

LOUISIANA STATE RACING COMMISSION
MINUTES – March 30, 2021 Emergency Meeting

As transcribed by Mary Lee DiLeo, Certified Court Reporter

COMMISSIONERS IN ATTENDANCE

Dr. Patrick Bernard
Leslie M. Bouie
Thomas B. Calvert
Lane T. Cortez
Donald “Don” Cravins
Eddie J. Delahoussaye
K. R. “Ron” Finkelstein, O.D.
Roy Griggs
Benjamin J. Guilbeau, Jr.
Louis Reine
Deano Thornton

ABSENT

Bob F. Wright, *Chairman*
Mike R. McHalfey

The meeting of the Louisiana State Racing Commission (LSRC) was called to order by Commissioner Guilbeau on Tuesday, March 30, 2021 at 10:00 AM in Mojo’s Sports Bar at Evangeline Downs Racetrack & Casino, 2235 Creswell Lane Extension, Opelousas, LA and on Zoom Conference Call. Roll call was taken; a quorum was present.

Commissioner Reine motions to name Commissioner Guilbeau as the Acting Chairman until such time as the Governor appoints a new Chairman; Dr. Bernard seconds; motion carries. Commissioner Reine requests that the next Commission Meeting Agenda include an election for the Vice Chair positions.

Acting Chairman Guilbeau announces that Chairman Bob Wright has passed away and requests a moment of remembrance in honor of him.

Commissioner Reine requests a correction to September 30, 2020 Minutes included in the approval. Commissioner Bernard motions to approve the meeting minutes from the September 2, 2020, September 3, 2020, September 9, 2020, and September 30, 2020 meetings; Commissioner Bouie seconds; motion carries.

I. ASSOCIATION REQUESTS

A. BOYD RACING, LLC d/b/a DELTA DOWNS RACETRACK, CASINO & HOTEL

1. **PROGRESS REPORT**, by Mr. Chris Warren, Director of Racing. Mr. Warren informs that Yates Construction was hired by Boyd Gaming since August to conduct repairs for the damage from the hurricanes that hit Southeastern Louisiana last year. He states that Delta Down’s 84-day 2020-21 Thoroughbred Meet, which ran daytime races, had an average handle of \$1,700,000, up 19% from the previous thoroughbred meet that ran nighttime races. He says that they are currently running mostly 9 races per day to make up for cancelled race days. He states that they have increased purses a little bit to

over \$225,000 per day but that their purses are not as big as their competitors, including Fair Grounds and Sam Houston Race Park. He says that days with post times that vary from their competitors has led to increased purses.

Mr. Warren informs that Delta Downs replaced all of the rubber in their paddock and installed a laundromat on the backside for the horsemen, a new safety warning system for the lights during live racing, and a new tote board. He states that The Lookout Restaurant was destroyed by the hurricane but that it will be rebuilt as a banquet facility. He says that they will convert the buffet area into a clubhouse restaurant for the horsemen in the fall.

Mr. Warren informs that they are planning to install a new lighting system for Delta Downs to be ready for the fall thoroughbred meet. Mr. Ron James, General Superintendent of Yates Construction, gives a presentation about their plans to install a completely new lighting system for Delta Downs. He states that the new system will give an even spread of full light completely around the track to eliminate dark spots, will be able to withstand 150-mile-per-hour winds, and will have a new infrastructure underground to support it.

Commissioner Reine asks if the new lighting system will have an emergency generator. Mr. James responds that there will be two back-up generators. Commissioner Reine asks what the anticipated date of completion is. Mr. James responds that the lighting system is scheduled to be completely installed by October 7, 2021.

Commissioner Reine asks if there are arrangements set for the quarter horses to have a place to stall in-between the Delta Downs and Evangeline Downs quarter horse meets. Mr. Warren responds that Mr. Steve Kuypers, General Manager of Delta Downs, has every intention to let the quarter horses stay at Delta Downs until they can move-in to Evangeline Downs, barring hurricanes or other emergencies that may happen.

