

# HIGH STAKES

Greyhound Racing in the United States



**GREY2K USA**  
WORLDWIDE 

**ASPCA**<sup>®</sup>

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# INTRODUCTION

**Rags Patches** was a young, female greyhound who broke her neck and was paralyzed at a Texas dog track. **Rags Carla** broke her leg and was destroyed at the same facility. The two were sisters.

In West Virginia, **Budz Roscoe P** fractured his skull while training for his maiden race. **PJ Diamondbacks** fell, broke her leg and was trampled by other dogs at an Iowa track.

All of these dogs were less than two years old and never had a chance at a real life. They literally died for an industry whose routine practices offend the basic values shared by all of us as Americans.

What follows is the first comprehensive report on the commercial greyhound racing industry in the United States. The humane problems and poor economic state of this twentieth-century pastime are documented more extensively than ever before, providing specific information on greyhound population numbers, the tattooing and training of young dogs on unregulated breeding farms, the confinement of racing dogs, the injuries they suffer, and the use of illegal drugs at racetracks. Poor kennel conditions, including lack of veterinary care and a diet based on diseased “4-D” meat, are also revealed. This cruelty is presented in the context of a declining industry with a failing record of self-regulation.

Research was conducted by GREY2K USA Worldwide over the course of thirteen years. In compiling this report we have followed strict guidelines:

- All information is recent and all data relates to ongoing practices.
- All information was gathered from state records, industry statements, and reports by mainstream news organizations.
- Historic and contemporary photographs were in large part taken by industry representatives themselves.

We would like to thank the American Society for the Prevention of Cruelty to Animals for providing the funding needed to produce this report.

Dogs play an important role in our lives and deserve to be protected. It is time to make the common sense and compassionate choice that the greyhounds have long been waiting for. It is our hope that readers will appreciate the humane and economic problems inherent to dog racing and join us in supporting an end to this cruel activity.

Christine A. Dorchak, Esq.  
President, GREY2K USA Worldwide  
Arlington, Massachusetts



The American Society for the Prevention of Cruelty to Animals (ASPCA) was founded by Henry Bergh in 1866 with the mission to provide effective means for the prevention of cruelty to animals throughout the United States. Today, we continue fighting to end some of the same forms of cruelty that spurred Bergh to found the ASPCA 150 years ago. Yet new forms of cruelty, including greyhound racing, have emerged since Bergh's death and continue to plague our humanity. Thanks in large part to the work of GREY2K USA Worldwide, dog racing is one form of cruelty that will be eliminated in our lifetimes. We are well on our way, and it is my sincerest hope that this report will rapidly advance us towards that goal.

This document is the culmination of more than a decade of in-depth research exposing the systematic cruelty inflicted upon these gentle, helpless animals. The wanton suffering and killing of dogs exploited for this "sport" is an atrocity that cannot endure once exposed to the glare of a spotlight.

So often, animal protection issues pit the welfare of animals against those who seek to profit from their suffering. Typically, the more our adversaries stand to profit from abuse, the tougher our fight to prevent cruelty becomes. In the case of greyhound racing, where tracks are now losing millions of dollars from engaging in this cruel enterprise, profit and the prevention of cruelty are on the same side. Ending dog racing is not only a moral imperative – it makes economic and political sense.

I hope that you will read and digest the information in this report and join us in the fight to swiftly bring an end this intolerable practice.

Nancy Perry  
Senior Vice President, ASPCA Government Relations  
New York, New York

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# EXECUTIVE SUMMARY

A photograph of a greyhound dog lying in a turnout pen. The dog is wearing a blue muzzle and a green collar. The pen is filled with sand or dirt.

## INDUSTRY PROFILE

- Greyhound racing is illegal in 39 states
- There are twenty-one operational dog tracks in seven states
- Four states have laws that require dog racing as a prerequisite for other gambling
- Greyhound racing is regulated by state or county Racing Commissions

## GREYHOUND POPULATION

- Since 2008, more than 80,000 young greyhounds have entered the racing industry
- A population of 500 to 1,000 dogs is required to operate each commercial track
- Greyhounds begin racing at eighteen months of age, and race until they are three or four
- Racing dogs generally compete every four days
- There are no verifiable statistics on greyhounds adopted and killed annually

## GREYHOUND BREEDING

- There are an estimated 300 greyhound breeding facilities in the United States
- Female greyhounds are artificially inseminated, and have average litter sizes of 6.5
- Greyhounds are tattooed in both ears when they are a few months old

## GAMBLING DATA

- At dog tracks, gamblers bet against each other in a form of wagering called pari-mutuel
- In 2012, \$665 million was wagered on greyhound racing nationwide
- Nearly three-quarters of all dog race gambling occurs off track
- Greyhound simulcast wagering occurs in at least fifteen states that do not have live races

## GREYHOUND RACING IS A DYING INDUSTRY

- Between 2001 and 2012, gambling on dog races declined by 66%
- Since 1991, forty-one dog tracks have closed or ended live racing
- Track operators are seeking to reduce or eliminate racing mandates
- Greyhound breeding declined by 57% between 2002 and 2013
- Key industry members have acknowledged that dog racing is no longer viable
- Between June 2012 and November 2013, Florida dog tracks lost \$42 million on racing

## ECONOMIC IMPACT

- The industry uses employment and revenue claims that are at least five years old
- Greyhound racing is subsidized with millions in profits from other forms of gambling
- Government revenue from dog racing has declined by 79% since 2001
- In 2012, government revenue from dog racing represented only \$15 million nationwide
- When regulatory costs are included, states are losing money on dog racing
- A 2011 academic study found that greyhound racing has a negative impact on state revenues
- The National Greyhound Association has only 1,398 members nationwide

## GREYHOUNDS ENDURE LIVES OF CONFINEMENT

- Greyhounds are kept in warehouse-style kennel compounds, in rows of stacked cages
- Dogs are confined for long hours each day
- Dog tracks use metal cages, and shredded paper or carpet remnants as bedding
- Three racing states do not have minimum cage size requirements
- For the states with cage size requirements, the average size requirement is 42.5"L x 30.75"W x 33.5"H
- Large greyhounds cannot stand fully erect in dog track cages
- Only one racing state regulates the total daily confinement time at dog tracks

## GREYHOUNDS SUFFER SERIOUS INJURIES

- Since 2008, 11,722 greyhound injuries have been documented nationwide
- Since 2008, over 3,000 broken legs have been documented
- Other reported injuries included fractured skulls, broken necks, and electrocutions
- Alabama and Florida do not report greyhound injuries to the public

## GREYHOUND DEATHS

- At least 909 greyhound deaths have been documented since 2008, including 758 injured dogs
- In Florida, a racing greyhound dies every three days

## CRUELTY AND NEGLECT

- Since 2008, at least 27 cases of greyhound cruelty and neglect have been documented
- Cases included dogs that were starved to death, and greyhounds denied veterinary care
- State inspection reports have repeatedly documented poor track kennel conditions
- A case of live lure training was documented in Texas in 2011

