



Government Management Accountability and Performance

2011 Report
March 10, 2011

- **Participant Safety**
 - **Improving Equine and Jockey Safety**
 - **Drug and Alcohol Testing**
 - **Testing of Conditional Licensees**
- **Equine Health and Safety**
 - **Veterinary Pre-Race Inspections**
 - **Veterinary Post-Race Testing**
- **Licensing**

Safety Measures - Participant Safety 2000 - 2010

(All data as of 1/14/2011)



Analysis

- Most injured workers are Exercise riders
- Next most injured workers are Grooms
- Collecting industrial insurance premiums is not a core function of the WHRC.

Action Items

Continue to focus participant safety initiatives on exercise riders and grooms.

Emerald Downs Claims by License Type

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010*
Groom	17	17	18	18	28	12	19	16	15	24	9
Exercise Rider	42	22	13	25	25	37	37	37	37	25	22
Pony Rider	1	2	1	1	0	1	2	1	0	2	0
Assistant Trainer	1	0	0	0	0	0	0	1	1	2	0

Class C Tracks Claims by License Type

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010*
Groom	0	0	1	1	0	0	0	0	1	0	1
Exercise Rider	0	1	0	0	0	0	1	0	2	0	0
Pony Rider	0	1	0	0	0	0	0	0	1	0	0
Assistant Trainer	0	0	0	0	0	0	0	0	0	0	0

* Incomplete data. Injured workers have until 12/31/2011 to file a claim

Safety Measures – Improving Jockey and Equine Safety



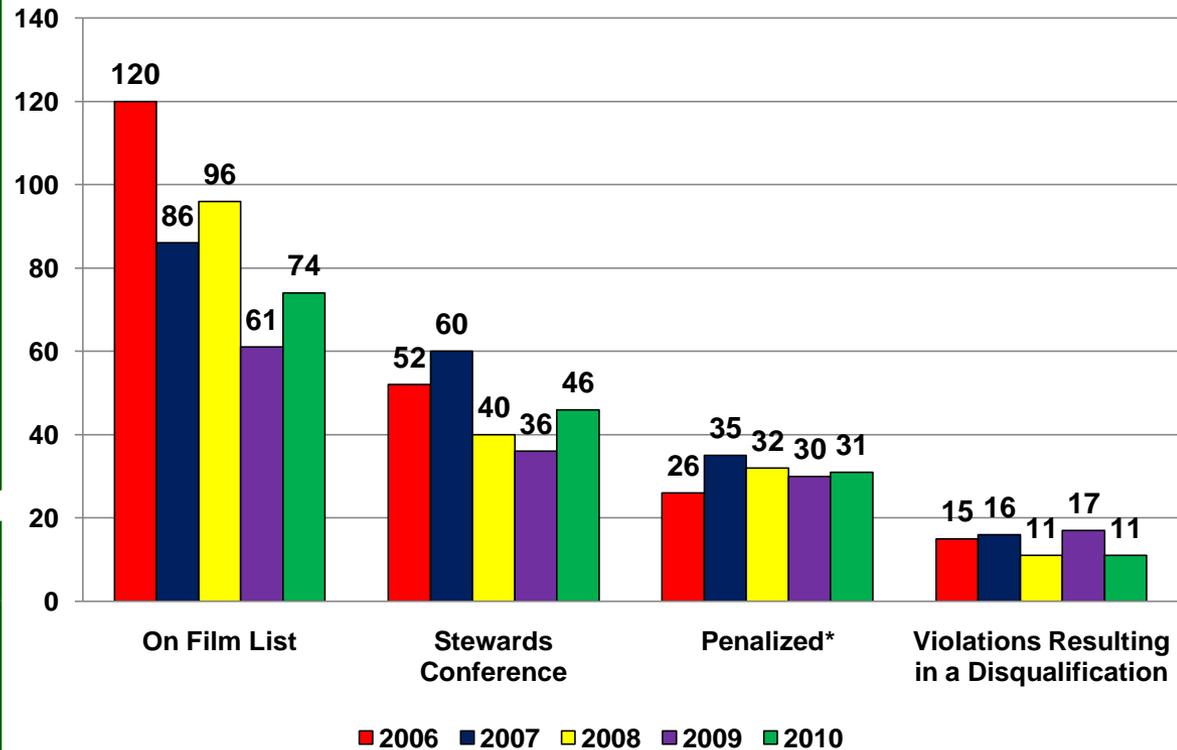
Analysis

- The Board of Stewards monitor all races to ensure jockeys comply with the Rules of Racing and races are run in a manner that provides for the safety and well-being of the equine and human participants.
- Any questionable or unsafe actions on the track will result in the jockey either being sent to the film analyst (training) or the stewards (possible discipline).

