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## Racing commission approves animal cruelty policy

by Dave Boucher  
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The state Racing Commission unanimously approved the agency's first animal cruelty policy Tuesday.

In doing so, it declined to accept several changes pushed for by the West Virginia Greyhound Owners and Breeders Association. The association's president, Sam Burdette, offered the changes as part of a larger debate as to what actions constitute animal cruelty.

"I think that cruelty is a very relative, subjective subject," Burdette said after the meeting.

"They should have adopted something that lets people understand that dogs need discipline, that they don't need to be treated cruel in fits of rage or temper or anger."

He explained that concept further in a presentation before the commission. When training greyhounds in a group, punishment is at times a necessary tool, Burdette said.

Greyhound owners don't want to see dogs beaten, he said, but force is needed at times. Using terms like "fangs ripping" and "going for the throat" in a description of a hypothetical dogfight, Burdette argued a trainer or breeder might need to take physical action to resolve a potentially dangerous situation.

"He may have to pick a dog up and throw it," Burdette said.

Burdette's changes included a sentence that said the policy isn't trying to change the description of cruelty to animals already in state law. It also included some definitions of cruelty and what wasn't considered cruelty.

Commission attorney Kelli Talbot said state law doesn't define cruelty. She said she "didn't see the need" to define it in the policy.

The commission did not discuss Burdette's proposed changes at length before it adopted the policy. It did not incorporate any of his changes, but commissioners thanked him for the information.

The commission already has the power under state code to punish trainers, breeders or owners who commit acts of cruelty. The policy outlines that authority as well as other actions the commission can take if there is a reported act of cruelty.

The policy was up for approval at the commission's July meeting, but Burdette argued it should go out for public comment before it was officially approved. Commission Executive Director Jon Amores said Burdette was the only person to submit comments offering changes to the policy.

Others sent messages supporting the policy, Amores said.

He said some seemed to have been sent at the urging of Grey2K USA, a national organization that advocates for the end of greyhound racing.

After the meeting, Grey2K USA President Christine Dorchak said she was thankful the commission adopted the policy.

"Preventing cruelty to racing animals should not be controversial, it's something that we can all work on together," Dorchak said. "We really applaud the commission for its move today."

The policy also states the commission will report any instances of animal cruelty, mistreatment, neglect, abuse or abandonment to appropriate local law enforcement. The commission's lone change to the policy was removing the words "for possible criminal prosecution" in connection to referrals.

After it approved the policy, the commission also unanimously voted to refer two cases of alleged animal cruelty to the Ohio County prosecutor.

The commission took action on the referral in connection to allegations of abuse by James Bloom and James Grace. The two previously worked at the same kennel in Wheeling, where they allegedly refused to provide adequate treatment for a dog with a broken leg.

A board of judges determined Bloom and Grace did not provide enough care to the dog, named Kiowa Dutch Girl. They stripped Grace of his permit and suspended Bloom's for six months.

Although commission employees had detailed records of the alleged abuse, the commission decided at its July meeting it needed more information before making a decision on the referral. The commission provided the Daily Mail with the information in June after a Freedom of Information Act request.

The commission allowed Grace to speak before it made its decision. Speaking over the phone, Grace said he was trying to save the dog from being put down and he didn't do anything wrong.

Telling the commission he was very sick and planned to leave the state to seek treatment, he asked they not punish him after his 35 years in the racing business.

Grace made similar statements at the July meeting, seemingly in direct conflict with statements he gave commissioners and track investigators near the time of the alleged abuse.

Again, the commission did not discuss its decision to refer the case at length before it was unanimously approved.

A referral does not necessarily mean prosecutors will file criminal charges, Amores said.

Making it a policy to refer cases to law enforcement didn't sit well with Burdette.

"I don't think they should refer cases to the local prosecuting attorney as a matter of policy," Burdette said. "They have the right to do that anyway."

"I'm afraid that the inclusion of a referral in their policy will encourage the referral of cases that are not true animal cruelty."

Dorchak, who has advocated for the referral since it was reported, again thanked the commission for its decision.

"A new day is really dawning here in West Virginia for racing animals, and greyhounds in particular," she said after the meeting.

Thirty-eight states ban commercial dog racing. The practice remains active in seven states, according to Dorchak's organization.

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