

## TESTIMONY OF JOHN SCHEIB TO THE SENATE STANDING COMMITTEE ON RACING, GAMING AND WAGERING AND THE SENATE STANDING COMMITTEE ON DOMESTIC ANIMAL WELFARE

I'm John Scheib and I'm here on behalf of Responsible Animal Care USA, a volunteer organization in the Capital Region. Thank you Chairman Addabbo, Chairman Martinez and all of the Senators on both committees...and of course the members of your staff who have worked very hard to make this hearing possible.

When discussing equine welfare I will cover issues specific to New York State as well as nationally. New York State horses race in the other jurisdictions, horses from all over the country race here, interstate wagering is a business driver...so national and local equine welfare are inextricably connected.

I have to start by saying that if horse racing did not already exist, and I came here to suggest it as a new form of entertainment...and I provided you with the accurate numbers of death, injury and slaughter, I would of course...be dismissed from this chamber.

Yet, here we are. The industry, citizens, Senators and caregivers...all trying to fix equine welfare...not because racing has suddenly veered off course...but because somehow the **tradition of horse racing** outweighs the logic of "never allowing this type of killing for entertainment in our country." Racing has been killing thousands of horses on an annual basis, and we now have real facts, not volunteered statistics. This book in my hand provided to me by HorseracingWrongs on track deaths is derived from countless hours of research and government FOIA documents. It's updated daily. And this report does not even include those found dead in stalls or at off-track training facilities or those slaughtered by the tens of thousands. It's 140 pages...and each date, horse, track and race number is listed. At an average reading speed, it takes 2 hours and 15 minutes to read just the horse names from the last 5 years.

Horse racing has been on the cover of Sports Illustrated more than 30 times, so it's important to compare the welfare of equine athletes to the welfare of other athletes. If we look at the 4 main sports in this country, Major League Baseball, the NFL, the NBA and the National Hockey League...those sports have had a total of 3 deaths, **between all of them**, in a combined 425 years of competitions. 3 deaths in all of history. **We kill an average of 3 racehorses, every single day**, competing and training on the tracks in America.

Racing deaths are often expressed as a function of the number of race starts. I understand that is relevant as a track to track comparison - but to the public it sounds misleadingly low. The 3,000 teens that die driving in a year means we have a big problem - but, if you express it as a function of how times they start their car and and go to the mall it sounds irrelevant. But it's not irrelevant. We need to tell the public how many individual horses have raced in NY each year and how many of them died. That's what people want to know. It's not going to be one in a thousand.

Why is equine welfare a problem? The welfare of racehorses is directly related to the need to win, to make money. And the negative side of human nature intervenes. That's why all the new proposed racetrack scrutiny initiatives and cameras and new backstretch security forces in NY. That's why veterinary oaths are broken and why all the drug testing is required to try and catch people illegallly doping **their own animals**. Equine welfare on the track will always fail because it's first and foremost about a business. No one gets into racing because this is the best thing you can do for their horse...and there will always be enough bad actors to ruin it for the rest. **No one I know who owns equines outside of racing, has to make policies to keep their horses safe from their own barn staff**. That's unique to racing.

The track surfaces in New York is a topic we hear about every year. After the slew of deaths this spring at Santa Anita there were lots of pictures of experts on their knees digging into the track. Are they not listening to Dr. Rick Arthur, the equine medical director of their own California Horse Racing Board? He stated that underlying pathologies were present in almost all of the horses killed there...and the horses should not have been raced in the first place. The rash of 25+ deaths at Santa Anita is being reported as an anomaly...when in fact, Santa Anita has averaged 50 dead racehorses a year going back to 2007. Organized racing here started just after the Civil War - we've been through the industrial and technology revolutions and we still can't figure out what surface horses should race on. Astonishing.

On the drug testing issue, the Domestic Animal Welfare Committee should meet with Dr. George Maylin. He is the Director of the New York Equine Drug Testing Program. He is a world-renowned veterinarian, researcher and forensic chemist. Pay him a visit at the NYS lab he runs and ask him how many substances he estimates are available that can be given to racehorses to affect their performance. And of those available substances, how many does the NYS lab test for on a routine basis? Ask him how frequently the lab finds a sample that contains a foreign substance that they are unable to identify - thus not allowing them to disqualify the horse. When questioned in the past about the NYS laboratory's ability to detect the range of illegal substances, Dr. Maylin has replied "We are not even scratching the surface."

A meeting with the NYS Attorney General would be excellent. Questions should be asked about the enforcement of the existing laws in NYS regarding tampering with a racehorse to affect its performance. When a racehorse in NYS has been found to be illegally drugged, why are these crimes - defined as felonies - ignored and not prosecuted?

There's a personal side to this as well. I've worked hands-on with rescued racehorses, and have stood with them as they were euthanized prematurely due to unresolvable medical conditions. In many cases by-the-way it's not like putting a small animal to sleep as they lay peacefully on a blanket. You witness a young horse, often standing as they are being administered euthanasia drugs and then you are devastated as the 1,000 pound animal you have come to love, falls to the ground. Once you see this it changes your life forever and you end up promising that dying horse that you will do something about it no matter what.

Look, I don't believe for a minute that any racehorse owner, or trainer or racing fan wants to see a horse hurt or die racing....of course they don't...but Senators, despite that, it happens all day none-the-less.

Distracting the public with proposed track fixes and more security and increased scrutiny solutions will not fix the massive problem. Because even if all these changes miraculously cut the deaths from racing in half - the killing and suffering of those left - is absolutely no less shameful.

In closing, if the things I am saying here are questioned by you or others...please allow me to meet with you so that I may present the evidence in support of my testimony.

Thank you for your time today.