## DRUGS

- Since 2008, at least sixteen racing greyhounds have tested positive for cocaine
- Female greyhounds are routinely given anabolic steroids to prevent estrus

## DIET

- Greyhounds are fed "4-D" meat from diseased animals as a means of reducing costs
- There are significant health problems associated with this meat
- The FDA discourages the use of 4-D meat, and prohibits its use in interstate commerce

## TRACK ISSUES

- Commercial pesticides, such as Termidor, are used to control fleas and ticks
- Greyhounds have repeatedly died from illness outbreaks, including canine influenza
- Racing greyhounds sometimes have expired vaccinations
- Greyhounds race in extreme weather conditions
- More than 2,200 state disciplinary rulings have been issued since 2008

## TRANSPORTATION

- Greyhounds frequently race at multiple tracks during their careers
- Dogs are transported long distances in unregulated haulers
- Greyhounds have repeatedly died while being transported

## INADEQUATE REGULATION

- Racing Commissions have a history of regulatory failures
- Violent felons can be licensed to work directly with greyhounds in Florida
- The Florida Division of Pari-Mutuel Wagering is slow to act on disciplinary matters
- Industry attempts at self-regulation have proven to be ineffective



# FOREWORD

## HISTORY OF GREYHOUND RACING IN THE UNITED STATES

The first recognized commercial greyhound racetrack in the United States was built in Emeryville, California in 1919 by Owen Patrick Smith and the Blue Star Amusement Company.<sup>1</sup> The track was oval in design and featured Smith's new invention, the mechanical lure, thought to offer a more humane alternative to the live lures used in traditional greyhound field coursing.<sup>2</sup> By 1930, sixty-seven dog dog tracks had opened across the country – none legal.<sup>3</sup>

The first of the new tracks used Smith's lure running on the outside rail, while other tracks used an alternative lure running on an inside rail.<sup>4</sup> Dogs at Smith's tracks wore colored collars for identification, while dogs at other tracks wore the racing blankets still used today.<sup>5</sup> Due to the scarcity of greyhounds, two-dog races were common; later the number of dogs was increased to as many as eight.<sup>6</sup> Some dogs had to race several times in one afternoon.<sup>7</sup>



Tampa's Greyhound Race Track in the 1920's. Photograph from the Greater Tampa Chamber of Commerce Collection, City of Tampa Archives

Despite schemes to hide betting, such as the purchase of "options" or "shares" of winning dogs (or even pieces of the betting stands themselves), tracks were regularly exposed as venues for illegal gambling and related criminal activities. Individual tracks would run for a day or a week before being raided, and then open again once the coast was clear.<sup>8</sup> This was referred to as "running on the fix" and failed tracks were called "bloomers."<sup>9</sup> One owner of dogs during this early period commented, "In some towns you had to be faster than your dogs to get your kennel cages out of town ahead of the law. If you ran second, they had their own kind of cage for you."<sup>10</sup> It is believed that Smith originally envisioned basing his profits entirely on 99-cent gate receipts, but soon realized that gambling would attract bigger crowds.<sup>11</sup> Rumors of drugged dogs and fixed races became common, and early tracks gained "unsavory reputations" because of their perceived involvement with mobsters.<sup>12</sup>

These perceptions aside, a bid to recognize dog racing as a legal activity was brought before the U.S. Supreme Court in 1927.<sup>13</sup> Following the passage of a statute authorizing so-called "regular race meetings" in the state of Kentucky, O.P. Smith and his partners had opened a 4,000-seat, \$50,000 facility in Erlanger. The Court found that horse tracks qualified under the state statute, but dog tracks did not.<sup>14</sup> Similarly, it would be future Supreme Court Chief Justice Earl Warren, then the attorney general of California, who would block the growth of dog racing in his state. The original Blue Star track in Emeryville had been shuttered after fewer than three seasons in 1922, but multiple tracks had succeeded it, all of which Warren successfully worked to close down by 1939.<sup>15</sup>

The first state to allow dog tracks to operate legally was Florida.<sup>16</sup> In 1931, lawmakers there passed a pari-mutuel bill over Governor Doyle E. Carlton's veto.<sup>17</sup> By 1935, there were ten licensed tracks operating in the Sunshine State.<sup>18</sup> According to the *Tallahassee Democrat*, the Governor had refused a \$100,000 bribe to sign the legislation.<sup>19</sup> Oregon and Massachusetts became the next states to authorize dog racing, in 1933 and 1934 respectively.<sup>20</sup> Bay State Governor Joseph Buell Ely, a Republican, signed the emergency bill in Massachusetts authorizing horse racing – despite the fact that dog racing was also included. Setting his "personal objections" to the latter aside, he chose to ignore the clear objections of his party in hopes of finding new sources of revenue during the Great Depression.<sup>21</sup> New York Governor Herbert H. Lehman was also no fan of dog racing, and vetoed the dog racing bill presented to him in 1937. The State Racing Commission had advised that dog racing was an invitation to fraud, "anti-economic and opposed to the best interests of sports," and particularly detrimental to the existing enterprise of horse racing.<sup>22</sup> In the neighboring state of New Jersey, lawmakers approved a "temporary" or trial dog racing authorization in 1934, but the state Supreme Court struck it down as unconstitutional one year later.<sup>23</sup> In 1939, Arizona became the fourth state to legalize dog racing during the Depression era.<sup>24</sup>

Although church groups, civic and humane organizations rallied in opposition, the new industry of greyhound racing

continued to grow, with Colorado and South Dakota both legalizing it in 1949.<sup>25</sup> Arkansas legalized dog racing in 1957 and that state's Southland Greyhound Corporation was among the six new American tracks to open during the 1950s. Southland's debut was marred by the electrocution of a greyhound during a promotional race, which added to the bitter opposition of local media to the new track. For years, Memphis newspapers would not accept paid advertisements from the facility.<sup>26</sup>

Greyhound racing was legalized in the twelve additional states of Alabama, Connecticut, Idaho, Iowa, Kansas, New Hampshire, Nevada, Rhode Island, Texas, Vermont, West Virginia and Wisconsin through the 1970s and 1980s. Now legal and operational in nineteen states, dog racing had reached its peak.<sup>27</sup> However, despite this pro-industry trend, lawmakers in states like Montana resisted and were never to authorize the activity.<sup>28</sup> Similarly, voters in the state of California rejected two initiatives intended to legalize dog racing. The last 1976 ballot question was brought by George Hardie of the Golden State Greyhound Association and lost by the significant margin of 25%-75%. In an open letter published in *The Greyhound Review*, he had urged the national industry to support his campaign, but to no avail.<sup>29</sup>

