



# HUMANE VOTERS | OREGON

Testimony of Humane Voters Oregon on House Bills 4051  
House Interim Committee on Gambling Regulation

February 6, 2024

Chair Lively, Vice Chairs Chaichi and Wright, and Members of the Committee:

Humane Voters Oregon is a nonprofit organization that works in Oregon's political process and elections to promote humane treatment of animals. We are not affiliated with any other state or national organization.

Humane Voters Oregon supports House Bill 4051.

House Bill 4051 would make betting on dog races completely illegal in Oregon. It would also require veterinarians to report when a horse involved in horse racing shows signs of abuse, injury or inadequate health.

Dog racing (primarily greyhound racing) is widely recognized as cruel and inhumane for reasons including injuries to the dogs while racing and excessive confinement and mistreatment of the dogs when they are not racing. *See* [testimony on HB 3514 \(2023\)](#); [testimony on SB 1504 \(2022\)](#). In recognition of that, Oregon has already banned greyhound racing in Oregon as well as accepting bets in Oregon on greyhound racing from other locations where greyhound racing is illegal. SB 1504 (2022). HB 4051 would go one step further, as it should, by taking Oregon completely out of the business of enabling this inhumane activity.

Horse racing also raises significant animal welfare issues related to injuries to horses during races and treatment of the horses when they are not racing. *See* attached news articles. Former Senate President Peter Courtney recognized this when he introduced a bill in 2021 ([SB 871](#)) to ban horse racing entirely in Oregon. Greater scrutiny of horse racing is therefore appropriate, including a requirement that veterinarians report signs of inhumane treatment of horses involved in horse racing.

Thank you for considering our comments.

Brian Posewitz  
Director

## CULTURE

# The Ugly Truth About Horse Racing


An exposé by PETA, published in *The New York Times*, shows a side of the sport that the industry has tried hard to shield from public view.

By Andrew Cohen

MARCH 24, 2014

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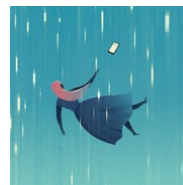
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SAVE 

There are essentially three types of people in horse racing. There are the crooks who dangerously drug or otherwise abuse their horses, or who countenance such conduct from their agents, and who then dare the industry to come catch them. Then there are the dupes who labor under the fantasy that the sport is broadly fair and honest. And there are those masses in the middle—neither naive nor cheaters but rather honorable souls—who know the industry is more crooked than it ought to be but who still don't do all they can to fix the problem.

The first category, the cheaters, are a small, feral minority still large enough to stain the integrity of the sport for everyone else. The second category, the innocents, also a small group, are more or less hopeless—if they haven't figured out by now they are being wronged they likely never will. So it is from the third category of horsemen and horsewomen,

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the far-too-silent majority, the good people who see wrong but won't give their all to right it, where serious reform must come if the sport is to survive and thrive.



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JUDITH SHULEVITZ

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And that's why exposés about the abuse of racehorses, like the one posted last week by Joe Drape in *The New York Times*, are so important.



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ALISON GOPNIK

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They don't aim to offer salvation to the unholy or to rouse the ignorant

from their slumber. They speak directly instead to the many good and honest people in horse racing whose consciences are still in play. And they say to those respectable people, in essence, "You are fooling only yourself if you think the whole world isn't aware of and repulsed by what nasty business you allow to go on inside your sport."

## The Clubhouse Turn

The story in question, "[PETA Accuses Two Trainers of Cruelty](#)," came on like a thunderclap and is profound for many reasons. First, the video upon which it is based allows people to see for themselves a little\* of what animal activists have long alleged at the highest level of thoroughbred racing. The focus is on trainer Steve Asmussen, a [controversial conditioner](#), and his top assistant trainer, Scott Blasi.\*\* The images are of the treatment of world-class horses training at two of the most revered and distinguished tracks in America—Churchill Downs in Louisville, Kentucky, and the Saratoga Race Course in upstate New York.

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The fact that the story comes from Drape, and the fact that the *Times* hitches its wagon to PETA, gives the sport's legions of apologists room to dodge, deflect, or blame the messenger, in this case a paper that has aggressively covered the sport and activists whom racing insiders love to hate. But it is a mistake to conflate hostility toward PETA with the dismissal of its work. Virtually no one beyond racing cares how PETA got the video for the same reason that virtually no one cares how activists get other undercover video of alleged animal abuse; people care only about what is *in* the video. Here is the link to the PETA video linked to the piece in *The Times*.