2020-2021 THOROUGHBRED MEET

2. STEWARDS, OFFICIALS & MANAGEMENT

- a. Ratification** of officials for 2020-2021 thoroughbred meet as provided in Meeting Agenda.

Commissioner Reine motions to approve; Commissioner Bernard seconds, motion carries.

2021 QUARTER HORSE MEET

3. REQUEST BY BOYD RACING, LLC TO AMEND RACING DATES APPROVED ON SEPTEMBER 30, 2020 (R.S. 4:158A) AS PROVIDED IN MEETING AGENDA.

- a. Approval** for Amended 2021 quarter horse meet as provided in Meeting Agenda.

Commissioner Reine motions to approve; Commissioner Cravins seconds, motion carries.

4. STEWARD

- a. Approval** of Tom Davis to serve as state steward for 2021 quarter horse meet.

Commissioner Bouie motions to approve; Commissioner Thornton seconds, motion carries.

**B. THE OLD EVANGELINE DOWNS, LLC
d/b/a EVANGELINE DOWNS RACETRACK & CASINO**

1. **PROGRESS REPORT**, by Mr. Chris Warren, Director of Racing. Mr. Warren informs that Evangeline Downs' 84-day 2021 Thoroughbred Meet starts on April 28, 2021 and ends on September 18, 2021, which is three weeks later than usual due to the dates shifting because of the hurricanes. He states that their thoroughbred and quarter horse meets in 2020 were successful, mostly due to extra attention to horseracing since other sporting events were not taking place during the pandemic, and Evangeline Downs offered more purse money due to the shortening of those meets. He informs that the backside has been updated, the barns have been maintained, new dirt has been added to the main track, and the turf course has been treated with chemicals to deter weeds and insects and help the growth process. He states that Evangeline Downs' backside opened this week and will allow horses to stable there going forward. He says that the sprinkler system is ready to go and the lighting system for the parking lots and racetrack have been confirmed to be in top shape.

Mr. Warren informs that Evangeline Downs will bring back owner silks for the upcoming meets, with house colors only for people who don't have silks. He states that the buffet area has been converted into the Express Restaurant to be open during race days, the Spotted Horse Tavern & Dining Parlor will be open Thursday through Saturday, and Silks clubhouse will be open with limited offerings due to current pandemic protocols. He says that they lost their track announcer, Mike Chamberlain, to Harrah's Hoosier Park Racing & Casino in early March.

Commissioner Reine asks if there are any thoroughbred race days affected by the quarter horse racing dates discussion as proposed by industry participants. Mr. Ed Fenasci, Executive Director of the Louisiana Horsemen's Benevolent and Protective Association (LaHBPA), says that the thoroughbred meets would not be affected by that issue.

2021 THOROUGHBRED MEET

2. **REQUEST BY THE OLD EVANGELINE DOWNS, LLC TO AMEND RACING DATES APPROVED ON SEPTEMBER 30, 2020 (R.S. 4:158A) AS PROVIDED IN MEETING AGENDA.**

- a. **Approval** for Amended 2021 thoroughbred meet as provided in Meeting Agenda.

Commissioner Bernard motions to approve; Commissioner Cravins seconds, motion carries.

3. **RACES**

- a. **Approval** of first condition book for 2021 thoroughbred meet.

Commissioner Reine motions to approve; Commissioner Cravins seconds, motion carries.

4. **STEWARD**

- a. **Approval** of Charles Ashy, Jr. to serve as state steward for 2021 thoroughbred meet.

Commissioner Cravins motions to approve; Commissioner Bernard seconds, motion carries.

2021 QUARTER HORSE MEET

5. REQUEST BY LAHBPA

- a. Discussion** of 2021 quarter horse racing dates proposed by industry participants.

Mr. Fenasci informs that the quarter horse members of LaHBPA want the Fair Grounds and Evangeline Downs 2021 quarter horse meets to be combined into one meet and the purse monies be combined so that the purse levels are even throughout the entire meet. He states that, last year, the Fair Grounds portion of the meet had much higher purses than the Evangeline Downs portion of the meet. He says that the LaHBPA voted to support this request.