Action Items

The Board of Stewards will continue to monitor each jockey's riding performance over the racing season utilizing the film analyst for training and Stewards' rulings for more serious/dangerous violations.

Jockey's Riding Review 2006 - 2010



*Penalties include suspensions and fines. In 2007 warnings were also counted as penalties.



Drug and Alcohol Testing Program

In order to protect the interests of the public and safety of the participants, the Commission may require a licensee or applicant to provide a breath, blood and/or urine sample when:

The applicant or licensee is on horseback; or

The applicant has been issued a license with conditions due to a history of alcohol/drug use.

Applicants and licensees on horseback are tested at random, while licensees issued a license with conditions due to their history of alcohol/drug use are tested at the discretion of the stewards.

Weekly the Equine Licensing and Management System (ELMS) is queried for a random list of names of those applicants and licensees who are licensed as an jockey, apprentice jockey, exercise rider, pony rider, and/or outrider. *(Because of the higher history of injury claims, two of those selected for testing will be persons licensed as exercise riders.)*

The Board of Stewards monitor licensees granted a license with conditions (due to alcohol/drug use), and at the sole discretion of the stewards, each conditional licensee be tested at least once during the course of the racing season.

In addition, an applicant or licensee can be tested anytime reasonable suspicion exists to believe an applicant or licensee has used or is under the influence of alcohol and/or any drug.

The maximum allowable alcohol concentration for persons on horseback is 0.02 percent and for all other licensees it is 0.08%.



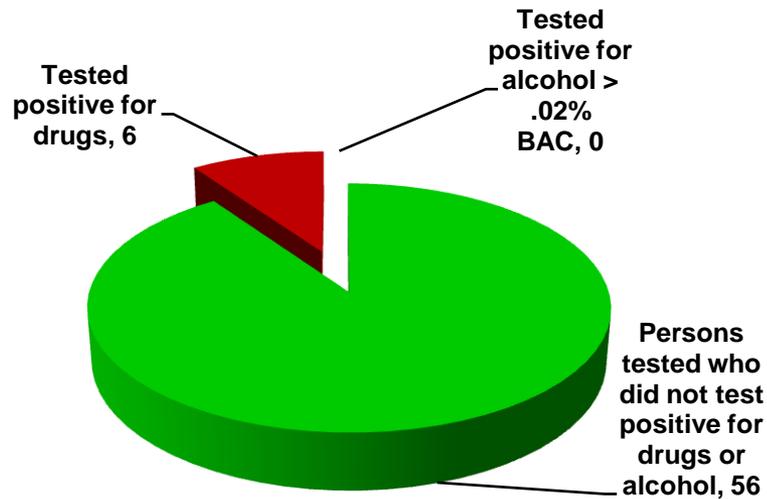
Drug and Alcohol Testing Program - Penalties

Violations	First Offense	Second Offense	Third Offense	Subsequent Offenses
Having within their body any illegal controlled substance (other than marijuana).	30-day suspension	One-year suspension and referral to the commission for revocation		
Having marijuana within their body.	3-day suspension	30-day suspension	One-year suspension and referral to the commission for revocation	
Being under the influence of or affected by intoxicating liquor. (Persons on horseback)	Warning to three-day suspension	3-day suspension	30-day suspension	One-year suspension and referral to the commission for revocation
Being under the influence of or affected by intoxicating liquor. (Persons not on horseback)	Warning to one-day suspension	3-day suspension	30-day suspension	One-year suspension and referral to the commission for revocation
Refusing to submit to a drug or alcohol test	One-year suspension and referral to the commission for revocation			