Referred to as the "Sport of Queens," perhaps in reference to Queen Elizabeth I's promotion of greyhound coursing in the sixteenth century, dog racing sought to promote itself as elite, glamorous and on a par with its traditional competitor, horse racing.<sup>30</sup> Even before legalization, Owen Patrick Smith created an organization to market dog racing. The International Greyhound Racing Association, though never actually international, was formed in 1926 in Miami.<sup>31</sup> In 1946, Florida track owners united to form the American Greyhound Track Owners Association, which later welcomed owners from across the country. It published the *Greyhound Racing Record* and released the *American Greyhound Racing Encyclopedia* in 1963, both intended to deliver good news about dog racing and to provide a "clear narrative" to the American public.<sup>32</sup> In 1973, the National Coursing Association renamed itself the National Greyhound Association and opened its doors in Abilene, Kansas. To this day, a racing greyhound must be registered with the NGA in order to compete; the trade group maintains official breeding records and publishes *The Greyhound Review*.<sup>33</sup> Perhaps the most well-known promotion for dog racing is the Greyhound Hall of Fame, a museum and exhibit center also located in Abilene.<sup>34</sup> At its height, dog racing was rated as the sixth most popular sporting activity in the country.<sup>35</sup>

Proponents of dog racing in Florida were perhaps the most enthusiastic of all in emphasizing the "sun and fun" to be had at its facilities. Beauty pageant winners, baseball stars, and famous celebrities like Joe DiMaggio, Babe Ruth, Lou Gehrig, Burt Reynolds, Janet Leigh, Tony Curtis, and even Old Blue Eyes, Frank Sinatra, made multiple appearances at dog tracks in the Sunshine State. In 1958, Sinatra filmed a movie about a dog track gambler at the Flagler Kennel Club and one year later, he appeared on the cover of the *Greyhound Racing Record* along with a woman newly crowned as the "Queen of American Greyhound Racing." Beside them was the winning dog in a race named after the famous singer.<sup>36</sup> Tracks in other states also attracted celebrity visits. Talk show host Merv Griffin was pictured at the Multnomah, Oregon track and both John Wayne and Paul Newman made appearances at Tucson Greyhound Park in Arizona.<sup>37</sup>

Early dog tracks, starting with Emeryville itself, offered hurdle racing as well as races of different lengths to attract audiences.<sup>38</sup> Florida, Kansas and Texas tracks, as well as some of the shuttered California, New Jersey, New York, Ohio, and Oklahoma tracks, even used monkeys as jockeys to try and pique interest.<sup>39</sup> The animals were sometimes shaken to death during performances, causing local humane societies to put a stop to this particular gimmick.<sup>40</sup> Dog tracks also offered musical entertainment, live radio broadcasts and cross-promotions with other entertainment venues, including movie theaters and even horse tracks, both to boost their popularity and to ward off complaints from neighboring businesses.<sup>41</sup> However, later greyhound racing proponents would reject the opportunity to broadcast races on television, for fear of losing on-track bettors. This decision put dog racing at a competitive disadvantage with horse racing, which was coincidentally legalized in the major media markets of New York and California and eagerly capitalized on the new medium.<sup>42</sup> Lacking a mainstream audience, individual dogs were never to achieve the acclaim of champion horses like Seabiscuit or Seattle Slew. Winning greyhounds such as Mission Boy, Rural Rube, Downing, and Keefer would remain unknown to the general public, celebrated only in the record books of the NGA.<sup>43</sup>



A monkey riding a greyhound. Photograph by the Buffalo Times, 1935

In the backdrop of its push to build popularity, dog racing was still challenged to distance itself from organized crime.<sup>44</sup> Joe Linsey, three-time president of the AGTOA and also a convicted bookmaker, owned the original Taunton, Massachusetts track, five Colorado tracks, and the Lincoln, Rhode Island facility.<sup>45</sup> Gangsters Meyer Lansky, Bugsy Siegel, Lucky Luciano and particularly Al Capone were said to have interests in tracks such as the Hawthorne track in Illinois and the Miami Beach and Hollywood Kennel Clubs of Florida.<sup>46</sup> In 1950, the U.S. Senate Special Committee to Investigate Organized Crime in Interstate Commerce looked at these connections and charged that Chicago mobsters had infiltrated Florida dog track operations, controlled the state racing commission and funneled illegal contributions to politicians.<sup>47</sup>

More conflict arose within the industry itself when “dogmen,” the breeders, handlers, kennel operators and others working at dog tracks, went on strike several times.<sup>48</sup> In 1935, 1948, 1957, and again in 1975, they demanded greater fairness in bookings and a higher cut of the bets made on their dogs. The 1948 strikes were led by the short-lived Greyhound Owners Benevolent Association, modeled after similar groups working successfully in the horse industry.<sup>49</sup> In 1975, multiple strikes were tried in several states, none successful. The “Flagler 18” was a group of dogmen associated with the Miami track. The court ordered them to return to work; they refused and found themselves locked up in jail.<sup>50</sup> Twenty-three greyhound owners also struck in New Hampshire, and in Arizona, dogmen threatened to kill twenty-five dogs a day until track management would agree to their demands. State Attorney General Bruce Babbitt obtained a restraining order to block the killings and described the failed ploy as “senseless, repulsive, inhumane, unjust [and] immoral.”<sup>51</sup>

These strikes attracted public interest, and the media responded with intense coverage beginning in the 1970s. While questions had always been raised about the underfed appearance of racing greyhounds, increased media attention would now focus on the humane issues surrounding racing itself.<sup>52</sup> In September 1975, the *National Enquirer* published an article, “Greyhound Racing – Where Brutality and Greed Finish Ahead of Decency,” causing alarm among industry proponents such as Gary Guccione, once a writer for the National Coursing Association and now Executive Director of the National Greyhound Association.<sup>53</sup> The first major televised report came from young investigative reporter Geraldo Rivera. His first-hand look at the training and coursing of Kansas greyhounds with live lures aired in June 1978 on the ABC program *20/20*.<sup>54</sup> Concerns were raised in Washington DC, where U.S. Senator Birch Bayh introduced a bill to make it a federal crime to engage in live lure training. His proposed amendment to the Animal Welfare Act was never to become law, amid promises from the industry to police itself.<sup>55</sup> Despite this pledge, state officials continued to uncover live lure training in the years to come. In 2002, Arizona greyhound breeder Gregory Wood lost his state license when state investigators found 180 rabbits at his kennel, and as late as 2011, licensee Timothy Norbert Titsworth forfeited his state privileges when Texas authorities caught him on tape training greyhounds on his farm with live rabbits.<sup>56</sup>

Exposés continued to air on programs like *Inside Edition* and *National Geographic Explorer*, while national magazines including *Life*, *Reader’s Digest* and *Ladies’ Home Journal* featured full-length articles on the cruelty of dog racing.<sup>57</sup> The discovery of one hundred ex-racing greyhounds, shot and buried in an abandoned lemon grove in Chandler, Arizona was brought to light by the *Arizona Republic*.<sup>58</sup> A greyhound burial ground serving the Hinsdale track of New Hampshire was uncovered by Fox News.<sup>59</sup> The *New York Times* broke the story in 2002 that a security guard working at Florida tracks had received thousands of unwanted dogs over the years, shooting them in the head and burying them on his Alabama farm. Robert Rhodes, who died before he could be brought to trial, reportedly charged \$10 apiece for his services.<sup>60</sup>



The Alabama farm of Robert Rhodes. Photograph by the Florida Department of Business and Professional Regulation, 2002