The Acting Chairman states that the Commission will take up the approval of this request along with the fully submitted quarter horse application at the next Commission Meeting.

**C. CHURCHILL DOWNS LOUISIANA HORSERACING COMPANY, LLC
d/b/a FAIR GROUNDS RACE COURSE & SLOTS**

- 1. PROGRESS REPORT**, by *Mr. Doug Shipley, President and General Manager, and Mr. Jason Boulet, Senior Director of Racing*. Mr. Shipley states that Fair Grounds will wire the purse money and first portion of the fees for their transferred quarter horse race days after they get the indemnity language executed. Mr. Boulet offers condolences for Chairman Wright. He informs that Fair Grounds' 76-day 2021-22 Thoroughbred Meet ended on March 28, 2021. He says that, despite the many challenges of the past year, they offered the most lucrative purse structure in Fair Grounds' history. He states that they raced 28 days without the turf course due to weather issues.

Mr. Boulet thanks the LaHBPA, both breeders associations, Boyd Gaming, and CDI corporate team for attending Fair Grounds' forum in January to discuss various racing industry topics. He states that the Louisiana Derby had the public in attendance for Fair Grounds races for the first time during the pandemic and that the handle was record-breaking with over \$18,800,000 wagered on that single day. The Acting Chairman compliments Fair Grounds for their successful racing program. Mr. Shipley informs that a couple of horses that train at Fair Grounds competed in the Dubai Cup.

- a. Discussion** of Barn Area Altercations and Anti-Violence Policies.

Mr. Shipley requests that the Commission supports Fair Grounds in forming a recommendation group consisting of leadership from each racetrack, LaHBPA, and the Commission to provide recommendations on how to enhance Stewards' ability to deal with fighting and harassment, specifically on the backside. He says that they have less than a dozen specific repeat offenders that engage in the majority of physical violence at Fair Grounds. The Acting Chairman thanks Mr. Shipley for the effort and recommends coordinating this effort with the Commission's Security Committee and the State Police.

2020-2021 THOROUGHBRED MEET

2. RACING DATE ADDITION

- a. Ratification** of Amendment to 2020-21 thoroughbred meet to add race date on March 24, 2021 to make up for the races cancelled due to weather on February 11, 2021 race date.

3. RACES

- a. **Ratification** of designated races for the 2020-2021 thoroughbred meet as provided in Meeting Agenda.

4. STEWARDS, OFFICIALS & MANAGEMENT

- a. **Ratification** of officials for 2020-2021 thoroughbred race meet as provided in Meeting Agenda.

Commissioner Reine motions to approve Items #2, #3, & #4; Commissioner Bernard seconds, motion carries.

5. REQUEST BY LAHBPA

- a. **Discussion** of Fair Grounds' Emergency Stabling Expenses prior to its 2020-2021 Thoroughbred Race Meet and the \$90,000 flat fee charged to LaHBPA.

Mr. Fenasci informs that the LaHBPA is coordinating with the Fair Grounds to review their requested information and will make a full report to the Commission at the next meeting. The Acting Chairman requests that the LaHBPA provide a written report update about this issue to the Commission prior to the next meeting that includes any action that the Commission may need to take.

2021 QUARTER HORSE MEET

6. TRANSFER QH RACE MEET REQUEST

- a. **Approval** of Fair Grounds' Plan to Transfer 2021 Quarter Horse Race Dates and Purses to Evangeline Downs.
- b. **Request** by HBPA to Utilize Fair Grounds Purse Monies to Equalize Purses across the Entire Meet.

The Acting Chairman informs that the Commission will take up this transfer request along with the full Evangeline Downs quarter horse meet application at the next meeting.