Safety Measures – Random Drug and Alcohol Testing (Jockeys, Exercise Riders, Pony Riders & Outriders)



Random Testing - Persons on Horseback - 2009



Total Number of Persons on Horseback Tested in 2009: **62**

Random Testing - Persons on Horseback - 2010

Total Number of Persons on Horseback Tested in 2010: **67**

Tested positive for drugs: **0**

Tested positive for alcohol > .02% BAC: **0**

Drugs Found 2010: None

Drugs Found 2009: Marijuana, Methamphetamine, Cocaine & Benzodiazepine

**There were six persons tested on horseback at the Class C tracks with zero positives.*

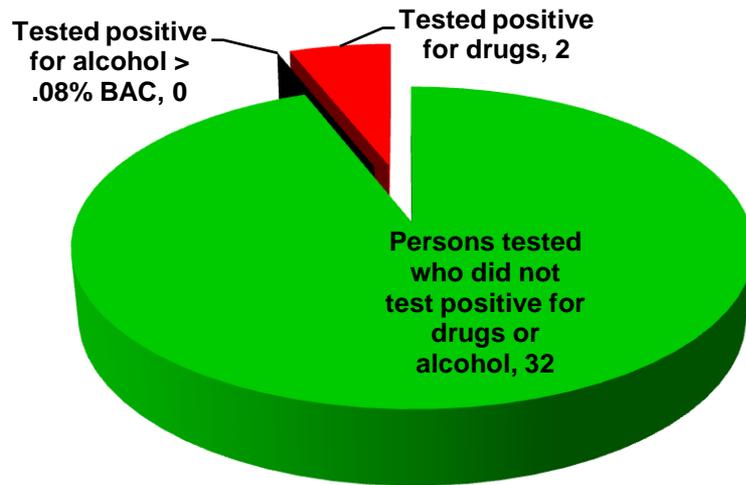
Analysis

Testing of persons on horseback increased slightly over 2009, and there were no positives. There were two licensees tested that were taking physician-approved prescriptions, which are not counted as positives since they are not violations. While we might assume licensees are more aware of our drug and alcohol testing program, persons on horseback still present challenges to the agency's safety efforts.

Safety Measures – Conditional Drug and Alcohol Testing (Persons Holding a Conditional License)



Random Testing - Persons Holding a Conditional License - 2010



Total Number of Persons Holding a Conditional License Tested in 2010: **34**

Tested positive for drugs: **2**

Tested positive for alcohol > .02% BAC: **0**

Drugs Found 2010: Cocaine & Methamphetamine

Analysis

The WHRC policy regarding conditional licenses changed to extend the time period for conditional licenses to a two-year period which starts at the end of completion of a rehabilitation program or the last day of their drug or alcohol suspension. The stewards put an increased emphasis on testing persons holding a conditional license, with each license being tested a minimum of once per year.