Overbreeding of greyhounds had become a problem in the dog racing world very early on.<sup>61</sup> A 1952 article in the *Greyhound Racing Record* calculated that less than thirty percent of greyhounds born on breeding farms were usable for racing.<sup>62</sup> A May 1958 article published in the popular men’s magazine *Argosy* quoted one kennel operator-breeder as explaining that there were three types of greyhounds in a litter: those who race, those who breed, and those who are destroyed. The cover featured four racing greyhounds with the question, “Must these dogs die?”<sup>63</sup> Later, in the 1970s, as more and more states authorized dog racing and the industry grew, the NGA’s approval of artificial insemination techniques facilitated greyhound breeding, making it easier and less expensive to produce more and more litters.<sup>64</sup> Small farms had about forty breeding dogs, medium-size facilities averaged about one

hundred, and the larger facilities housed many times this number.<sup>65</sup> Thousands of racing dogs were dropped off at the Massachusetts SPCA as late as 1985, humanely destroyed for a fee of \$3 each.<sup>66</sup> In 1990, the director of Arizona's Maricopa County shelter reported killing up to 500 greyhounds each year, the dogs dropped off by greyhound breeders and racers who ordered them destroyed. Her plans to build another county pound to save the greyhounds fell through.<sup>67</sup> Worse still, some kennel owners continued to feel that it was "not only expedient, but humane" to just shoot unwanted greyhounds between the eyes and be done with them.<sup>68</sup>

Other media coverage exposed the use of ex-racing greyhounds for experimentation.<sup>69</sup> In 1989, the *Associated Press* reported on the illegal sale of twenty young greyhounds to the Letterman Army Institute of Research in San Francisco for bone-breaking protocols.<sup>70</sup> Then, over a three-year period between 1995 and 1998, 2,600 ex-racers were donated for terminal teaching labs at the Colorado State University veterinary school. The *Rocky Mountain News* reported on the public outcry that led to the end of the program.<sup>71</sup> In the Spring of 2000, the *Wisconsin State Journal*, the *Des Moines Register* and the *Chicago Sun-Times* were among the newspapers that reported on the sale of one thousand greyhounds to the Guidant cardiac research lab in Minnesota. NGA member Daniel Shonka, who accepted the dogs on the premise of placing them for adoption, instead sold them to Guidant for \$400 each.<sup>72</sup> Eight years later in 2006, history repeated itself when the *Denver Post* reported that licensee Richard Favreau, who had also released dogs to CSU, received \$28,000 to place approximately two hundred additional greyhounds, but could only account for a handful of them.<sup>73</sup> The *Tucson Weekly* confirmed that Favreau would provide no documentation for the one hundred and eighty greyhounds he had received from Tucson Greyhound Park. As with all of these cases, Susan Netboy of the Greyhound Protection League worked to expose the situation, creating a "public-relations nightmare" for the entire dog racing industry in the process.<sup>74</sup> Netboy was a regular contributor to the national anti-racing newsletter, *Greyhound Network News*, which had been launched in 1992 by Joan Eidinger.<sup>75</sup>

With media attention intensifying, the industry formed the American Greyhound Council in 1987 to promote the adoption of ex-racers and lead damage control efforts. A joint project of the AGTOA and NGA, the AGC also put in place the industry's first inspection system for racing and breeding kennels.<sup>76</sup> A "Greyhound Rescue Association" had been launched the year before in Cambridge, Massachusetts by anti-racing activist Hugh Geoghegan, and the AGC followed with its own "Greyhound Pets of America" chapters, requiring members to be "racing neutral."<sup>77</sup> Independent organizations like USA Defenders of Greyhounds were opened in 1988, followed by the National Greyhound Adoption Program in 1989, Greyhound Friends for Life (1991), Retired Greyhounds as Pets (1992), and Greyhound Companions of New Mexico (1993).<sup>78</sup> Where there had been just twenty adoption groups nationwide in these early days, by 2004 there were nearly three hundred.<sup>79</sup> Greyhounds were welcomed into homes all across the country, many adopters pointing out that their dogs were "rescued."<sup>80</sup>

As interest in greyhound racing declined, greyhound racing produced fewer and fewer tax dollars and some states reportedly began taking a loss on the activity.<sup>81</sup> According to the Association of Racing Commissioners International, the amount of money wagered on live racing has been more than cut in half since 2001.<sup>82</sup> The 1990s closure of tracks such as Key West, Interstate, Green Mountain, Black Hills, Yuma, Fox Valley, Sodrac, Coeur D'Alene, Biscayne, Greenetrack, Wisconsin Dells and Waterloo across nine states precipitated this decline. Thirty more tracks were to cease live racing over the decade that followed, and by 2014 only twenty-one tracks remained in just seven states.<sup>83</sup> The closure of one of the nation's original tracks, Multnomah Greyhound Park in Oregon (Christmas Eve 2004) was particularly "demoralizing" for the industry.<sup>84</sup>



Closed Waterloo Greyhound Park in Iowa.  
Photograph by GREY2K USA, 2010

All these closures resulted in the end of dog racing in the states of Connecticut, Kansas, Oregon and Wisconsin, although no legislation has followed to make commercial greyhound racing illegal *per se* in these jurisdictions.

Since the early 1980s, track owners had been allowed to share signals and take wagers on each others' races. "Simulcasting" was one tool that helped the industry, but once more the dogmen felt left out. In 1989, they attempted to pass a federal bill to secure a greater share of wagering proceeds and to have veto power over inter-track agreements. H.R. 3429, the Interstate Greyhound Racing Act, was modeled after the successful Interstate Horse Racing Act of 1978 but was doomed to fail once the AGTOA came to oppose it. Track owners challenged the measure as unnecessary federal regulation and criticized it as a "private relief" bill for greyhound owners.

Representing the NGA, Gary Guccione testified that less than one half of his members could even cover their costs of operation – but relief was not to come.<sup>85</sup>

Worse for industry proponents, new competition for live racing also presented itself in the form of state lotteries, Indian casinos and casino-style gambling opportunities at the tracks themselves.<sup>86</sup> During hearings for the Indian Gaming Regulatory Act of 1988, the NGA expressed interest in joining forces with Native American Interests; but again the AGTOA stepped in and testified before Congress that the combination would allow unsavory elements to infiltrate Native American communities and provide a powerful “magnet for criminal elements.” Track owners seemed more than willing to remind lawmakers of old-time dog racing’s association with organized crime in order to insulate their business.<sup>87</sup>

Beginning in the early 1990’s, states also began turning back the clock on the industry. Seven states and the U.S. Territory of Guam repealed their authorization of pari-mutuel wagering on live dog racing during this period, and some also banned simulcast wagering on greyhounds. Vermont (1995), Idaho (1996), Nevada (1997), Guam (2009), Massachusetts (2010), Rhode Island (2010), New Hampshire (2010) and Colorado (2014) all passed dog racing prohibitions. Additionally, South Dakota allowed its authorization for live greyhound racing to expire as of December 2011 and the five states of Maine (1993), Virginia (1995), Washington (1996), North Carolina (1998) and Pennsylvania (2004) all passed preemptive measures.<sup>88</sup>