Mr. Harry Bruns, Manager of Fionn MacCumhal Racing Stable, comments that CDI and Fair Grounds has demonstrated that they are unwilling to comply with the facility upkeep and improvement commitments they made to the Commission in 2014 that were preconditions to them getting a license renewal. He says that he is concerned about the Fair Grounds having and following a procedure to protect its turf course during Jazz Fest and would like the Commission to rescind or not renew Fair Grounds' license if they do not adequately protect and upkeep their facilities and tracks. The Acting Chairman informs that the Commission fully expects Fair Grounds to present a plan for their operations in the fall after Jazz Fest to allow for Commission oversight and public discussion.

Commissioner Reine asks if Evangeline Downs is planning to run their and Fair Grounds' statutorily-mandated number of race days or if they will reduce the usual number of race days. Mr. Fenasci responds that the LaHBPA has worked with its prominent quarter horse members and the Louisiana Quarter Horse Breeders Association (LQHBA) and that the LaHBPA Board has endorsed a combined 53-day quarter horse race meet, which is a reduction of 3 race days total from statute, from October through December. Mr. Bruce Salard, Executive Director of LQHBA, says that

their Board agrees with it to get 5 race days per week in December to conduct as many race days as possible.

Commissioner Bouie asks if the minimum will be 8 races per day. Mr. Warren responds that they will run more than 8 races per day.

**D. HARRAH'S BOSSIER CITY INVESTMENT COMPANY, LLC
d/b/a HARRAH'S LOUISIANA DOWNS**

1. **PROGRESS REPORT**, by Mr. Joe Morris, Senior Vice President of Racing. Mr. Morris informs that Louisiana Downs had 185 horses stay from 23 stables over the winter from October 1, 2020 through March 14, 2021. He states that Louisiana Downs pushed its quarter horse meet two weeks later and started on January 23, 2021 to work with the LaHBPA's request. He says that they have 875 quarter horses on the track. He informs that they cancelled eight race days due to the harsh winter weather, for which their track superintendant was able to remove nine inches of ice and snow from the track surface. He says that field size is 7.61 starters per race, up from 6.51 last year, and that handle is up 32%. He states that they will raise purses by \$2,000 for each race for the last four weeks of the quarter horse meet.

Mr. Morris informs that Louisiana Downs' 2021 Thoroughbred Meet starts on May 1, 2021. He says that 1,237 stalls have been assigned already and that they are anticipating paying out \$90,000 per day in purses, up 10% from the previous year. He states that they are planning to run Louisiana Cup Day towards the end of September. He says that they are conducting repairs, replacements, and painting on the backside between the meets. Commissioner Reine asks if Louisiana Downs added race days to make up for the race days cancelled due to weather. Mr. Morris responds that they did not since the thoroughbred meet follows so closely but that they added the purse money from those races to increase the purses of the remaining races.

2021 QUARTER HORSE MEET

2. **REQUEST BY HARRAH'S LOUISIANA DOWNS TO AMEND RACING DATES APPROVED ON SEPTEMBER 30, 2020 (R.S. 4:158A) AS PROVIDED IN MEETING AGENDA**
 - a. **Ratification** for Amended 2021 quarter horse meet racing dates as provided in Meeting Agenda.
3. **RACES**
 - a. **Ratification** of first condition book for 2021 quarter horse meet.
 - b. **Ratification** of designated races for 2021 quarter horse meet as provided in Meeting Agenda.
4. **STEWARDS, OFFICIALS & MANAGEMENT**
 - a. **Ratification** of officials for 2021 quarter horse meet as provided in Meeting Agenda.
 - b. **Ratification** of Roy Wood, Jr. to serve as state steward for 2021 quarter horse meet.

Commissioner Reine motions to approve Items #2, #3, & #4; Commissioner Bernard seconds, motion carries.

2021 THOROUGHBRED MEET

5. STEWARD

- a. Approval** of Roy Wood, Jr. to serve as state steward for 2021 thoroughbred meet.

Commissioner Bernard motions to approve; Commissioner Finkelstein seconds, motion carries.