Safety Measures - Veterinarian Pre-Race Inspections



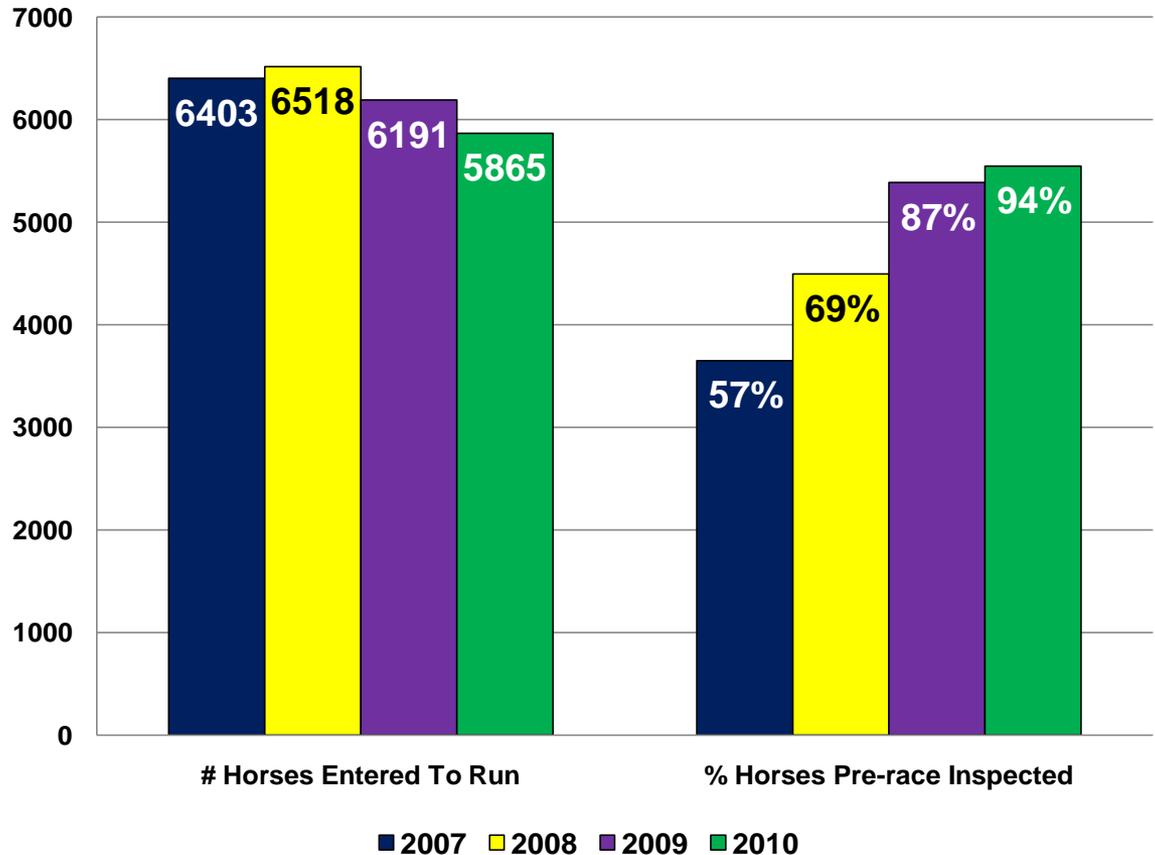
Analysis

The number of horses entered to run decreased by approximately 5% in 2010 but the percent of horses pre-race inspected increased significantly due to the availability of a second veterinarian.

Action Items

The WHRC veterinarians will continue to try to increase the number of pre-race inspections through the availability of a full-time second veterinarian in 2011.