Cloverleaf clubhouse and track in Colorado. Photograph by GREY2K USA, 2009

In fact, the campaigns to pass prohibitions in Maine, Virginia, Washington, North Carolina and Pennsylvania were prophylactic in nature, designed to stave off attempts to introduce dog racing to these jurisdictions. The anti-racing newsletter *Greyhound Network News* documented the efforts of women such as Evelyn Jones, Sherry Cotner and Ellie Sciarba in leading these campaigns through successful petition drives followed by legislative action.<sup>89</sup> Vermont’s “Gator Bill” passed after shelter manager John Perrault offered photographs of a room full of dead greyhounds to lawmakers. The dogs had been among the truckloads he was asked to destroy once the dog racing season ended at the Green Mountain track each year.<sup>90</sup> Scotti Devens of Save the Greyhound Dogs! and Greyhound Rescue Vermont lobbied for the bill that was ultimately signed by Governor Howard Dean.<sup>91</sup> Lawmakers in Idaho acted after documentation surfaced about the electrocution, shootings and throat slashings of unwanted dogs. Both the Greyhound Protection League and Greyhound Rescue of Idaho advocated for Governor Phil Batt to sign a racing prohibition into law. An avowed dog lover, he signed the bill with his poodle-schnauzer on his lap, remarking, “Dog racing depends upon selecting a few highly competitive dogs out of a large group. It hardly seems worth it to me to go through that process of breeding and killing the ones that can’t compete, just to have the sport.”<sup>92</sup>



Opponents of dog racing rally in Massachusetts. Photograph by GREY2K USA, 2008

In Massachusetts in 2000, after years of unsuccessful legislative bills, grassroots opponents of dog racing filed a ballot question to repeal the dog racing laws there. The Grey2K Committee’s referendum failed by a margin of 51%-49%. In 2008, a similar measure, Ballot Question 3, was led by successor group GREY2K USA in partnership with the Massachusetts SPCA and the Humane Society of the United States.<sup>93</sup> This time, Massachusetts citizens voted 56% to 44% to shutter both of the Bay State’s dog tracks. The last race was held at Raynham Park on December 26, 2009.<sup>94</sup> Lawmakers in Rhode Island and New Hampshire followed suit and opted to make dog racing illegal as well, resulting in the denouement of dog racing in all New England states by 2010.<sup>95</sup>

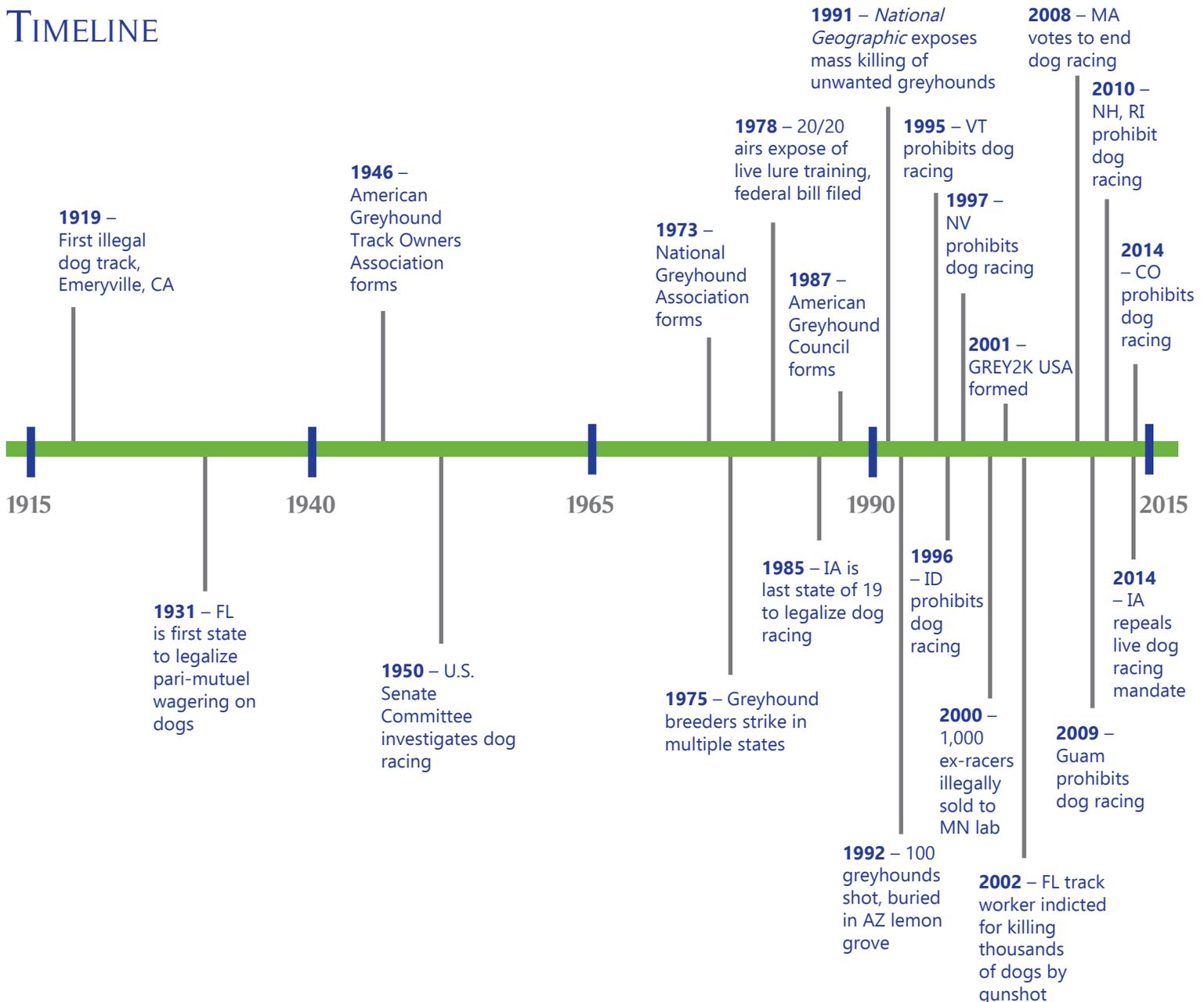
Slot machines were thought to offer new hope for remaining tracks, but this has truly been a double-edged sword, pitting track owners against dogmen. As tracks in states like Iowa, Rhode Island, and West Virginia were initially granted casino-type gambling, they were also

required to share their profits with live racing interests. This enhanced a divide that has now resulted in track owners joining with greyhound advocates to pass bills to repeal statutory racing mandates and separate live racing from other activities at the tracks.<sup>96</sup> Thanks to the passage of such “decoupling” legislation in 2014, and in exchange for a cessation payment of \$65 million from track operator Caesars Entertainment to its greyhound owners, Iowa’s Council Bluffs dog track has been released from offering live racing as of December 2015. The second track in