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The story and the video also are significant—and something different—because they blend together the rampant use of drugs on horses with claims of animal cruelty in a way that has been understated even among reform-minded racing insiders. You can be cruel to a horse by hitting it or "buzzing" it with an illegal device. You can abuse a horse by forcing it to race lamely when it is lame. And you can abuse a horse by giving it too many drugs to get it to the races (or to make it race faster). So if racing officials won't stop this practice for the sake of bettors or owners, how about stopping it for the sake of horses?

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This is why even the simple headline of the *Times*' piece crystallizes the story in a way that resonates with the outside world. *Cruelty*. No one beyond the world of horse racing cares if industry insiders cheat each other. But plenty of people beyond the world of horse racing cares if the animals at the heart of the sport are treated cruelly. Horse racing simply cannot survive if the general public believes racehorses are abused or neglected. I have no idea if Asmussen and Blasi are guilty of anything and I accuse them here of nothing. My point is that it doesn't really matter. The whole industry is guilty of letting it get this far.

## The Backstretch

The sport's immediate reaction to the video, like the industry itself, was split essentially into three. There was the camp, suspicious of the origins of the story, that

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downplayed it or worse. There was the camp that cited the story as vindicating proof of the need for reform. And there was the camp, petrified, that uttered a lot of empty platitudes about how concerned they are. But so many members of all of these groups are so complicit in what PETA and the *Times* allege that they cannot even proclaim today that they are "Shocked!" to learn that racehorses are treated this way. The chorus here is part of the play.

It is true, of course, that most trainers, assistant trainers, jockeys, drivers, caretakers, and veterinarians care a great deal about their horses and would never intentionally harm them. But so what? How many abused horses is too many? Saying that there are exceptions to the rule of decent horse care is no answer to PETA or to the *Times*. The real story here is not that Steve Asmussen may be an outlier. It is that so many in the sport know that he is not. The story is not that this news is a surprise but that it took so long to emerge. You can blame PETA—you can always blame PETA—but for what, exactly?

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The alleged behavior goes on, decade after decade, because the industry is unwilling to police itself. Because state regulators are feckless and because there is no uniformity among racing jurisdictions. Because the people who develop performance-enhancing drugs are almost always one step ahead of the officials developing tests for those drugs. Because veterinarians give their horses too many drugs too often. And because too many still within the sport equate real reform with a bad-for-marketing acknowledgement of how bad things are. Well, guess what. We are here. There is no longer a man behind a curtain.

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If the sport cannot find a way to rid itself of a culture that abides all of this it not only won't survive—it won't *deserve* to survive.

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Now the traditionalists—and by that I mean the well-meaning folks who have brought horse racing in America to the precipice of collapse—are mortified to know that this story will have legs (sorry) through the Triple Crown season. This is so because PETA didn't just drop the video on the world: Its officials also brought litigation, in both federal and state court, and that in turn has aroused from their perpetual torpor racing regulators in New York and Kentucky. The story of thoroughbred racing in 2014 will forever be linked the story from PETA and the *Times*. It's up to the industry to make something good from that.

## **The Finish Line**

How about telling the truth? It can finally set this industry free. Instead of pretending this problem of abuse does not exist, or claiming that the problem is under control, the sport can take the bold leap it will need to take to get to the other side—the side where animal activists aren't picketing racetracks. That will mean more money for enhanced drug tests. It will mean legislative efforts to better regulate trainers and veterinarians. It will mean swifter and stricter punishment for offenders. It will mean an end to the insider's code of silence.

"If you see something, say something" ought to be horse racing's newest rule. Wouldn't that help? Everyone in horse racing, at least everyone I know or know of, already pretty much knows what's on the tape. Anyone who has ever spent time in a shed row or on a backstretch knows that this sort of stuff goes on, in some barns but not others, by some trainers and not others, in the shadows of the sport. That it was

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allegedly this trainer, at these tracks, was great marketing by PETA. But that doesn't mean the story isn't real or that it can easily be dismissed.

If the sport cannot find a way to rid itself of a culture that abides all of this it not only won't survive—it won't *deserve* to survive. Barry Weisbord, publisher of the *Thoroughbred Daily News*, was right in his rant over the weekend. The industry needs a fourth group, of earnest people at the core of the industry, who no longer are content to remain silent and watch their friends, neighbors, or competitors ruin it for the rest. In horse racing, as in life, there is no such thing as "almost honest" or "somewhat crooked" or "slightly abused."


