are. Closed  
15 session is next. And just, I think we're going to do it the  
16 same as last month, where we just stay in this room, and  
17 we'll ask anybody not in closed session if they wouldn't  
18 mind kindly leaving the room, although they might be willing  
19 to do that otherwise.

20 CHAIR FERRARO: Okay. The Board will now go into  
21 executive session. At its conclusion, we will reconvene the  
22 public meeting for the sole procedural purpose of adjourning  
23 the meeting without further comment. Anyone wishing to hear  
24 that meeting adjournment can use the link to audio webcast  
25 on the CHRB website or remain in the meeting room until the

1 Board returns from closed session for adjournment. Thank  
2 you all for participating.

3 May I have a motion to adjourn the meeting,  
4 please?

5 COMMISSIONER HUDNUT: So moved.

6 COMMISSIONER ALFIERI: So moved.

7 COMMISSIONER HUDNUT: Hudnut.

8 CHAIR FERRARO: All right.

9 COMMISSIONER ALFIERI: Second.

10 CHAIR FERRARO: A motion has been made and  
11 seconded.

12 Commissioner Davis?

13 COMMISSIONER DAVIS: Yes.

14 CHAIR FERRARO: Commissioner Mitchell?

15 COMMISSIONER MITCHELL: Yes.

16 CHAIR FERRARO: Commissioner Gonzales?

17 VICE CHAIR GONZALES: Yes.

18 CHAIR FERRARO: Commissioner Alfieri?

19 COMMISSIONER ALFIERI: Yes.

20 CHAIR FERRARO: Commissioner Castellanos?

21 COMMISSIONER CASTELLANOS: Yes.

22 CHAIR FERRARO: Commissioner Hudnut?

23 COMMISSIONER HUDNUT: Yes.

24 CHAIR FERRARO: And the Chairman votes yes. The  
25 meeting is adjourned.

1 (The regular meeting of the California Horse Racing Board  
2 recessed into closed session and was later adjourned  
3 at 10:52 a.m.)  
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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 May, 2022.



MARTHA L. NELSON, CERT\*\*367

## CERTIFICATE OF TRANSCRIBER

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

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

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT\*\*367

May 23, 2022