Dubuque may also choose to wind down under the new law.<sup>97</sup> An earlier bill, filed in 2010 by GREY2K USA in Arizona, failed to pass when track owners there hesitated to support it. The measure never left committee.<sup>98</sup> Two sessions later, Tucson Greyhound Park filed and passed its own version of the legislation. SB 1273 of 2012 called for live racing to be reduced to one hundred calendar days, with an opportunity for full decoupling with the consent of the dogmen. No further reduction has occurred since that time.<sup>99</sup>

Over the last several years, GREY2K USA, now allied with both the American Society for the Prevention of Cruelty to Animals and the Humane Society of the United States, has been working actively to phase out greyhound racing in Florida. Since 2011, the *Associated Press* and newspapers across the state including the *Miami Herald*, *Broward Palm Beach New Times*, and the *Sarasota Herald-Tribune* have published repeated stories about the politics and problems of dog racing. Reporters have described the injuries and deaths suffered by racing greyhounds, the discovery of drugged dogs, and the lax regulations allowing convicted criminals, including animal abusers, to work in the industry.<sup>100</sup> Television stations have interviewed lawmakers, track owners, greyhound advocates and breeders alike.<sup>101</sup> Additionally, multiple editorials have been published against dog racing and in favor of decoupling – but so far no legislation has passed.<sup>102</sup> Home to twelve of the remaining twenty-one American dog tracks, Florida remains the heart of the dog racing industry and the center of this debate.<sup>103</sup> In 2014, dog racing also continues in the states of Alabama, Arizona, Arkansas, Iowa, Texas and West Virginia.

## TIMELINE



# SECTION 1

## PROFILE OF THE COMMERCIAL DOG RACING INDUSTRY

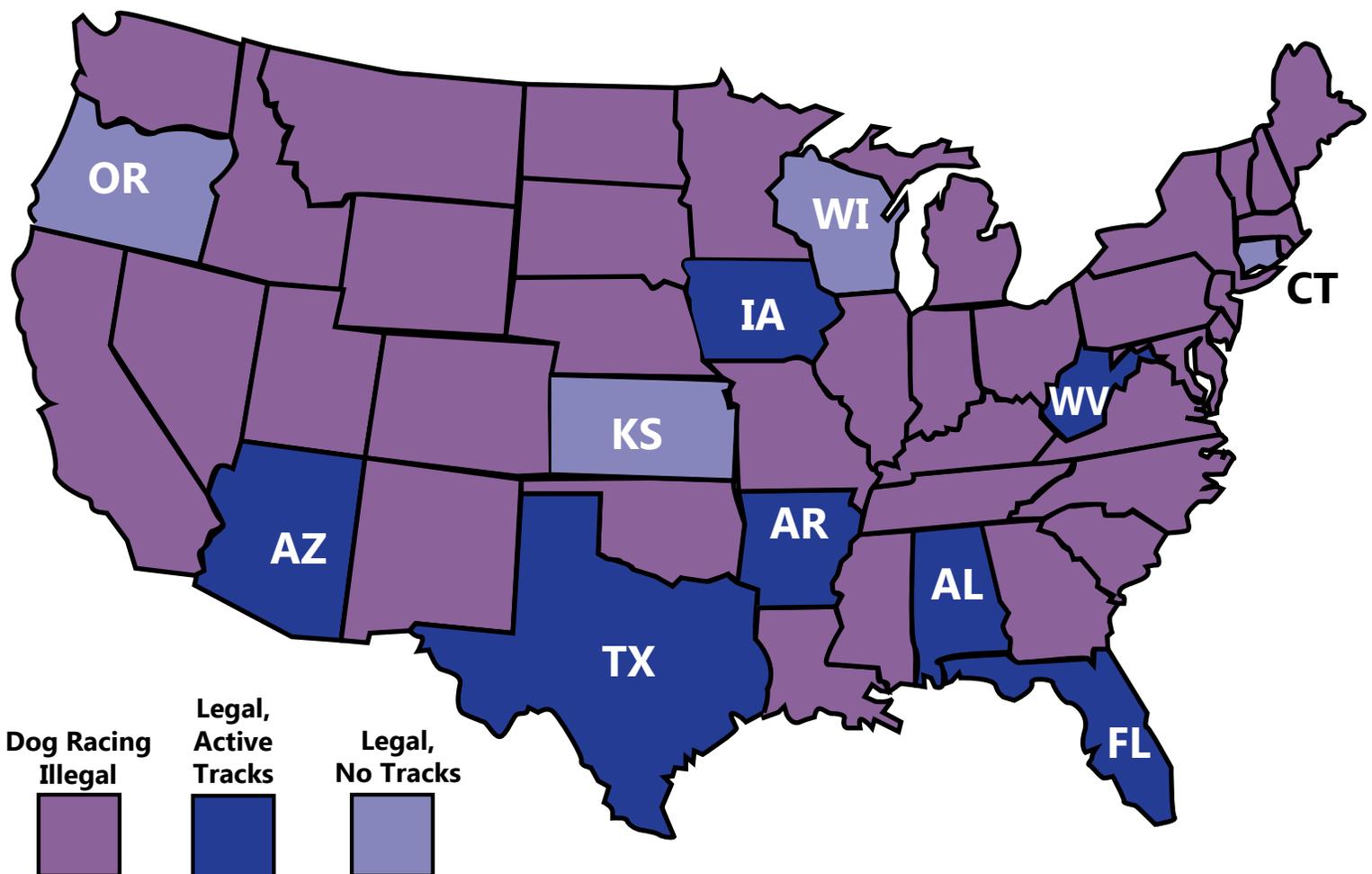
### 1A. LEGAL AND OPERATIONAL STATUS

Commercial greyhound racing is illegal in thirty-nine states. In four states, all dog tracks have closed or ceased live racing, but commercial greyhound racing is still legal. Those states are Oregon, Connecticut, Kansas and Wisconsin. In the remaining seven states, pari-mutuel dog racing is legal and operational.

#### State dog racing mandates

In Alabama, Arkansas, Florida and West Virginia, **state law requires tracks to conduct a certain number of live races** in order to offer other, more profitable forms of gambling. Secondary gambling options include simulcast wagering on horse races, poker, and slot machines. In **Texas, the law requires dog tracks to be “active,”** a nebulous designation that has generated controversy.<sup>104</sup>

In 2012, legislation was signed by Arizona Governor Jan Brewer that **removed a year-round mandate for live racing** at Tucson Greyhound Park.<sup>105</sup> The bill initially allowed the track to reduce its number of live races to 100 per year, and **after February 2013 it could cease live races altogether**, as long as an agreement was made with kennel operators. However, TGP has not utilized the option to end races to date. Similar legislation passed in Iowa in 2014, with Bluffs Run **planning to end live greyhound racing at the end of 2015**.<sup>106</sup>



## Operational Tracks

There are currently twenty-one operational greyhound tracks in seven states. The tracks are as follows:

### Alabama

1. Birmingham Race Course (year round racing)
2. Mobile Greyhound Park (year round racing)

### Arizona

1. Tucson Greyhound Park (year round racing)

### Arkansas

1. Southland Greyhound Park (year round racing)

### Florida<sup>107</sup>

1. Daytona Beach Kennel Club (year round racing)
2. Derby Lane (year round racing)
3. Ebro Greyhound Park (seasonal racing, May to September)
4. Flagler (seasonal racing, June to October)
5. Orange Park Kennel Club (year round racing)
6. Mardi Gras (seasonal racing, December to April)
7. Melbourne Greyhound Park (seasonal racing, March to June)
8. Naples Fort Myers Greyhound Track (seasonal racing, November to May)
9. Sanford Orlando Kennel Club (year round racing)
10. Palm Beach Kennel Club (year round racing)
11. Pensacola Greyhound Track (year round racing)
12. Sarasota Kennel Club (seasonal racing, November to May)



### Iowa

1. Dubuque Greyhound Park (seasonal racing, April to October)
2. Bluffs Run (year round racing)

### Texas

1. Gulf Greyhound Park (year round racing)

### West Virginia

1. Wheeling Island (year round racing)
2. Mardi Gras Casino & Resort (year round racing)

Although it is located in **Mexico**, the Caliente Greyhound Track in Tijuana is considered part of the US racing circuit. All of the dogs racing at Caliente were bred in the United States.<sup>108</sup> Caliente is considered a “**last stop**” track, where older or underperforming greyhounds are sent to race.<sup>109</sup>

## Industry participants and regulatory structure



Greyhounds in a racing kennel. Photograph from the Abernathy Kennels Facebook page, 2014

Greyhounds are bred at commercial facilities by professional breeders. They are purchased by owners, who **may never meet the dogs they own**. Dogs can either be purchased by individuals or by groups that pool their resources together, a form of co-ownership referred to as syndicates.<sup>110</sup> Some states prohibit syndicate ownership, but it's not clear whether these prohibitions are effectively enforced. Once they have been purchased the dogs are given to kennels, independent businesses that have a contractual arrangement with commercial racetracks.<sup>111</sup> Greyhound kennels are owned by kennel owners, and employ trainers who are **responsible for as many as one hundred dogs on a daily basis**.<sup>112</sup>

Dogs are shipped to racetracks by professional haulers. Greyhounds generally begin racing at approximately eighteen months of age, and usually race until they are three or four.<sup>113</sup> There are typically eight greyhounds that compete in a commercial race and around fifteen races are held on each racing day at US tracks.<sup>114</sup>

Greyhound racing is regulated on the state level by racing commissions, with the exception of Alabama where dog racing is regulated at the county level. Generally speaking, every participant in the racing industry must be licensed by the regulatory agency in that jurisdiction.

### Distribution of gambling dollars

At commercial dog tracks, gamblers wager against each other in a form of betting known as pari-mutuel. The total amount gambled, referred to as the handle, is redistributed after each race. **Most of the money is returned to winning bettors, with some of the remainder going to the track and the state in the form of taxes**.<sup>115</sup>

A portion of wagers is also paid out to the racing kennels. Races are divided by grade, with higher grade races consisting of faster and more successful greyhounds. Each track has a specific point value system, with increased grade and distance races generally resulting in higher points. Tracks distribute money to kennels based on how many points dogs from the kennel earn. These distributions are referred to as purse payments. Generally, the kennel with a winning dog receives 50% of the purse money, second place receives 25%, and third and fourth place collect 15% and 10%, respectively.<sup>116</sup> Purse payments for a given dog are split between the kennel and the dog's owner.<sup>117</sup> At lower paying tracks, kennel owners generally receive 65% and the greyhound's owners collect 35%.<sup>118</sup> At medium paying tracks, kennel owners receive 60% compared to 40% for dog owners, and the payments are split 50-50 at higher paying tracks.<sup>119</sup>

## 1B. GREYHOUND POPULATION AND LIFE IN THE RACING INDUSTRY

Since 2008, over 80,000 young greyhounds have been registered to race.<sup>120</sup> On average, a population of 500 to 1,000 dogs is required to operate a commercial racetrack. Greyhounds generally **compete at several tracks, in multiple states**, during their short careers. For example:

- As many as **8,000 greyhounds** are housed at Florida kennel compounds.<sup>121</sup> As of July 2014, around **900 greyhounds** were confined at the Daytona Beach Kennel Club.<sup>122</sup>
- As of April 2014, there were **721 greyhounds** at the racing kennels at Gulf Greyhound Park, with a majority (66%) having been bred in Texas.<sup>123</sup>
- In Arkansas there were seventeen kennels at Southland Greyhound Park in November 2014.<sup>124</sup> There were **1,200 greyhounds** kenneled at the track in 2012.<sup>125</sup>
- As of July 2014, there were fifteen kennels with **897**



Quick Reply, a greyhound at Southland Greyhound Park. Photograph from the Steve M. Sarras Kennels Facebook page, 2014

**greyhounds** on the kennel rosters at Bluffs Run.<sup>126</sup> There were fourteen kennels at Mystique in November 2014, although the exact number of dogs in each kennel was not available.<sup>127</sup>

- As of 2013, there were between **1,400** and **1,800 greyhounds** kept confined at two West Virginia track kennel compounds.<sup>128</sup>
- As of September 2014, there were **454 greyhounds** designated as active racers at the Birmingham, Alabama track.<sup>129</sup> There were six kennels at the Mobile track, although the exact number of dogs in each kennel was not available.<sup>130</sup>
- As of November 2014, there were seven racing kennels at Tucson Greyhound Park.<sup>131</sup> Although the exact number of dogs at the track was unclear, there were **202 female greyhounds** at the facility in July 2013.<sup>132</sup>



A greyhound kennel at Mardi Gras Casino in West Virginia. Photograph from the Maupin Greyhound Racing Kennel, 2014



An eight year old greyhound named Nita's Pilot gives birth at a WV breeding facility. Photograph by Ray Wong, 2011

days and all litters must be registered within three months of birth.<sup>139</sup> A Bertillon card is filled out for each registered dog, which describes fifty-six different points of physical characteristics and serves as a form of identification.<sup>140</sup> While at breeding facilities, **dogs are often kept outside**, in large dirt pens with **minimal shelter**. Greyhounds spend approximately one year at these locations before they begin formal race training.<sup>141</sup>

## Training and transport

Greyhounds are trained to race; a practice the industry refers to as "finishing," in several steps. The dogs will first generally learn to run on straight sprint paths. Then a Jack-a-Lure, a product invented in the 1970s as an alternative to live lure training, is introduced. The Jack-a-Lure is "designed to teach the greyhound to run after a moving object in a straight line."<sup>142</sup> Subsequently, greyhounds are transitioned to the whirligig, a device with a lure attached to the end of a long pole over a small circular track.<sup>143</sup> After mastering the whirligig, greyhounds are brought to a training track with a standard mechanical lure.

The dogs are also **conditioned to live in a commercial kennel compound** at around twelve to fourteen months of age. They are moved into **stacked wire cages** and let out four times a day for a total of up to four hours.<sup>144</sup> Other than these turnouts and one or two trips to the training track per week, the dogs are **generally confined in their cages**.