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\* PETA claims it has seven hours of video, which were reviewed by Joe Drape of the *Times*, and which reportedly will be released before the Kentucky Derby in early May. Linked to Drape's piece is a nine-minute video from PETA which alleges certain conduct not shown on screen. "The video and the report show how multiple drugs are given daily to racehorses—whether they need them or not—by grooms and employees so they can pass veterinarians' visual inspections, make it to the racetrack or perform at a higher level," Drape wrote.

\*\* Blasi, evidently, is no longer employed by Asmussen.

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Andrew Cohen is a senior editor at [The Marshall Project](#) and a fellow at the Brennan Center for Justice.

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# Death of another racehorse



**Chris Jones, ESPN Senior Writer**

Apr 16, 2012, 02:42 PM ET

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More than three hundred horses were put down in New Mexico alone in 2009. Jakob Schiller

**TELLER ALL GONE** was not a horse of distinction until he was dead. In fact, he was so unexceptional when he was alive, the details of his biography remain hazy. According to the Lazy E Ranch in Guthrie, Okla., the farm where he was born, he was foaled on Feb. 12, 2009, from Algonquin, sired by Teller Cartel and registered with the American Quarter Horse Association as a sorrel gelding. But according to a video once posted online by the ranch, he might have been a she, a brown filly foaled from Check Her Twice.

Whatever his gender and dam, Teller All Gone definitely traveled as a yearling from Oklahoma to New Mexico, where he was auctioned at Ruidoso but passed through without a buyer. He went on to run three races at Ruidoso Downs last summer, placing second once, earning \$1,570. Here, there is no debate. The money is always exact.

Also without doubt: On Sept. 3, 2011, in his fourth race, Teller All Gone broke one of his front legs and was put down on the track. A 31-year-old photographer from Albuquerque named Jakob Schiller was there, and he took pictures of the horse's demise. Track workers held up green and blue tarps to shield the horse from the crowd, or the crowd from the horse, but Schiller had a clear shot. In one particularly stark image, a track worker is kneeling on Teller All Gone's neck, his hand on the prone horse's shoulder. The horse has either just died or is about to die, via a syringe filled with pink liquid. The track worker is wearing a necklace with a cross on it; the cross is catching the light.

*The New York Times* recently ran that picture on its front page. It accompanied a massive story titled "Mangled Horses, Maimed Jockeys," an account of the rising toll that horse

racing is taking on its participants. According to *The Times*, an average of 24 horses die each week at tracks across the country. Sometimes they are famous horses, like Eight Belles, who broke both front ankles after running the Kentucky Derby in 2008. More often they are stocky sprinters run for thin purses and crowds at struggling tracks. Because of lax regulation, financial pressure and rampant drug use on unfit animals, dead horses have been piling up, including at least 350 in New Mexico alone since 2009. One of those 350 horses was Teller All Gone.

After being put down, he was carted off behind a barn, where he was dumped on top of the dirt next to an old toilet and some surgical gloves. Schiller took photographs of the horse then too, and *The Times* ran one of those pictures across five columns inside. Just the front of the horse is visible, a glimpse of his face, his shoes muddy on his hooves, the dust only beginning to settle on his hide. Black clouds gather in the distance. Whatever Teller All Gone's mysterious life, it was now finished. This is how the horse's story ends, absolutely.

Except that Jakob Schiller took his pictures. "It was heartbreaking," he says today, "but I knew I had something important." There was already action unfolding: Days before, New York Gov. Andrew Cuomo had ordered an investigation into the recent deaths of 16 horses at Aqueduct in Queens. But after *The Times* ran Schiller's twin photographs of Teller All Gone, dying and dead, New Mexico Sen. Tom Udall began pushing for national legislation to protect horses and jockeys. A sport that was already wobbled is about to get staggered, in part because of a horse that was either a red boy or a chestnut girl.

In 1949, W.C. Heinz wrote a story called "Death of a Racehorse" for the *New York Sun*. It is a classic piece of sports journalism, an unflinching account of the shooting of a lame horse named Air Lift. It's so vivid, the reader can't help but feel as though he's standing

there in the rain, the thunder rolling in the distance. All these years later, we can still watch Air Lift run the sixth race at Jamaica, break down and get shot in the head before our eyes.

Now we put up tarps. Now we use syringes filled with pink liquid. Yet there are certain facts about this racing life that will always remain concrete. Horses that run will sometimes break their legs and end up dead. But if the right person happens to be watching, those same dead horses will live forever.

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