Horses Entered to Run vs Horses Pre-Race Inspected 2007 - 2010



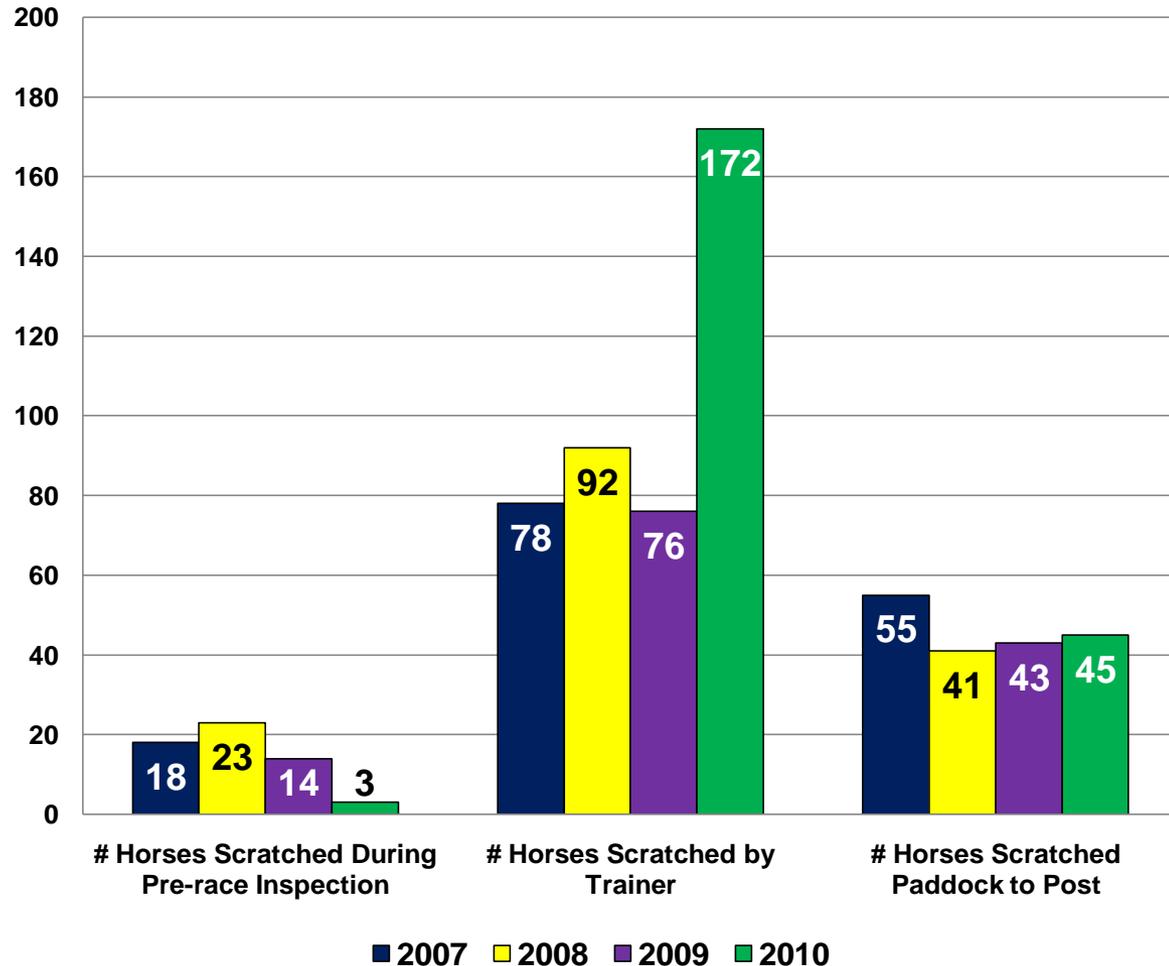
Safety Measures – WHRC Veterinarian Horses Scratched



Analysis

- Less than 1% of horses pre-race inspected are scratched by the WHRC veterinarian
- Less than 5% of all horses entered to run are scratched out of the race
- Of the total horses scratched, 40% are scratched by the WHRC veterinarians either during the pre-race inspection or from the paddock to post.
- The number of horses scratched during the pre-race inspection decreased in 2010 while the number of horses scratched from paddock to post stayed approximately the same and the number of horses scratched by the trainer more than doubled.