II. BREEDER UPDATES

A. LOUISIANA THROUGHbred BREEDERS ASSOCIATION (LTBA)

- 1. PROGRESS REPORT**, by *Mr. Roger Heitzmann, Secretary-Treasurer*. Mr. Heitzmann informs that Louisiana-breds have had great meets at Fair Grounds and Delta Downs and great days for both Louisiana Champions Day and Louisiana Premier Day. He thanks Fair Grounds for adding Louisiana-bred stakes races and additional money to those purses.

B. LOUISIANA QUARTER HORSE BREEDERS ASSOCIATION (LQHBA)

- 1. PROGRESS REPORT**, by *Mr. Bruce Salard, Executive Director*. Mr. Salard informs that they just held the \$350,000 Mardi Gras Futurity and the \$121,000 Mardi Gras Derby at Louisiana Downs. He states that there are 984 Louisiana-accredited foals with 81 more pending for 2020, which they anticipate will be a 4% decline from 2019. He says that the new LQHBA Board took office on March 20, 2021 with officer elections coming up on April 1, 2021. He informs that their yearling sale will be held on August 6 & 7, 2021 in Kinder, Louisiana, with between 550 and 600 yearlings expected for sale. He states that they want night racing to return at Delta Downs in 2022 and thanks Mr. Kuypers for allowing quarter horses to stall at Delta Downs in August and September prior to moving to Evangeline Downs. He says that the LQHBA supports rulemaking to go zero tolerance on Albuterol, and Dr. Larry Finley, LQHBA Board Member, also supports zero tolerance on Albuterol in the best interest of equine athletes.

Commissioner Reine asks if Albuterol is a banned substance with the American Quarter Horse Association. Dr. Finley responds that it is. The Acting Chairman informs that the LSRC will put the banning of Albuterol through the rulemaking process.

III. COMMITTEE REPORTS

A. MEDICATION COMMITTEE, by *Committee Chair Patrick Bernard*

Commissioner Bernard states that the Medication Committee will support the Albuterol zero-tolerance rulemaking. He asks Dr. Levent Dirikolu, Director of the Equine Medication Surveillance Laboratory at Louisiana State University, about the status of the lab's Racing Medication & Testing Consortium (RMTC) Certification. Dr. Dirikolu responds that the lab has changed focus to working towards following the rules and certifications mandated by the International Federation of Horseracing Authorities (IFHA) since the Federal Horseracing Integrity and Safety Act of 2020 will likely mandate following their guidelines. Commissioner Bernard asks if the new rules would follow RMTC guidelines. Dr. Dirikolu responds that the lab has been following the Association of Racing Commissioners International's rules, which the RMTC supports.

The Acting Chairman requests that Dr. Dirikolu provide a report to the Medication Committee that describes the accreditation path that the lab was on versus the new path under federal legislation prior to the next Commission Meeting. Dr. Dirikolu agrees and clarifies that the lab is still working toward RMTC Accreditation.

Commissioner Bernard asks how close the lab is to RMTC accreditation. Dr. Dirikolu responds that they may be able to send the full application by the end of the year. Commissioner Reine says that it would be better if the lab obtains the RMTC accreditation as the current standard, even with the pending federal law changes.

Commissioner Calvert asks if Dr. Dirikolu keeps documentation on the lab's daily work toward accreditation. Dr. Dirikolu says that they do not have that record-keeping on a daily basis. Commissioner Reine requests the lab to provide updates on the work toward accreditation on a monthly basis.

Commissioner Cravins asks how long has the lab been going through the accreditation process. Dr. Dirikolu responds that the lab has been working toward various accreditations since he came to the lab in 2016. Commissioner Bouie requests Dr. Dirikolu to provide the documented procedures that a lab must go through to complete the accreditation process.

B. RULES COMMITTEE, by Committee Chair Lane T. Cortez

Commissioner Cortez informs that the Rules Committee met on February 24, 2021 and discussed the proposed voided claiming rule, the proposed waiver claiming rule, and racing colors with the LaHBPA.

C. LEGAL COMMITTEE, by Committee Chair Benjamin J. Guilbeau, Jr.

No Report.

D. SECURITY COMMITTEE, by Committee Chair Louis Reine

No Report.

E. RACETRACK/HBPA LIAISON COMMITTEE, by Committee Chair Donald "Don" Cravins

Commissioner Cravins informs that the Committee will visit the race tracks within the next few months to assess and address any issues that may exist.

F. FINANCE COMMITTEE, by Committee Chair Louis Reine

Commissioner Cravins says that the Commission should have a finance report relative to the operations of the LSRC. Commissioner Reine states that the Finance Committee needs a format developed for review of LSRC's operations that it can report to the whole Commission.

The Acting Chairman suggests that the LSRC Office prepare a financial report that can be presented to the Finance Committee twice a year in June and December. Mr. Charles Gardiner III, Executive Director of LSRC, requests that the Financial Committee define the informational parameters of the report that it wants submitted. Commissioner Reine responds that the LSRC's budget be submitted for the first meeting.

A 15-minute recess is taken.

IV. OTHER

A. APPRENTICE JOCKEY EXTENSION

1. **Ratification** of 64-day Extension of Apprentice Allowance for Jockey Kody Kellenberger. (Injured 3/12/20 at Fair Grounds; physically disabled and unable to ride through 5/16/20) Amend expiration of apprenticeship from 1/3/21 to 3/8/21.

Commissioner Reine motions to approve; Commissioner Bernard seconds; motion carries.

V. RULES

A. NOTICE OF INTENT:

1. LAC 35: XIII Chapter 116 – Pick N
§11609. Procedure [amend]

Commissioner Reine motions to approve for notice of intent; Commissioner Delahoussaye seconds; motion carries.

B. REQUESTS BY LAHBPA

1. **Discussion** of Rule that will require racing facilities to be open for stabling and training 30 days prior to the first race of a scheduled meet and 15 days after the last race of a meet.
2. **Discussion** of Rule to require race tracks that are not open at the time to accept horses for stabling and training in the time of a force majeure event.
3. **Discussion** of Waiving the Claiming Rule.
4. **Discussion** of Rule regarding Owner ability to place a claim on their own horse.
5. **Discussion** of Rule regarding LSRC employing a full time Track Superintendent to monitor the racing surfaces at every track in Louisiana.

Mr. Chatters offers his condolences for the loss of Chairman Wright on behalf of LaHBPA and thanks the Commission and Boyd Gaming for their support of the horsemen after the recent hurricanes. He states that LaHBPA wants the Commission to begin the rulemaking process for these proposed rules under discussion. Mr. John Duvieilh, Counsel for LaHBPA, states that these proposed rules came out of a forum held at Fair Grounds to address current and recurring racing issues.

Commissioner Cortez requests that the LaHBPA submit these proposed rules formatted in writing exactly as they want them added to the Rules of Racing for the Rules Committee and the Commission to properly consider. Mr. Duvieilh agrees.

VI. LICENSE APPROVALS

A. REQUESTS FOR LICENSE APPROVAL (LA. REV. STAT. 4:150(B))

1. **James E. Bynum, Owner.** Convicted felon.

Commissioner Bouie motions to approve Mr. Bynum for licensure as an Owner; Commissioner Bernard seconds; motion carries.

2. **Hope M. Matte, Groom.** Convicted felon.

Commissioner Bouie motions to approve Ms. Matte for licensure as a Groom; Commissioner Reine seconds; motion carries.

VII. ADJUDICATIONS

A. CARELESS RIDING APPEALS (LA. REV. STAT. 4:154)

1. **David A. Alvarez, Jockey.**

Ruling#ED24059 of 10/28/20 - *Careless Riding.*

Mr. Alvarez not present for hearing.

Commissioner Delahoussaye motions to suspend Mr. Alvarez for 7 calendar days from May 14, 2021 through May 20, 2021; If Mr. Alvarez participates in a designated race day not subject to suspension; he shall be required to make up the suspension day on the first following race day after the designated day of racing; Commissioner Bernard seconds; motion carries.