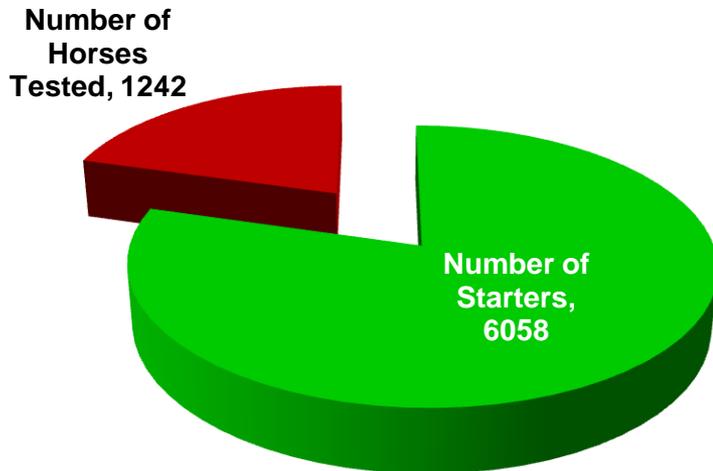
Number of Horses Scratched 2007 - 2010



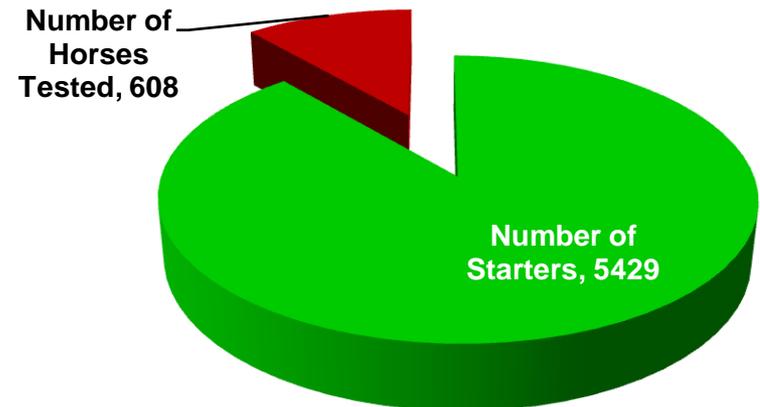
Safety Measures - Veterinarian Post-Race Testing



Number of Starters vs Number of Horses Tested - 2009



Number of Starters vs Number of Horses Tested - 2010



Analysis

In 2010 the Commission changed its post-race testing program. Historically, less than 1% of the horses tested, tested positive for drugs, and then these were normally a positive for a therapeutic medication, not a prohibited substance. In 2010 we tested half the winners and others who did better or worse than expected.

Safety Measures - Veterinarian Post-Race Testing



Analysis

2005: 1,413 horses tested.
 2006: 1,262 horses tested.
 2007: 1,261 horses tested
 2008: 1,316 horses tested.
 2009: 1,242 horses tested.
 2010: 608 horses tested.
 Historically of the total horses tested less than 1% were found in violation, indicating that trainers and private veterinarians are aware of the medication rules and are properly medicating their horses.

Special Note

Given that historically less than 1% of the horses tested were found in violation, coupled with the fact that the violations found were overages of a permitted therapeutic medication, and given budgetary restraints, the Commission in 2010 decided to test fewer horses and focus testing on horses that did not perform as expected.

Stewards' Rulings on Medication Violations, 2005 – 2010

Violations	2005	2006	2007	2008	2009	2010
Overages of permitted medication	22	15	12	14	12	3
Presence of prohibited substances in post-race sample	4	3	4	6	3	0
Improper medication administration	2	4	3	2	1	0
Failure to deliver forms on time	1	1	2	0	0	0
Presence of contraband in barn area	0	1	0	0	0	0
Totals	29	24	21	22	16	3



Licensing – All participants are required to be licensed. All participants are required to provide fingerprints every four years for a criminal background check to determine suitability. In addition, new applicants and applicants whose criminal history has changed are also required to provide fingerprints. All other applicants are ‘approved’ at the time of licensing.

	Number of Applicants	Number of Fingerprints Taken	Number of Criminal Histories Referred to Investigators	Number of Applicants Referred to Stewards due to Criminal History	Number of Applications Revoked, Denied or Suspended Due to Criminal History	Number of Applicants Granted Temporary Licenses and Referred to the WHRC	Number of Applicants Fined for Failing to List Criminal History	Number of Applicants Given Official Warning/Put on Probation	Number of Conferences Where No Action Was Taken
Class C Race Meets	425	208	9	9	0	4	4	0	1
Emerald Downs	2,898	1,060	210	63	38 ¹	4	0	0	21
2007	3,323	1,268	219	72	38	8	4	0	22
Class C Race Meets	553	200	42	6	4	0	2	0	0
Emerald Downs	2,785	925	98	37	22	0	11	4	0
2008	3,338	1,125	140	43	26	0	13	4	0
Class C Race Meets	503	289	34	2	2	0	0	0	0
Emerald Downs	2,587	831	85	23	5	0	4	1	12
2009	3,090	1,120	119	25	7	0	4	1	12
Class C Race Meets	460	112	35	2	1* Withdrawn	0	0	1	0
Emerald Downs	2,343	298	47	16	1 3* Withdrawn	0	7	2	3
2010	2,803	410	82	18	1 & 4 Withdrawn	0	7	3	3

Analysis

The number of criminal histories referred to the investigators and subsequently to the Stewards continued to drop in 2010. This occurred due to the fact that the WHRC changed to a four-year fingerprint cycle and there was a large drop in the number of people fingerprinted.