2. **Mitchell L. Murrill, Jockey.**

Ruling#FG24171 of 01/23/21 - *Careless Riding.*

Appeal withdrawn. Mr. Murrill not present for hearing.

Commissioner Reine motions to suspend Mr. Murrill for 7 calendar days from December 2, 2021 through December 8, 2021; If Mr. Murrill participates in a designated race day not subject to suspension; he shall be required to make up the suspension day on the first following race day after the designated day of racing; Commissioner Bernard seconds; motion carries.

B. VIOLATIONS OF LAC 35:I.1797 (Equine Positives)

1. **Wendy A. Garcia., Trainer.** (*Adjudication Referred*)

Ruling#LD23850 of 02/01/20 - *Pheylbutazone & Flunixin (ARCI Category IV; Gross Violation)*

Ms. Garcia not present for hearing. Mr. Bonin, Attorney for LSRC, indicates that he spoke with Ms. Garcia and she has submitted a plea consistent with what the Commission has ruled in similar cases in the past.

Commissioner Reine motions to accept plea pursuant to a stipulation by all parties, which upholds the Stewards' ruling, fines Ms. Garcia an additional \$500 (total fine \$1,500), and redistributes the purse; waiver of any right to Appeal; Commissioner Bouie seconds; motion carries.

2. **Eric J. Long, Trainer.** *(Adjudication Referred)*
Ruling#DD23996 of 07/30/20 – *Dexamethasone (ARCI Category IV; Gross Violation)*

Mr. Long not present for hearing. Mr. Bonin indicates that he spoke with Mr. Long and he has submitted a plea consistent with what the Commission has ruled in similar cases in the past.

Commissioner Reine motions to accept plea pursuant to a stipulation by all parties, which upholds the Stewards' ruling, fines Mr. Long an additional \$500 (total fine \$1,500), and redistributes the purse; waiver of any right to Appeal; Commissioner Bernard seconds; motion carries.

3. **Cortland J. Harrison, Trainer.** *(Adjudication Referred)*
Ruling#DD24175 of 01/27/21 – *Methocarbamol (ARCI Category IV; Gross Violation)*

Mr. Harrison not present for hearing. Mr. Bonin indicates that he spoke with Mr. Harrison and he has submitted a plea consistent with what the Commission has ruled in similar cases in the past.

Commissioner Reine motions to accept plea pursuant to a stipulation by all parties, which upholds the Stewards' ruling, fines Mr. Harrison an additional \$500 (total fine \$1,500), and redistributes the purse; waiver of any right to Appeal; Commissioner Bernard seconds; motion carries.

4. **Lamont Keith Charles, Trainer.** *(Adjudication Referred)*
Ruling#DD24198 of 02/02/21 – *Methocarbamol (ARCI Category IV; Gross Violation)*

Mr. Charles not present for hearing. Mr. Bonin indicates that he spoke with Mr. Charles and he has submitted a plea for Ruling DD24198 and Ruling DD24199 consistent with what the Commission has ruled in similar cases in the past.

Commissioner Reine motions to accept plea pursuant to a stipulation by all parties, which upholds the Stewards' Ruling DD24198 and Ruling DD24199, fines Mr. Harrison an additional \$500 for each ruling (total fine \$3,000), and redistributes both purses; waiver of any right to Appeal; Commissioner Cortez seconds; motion carries.

5. **Lamont Keith Charles, Trainer.** *(Adjudication Referred)*
Ruling#DD24199 of 02/02/21 – *Methocarbamol (ARCI Category IV; Gross Violation)*
(2nd offense of ARCI Cat. IV/V within a 12-month period)

Please see Ruling DD24198 case above for consolidated adjudication.

6. **Robi A. Meche, Trainer.** *(Adjudication Appealed)*
Ruling#LD23785 of 12/31/19 – *Stanozolol (ARCI Category III)*

Ms. Meche not present for hearing. Mr. Bonin indicates that he spoke with Ms. Meche and she has submitted a plea consistent with what the Commission has ruled in similar cases in the past.

Commissioner Cravins motions to accept plea pursuant to a stipulation by all parties, which upholds the Stewards' ruling, suspends Ms. Meche for 60 days, effective March 31, 2021 through May 29, 2021, and redistributes the purse; Ms. Meche will be denied access to all racetracks, off-track wagering facilities and recognized training tracks under the jurisdiction of the Louisiana State Racing Commission; waiver of any right to Appeal; Commissioner Bernard seconds; motion carries.

C. VIOLATIONS OF LAC 35:I.1791 (Testing for Dangerous Substance Abuse)

1. **Stephanie A. Judkins, Exercise Rider.** (*Adjudication Appealed*)
Ruling#LD23853 of 02/04/20 – *Human Drug Testing (2nd offense)*

Commissioner Reine motions to accept plea pursuant to a stipulation by all parties, which includes an imposition of a six month suspension of license with access denied to all racetracks, off-track wagering facilities and approved training facilities in Louisiana, with three months credit given for the pandemic shutdown of Louisiana Downs and the remaining suspension converted to probation upon proof of enrollment and continued attendance in a state steward and/or commission approved drug rehabilitation program; the state steward and the the board certified drug evaluator or counselor that is approved by the state steward and/or commission may require urine/hair analyses or other noninvasive body fluid tests at any time during suspension, probation, and rehabilitation; said testing costs shall be borne by Stephanie Judkins; the approved drug rehabilitation program and/or board certified drug evaluator or counselor shall be required to report any non-prescribed drug positives to the state steward; each daily instance of an unexcused absence from a drug rehabilitation program shall be reported to the state steward and shall incur an additional seven day suspension; excused absences from a drug rehabilitation program must be approved prior to any absence by the state steward or approved drug evaluator or individual counselor; after submitting proof of the successful completion of the drug rehabilitation program and proof she has been drug free, she may serve the remainder of her suspension on probation; any violations of the law or rules of racing during her rehabilitation and probation will result in the reinstatement of her suspension; waiver of any right to Appeal; Commissioners Bernard and Bouie second; motion carries.

2. **Coby J. Bourque, Jockey.** (*Adjudication Referred*)
Ruling#FG24218 of 02/04/21 – *Human Drug Testing (4th offense)*

Commissioner Reine motions to accept plea pursuant to a stipulation by all parties, which includes five year suspension of license with access denied to all racetracks, off-track wagering facilities and approved training facilities in Louisiana, with credit for time served since May 22, 2019; reinstatement as an exercise rider with remaining suspension converted to probation will be allowed upon proof of enrollment and continued attendance in a commission approved drug rehabilitation program for a minimum of eighteen (18) months, at which Coby Bourque must attain the highest level of Recovery Dynamics, Step 12 of an AA/NA program, and otherwise submit proof that he is currently drug-free and has been drug-free throughout rehabilitation; the stewards and/or commission approved board certified drug evaluator or counselor may require urine/hair analyses or other noninvasive body fluid tests at any time during suspension, probation, and rehabilitation; each daily instance of an unexcused absence from a drug rehabilitation program shall incur and additional seven day suspension; excused absences from a drug rehabilitation program must be approved prior to any absence by the commission approved drug evaluator or individual counselor; after lapse of twelve months from March 30, 2021 and submission of proof of continued enrollment in a drug rehabilitation program and proof that he has been drug free, he may apply for his Jockey license and if approved, will continue to serve the remainder of his five year suspension on probation; any violations of the law or rules of racing during his probation will result in the reinstatement of his suspension; must submit

proof of prior substance abuse treatment to Assistant Attorney General Brett Bonin as he stated at the Racing Commission Meeting on March 30, 2021 and if he fails to provide satisfactory proof, he will be called back before the Racing Commission at its April 2021 meeting to answer to the Commission; waiver of any right to Appeal; Commissioners Cravins and Bernard second; motion carries.

VIII. ADJOURNMENT

Commissioner Bernard motions to adjourn; Commissioner Delahoussaye seconds; motion carries.



Charles A. Gardiner III
Executive Director