At about eighteen months of age, greyhounds are **sent to tracks across the country in hauling trucks**.<sup>145</sup> These haulers are **largely unregulated**.

## Life at greyhound breeding facilities

According to the National Greyhound Association (NGA), there are **300 greyhound breeding facilities and kennels** in the United States.<sup>133</sup> Around 60 of these are in Iowa, with a large number also located in Kansas and Oklahoma.<sup>134</sup>

Females are impregnated, many through **artificial insemination** by a veterinarian, and have their litters on site at the kennel.<sup>135</sup> At one Florida veterinary hospital, the insemination procedure can be performed for \$375.<sup>136</sup> According to the NGA, the average litter size for racing greyhounds is 6.5.<sup>137</sup> Puppies can remain with their mother for up to one-and-a-half months.<sup>138</sup> At a few months of age, **puppies' right ears are tattooed** with their birth date and order and an individual registration number is tattooed in the left ear. All breedings must be reported to the NGA within ten

# LIFE AT GREYHOUND BREEDING FACILITIES



A Triadelphia, West Virginia greyhound breeding farm. Photograph by Ray Wong, c. 2011



Nita's Pilot caged at a WV breeding facility. Photograph by Ray Wong, 2011



Vials of frozen greyhound sperm. Photograph by Ray Wong, c. 2010



Nita's Pilot with her puppies at a WV breeding facility. Photograph by Ray Wong, 2011



A greyhound puppy at a Kansas breeding facility. Photograph from the Shanenoel Vogoracing Facebook page, 2012



Greyhound puppies at a Kansas facility. Photograph by Sholtz Greyhounds Inc, 2010



A greyhound puppy is tattooed. Photograph by Ray Wong, 2011

# TRAINING AND TRANSPORT



A greyhound hauler. Photograph from the Signature Farm LLC Facebook page, 2012



A schooling training race. Photograph from the Signature Farm LLC Facebook page, 2012



Inside of a kennel at Ebro Greyhound Park. Photograph by Terri Suggs, 2013



Aerial view of Wheeling Kennel Compound. Image from Google Maps, 2013



Troubles Here, a greyhound at Mardi Gras Casino and Resort. Photograph by Maupin Greyhound Racing Kennel, 2014



Track turnout. Photograph from the Abernathy Kennels Facebook page, 2014



A greyhound is placed in a hauler. Photograph by Cal Holland, 2013

## Life at the track

At commercial tracks, greyhounds are kept in **warehouse-style kennels in rows of stacked cages**. These kennels are generally long narrow buildings situated inside a large compound, surrounded by a barbed wire perimeter fence and guard shack. In the cages, **shredded paper or carpet remnants** are commonly used as bedding. Each kennel building holds forty or more greyhounds.<sup>146</sup>

Greyhounds in the racing kennel are fed a set amount daily. Their diet consists of raw, rejected **"4-D" meat**, sometimes mixed with grains and vitamins.<sup>147</sup> The dogs are **"turned out" four times per day in a large group** and allowed to relieve themselves.<sup>148</sup> During these turn outs, the dogs are placed in fenced-in dirt or sand pens.

On average, **greyhounds compete every four days**.<sup>149</sup> On race days, they are transported from the kennel compound to the track, and placed in a holding kennel until their scheduled race. Before racing, dogs are weighed and inspected.<sup>150</sup> State officials and a veterinarian are generally present during each race.



Greyhounds caged at Florida dog track. Still from a video by Sanford Orlando Kennel Club, 2014

## Life after racing

After their racing days are over some greyhounds are sent to **adoption groups**, others are **used as breeding dogs**, and the **outcome for the remaining dogs is unknown**. Since states do not maintain disposition records, there are no verifiable statistics on the number of dogs killed nationally. In 2009, Gary Guccione, the Executive Director of the NGA, estimated that **2,000 to 3,000 racing greyhounds were killed each year**.<sup>151</sup> However, two years later the NGA acknowledged that there are **"no cumulative annual records"** available regarding the ultimate fate of racing dogs.<sup>152</sup> Therefore, the exact number of greyhounds that are adopted out after racing is also unknown. Despite this lack of data, the industry claims that "more than 90% of all registered greyhounds are adopted or returned to the farm as pets or breeders."<sup>153</sup>



A greyhound and her puppies. Photograph from Master Greyhounds Facebook page, 2014

There are hundreds of greyhound adoption groups across the country, with a majority focusing solely on the placement of racing dogs. The largest agency is Greyhound Pets of America (GPA), which has forty-seven chapters throughout the US.<sup>154</sup> GPA is partially funded by the American Greyhound Council (AGC), the public relations arm of the greyhound racing industry.<sup>155</sup> **In several racing states, the tracks are required by law to provide adoption services.** For example, in Florida every greyhound track is required to have a greyhound adoption booth at its facility.<sup>156</sup> In both Iowa and West Virginia, each track must have its own adoption program.<sup>157</sup>

## 1C. ECONOMIC IMPACT

### Industry claims

The AGC lists "economic impact statistics" on its website to show the financial contributions of the industry to governments and the overall economy. For example, the AGC claims that tracks employ over 14,000 people and pay more than \$18 million in payroll taxes.<sup>158</sup> However, the **AGC has been using the same figures since at least 2009**, when the industry was considerably larger.<sup>159</sup> As of September 2014, the AGC website had been updated to reflect a dramatic decrease in racing states and breeding farms, yet the economic impact claims remained the same.

**This employment claim is contradicted by the 2012 U.S. Economic Census**, which indicated that the total

number of racetrack employees in counties with active dog tracks was between 7,788 and 16,059.<sup>160</sup> This included full and part-time employees for all horse tracks, dog tracks, and auto racetracks. These figures represented the aggregate employment data for **58 total racetrack facilities**, of which **only 22 were dog tracks**.<sup>161</sup> The minimal employment opportunities provided by greyhound tracks is further supported by data from the Iowa Racing and Gaming Commission, which shows that the **two Iowa dog tracks have only eighty-eight racing employees**, including twenty-one out of state individuals.<sup>162</sup>

## Tax revenue and regulatory costs

Between **2001 and 2012, total government dog race revenue declined by 79%**, and by the end of that period represented only \$15 million nationwide.<sup>163</sup> This does not account for regulatory costs. When those costs are taken into consideration, it is likely that states are losing money on greyhound racing. According to a study commissioned by the Florida legislature, the state **lost between \$1 million and \$3.3 million on greyhound racing in 2012**.<sup>164</sup>

## Negative impact on state revenues

In a 2011 study, economic professors from Auburn University and the College of Charleston concluded that **greyhound racing tends to have a negative impact on state revenues** in the jurisdictions in which it exists. Specifically, the authors found that:

“Each additional dollar of greyhound handle is estimated to **reduce net state revenue** by a whopping and statistically significant **\$7.61**.”<sup>165</sup>

According to the researchers, this reduction is likely due to the fact that greyhound racing cannibalizes other parts of the economy:

“The casino and greyhound racing results indicate substitution away from other, revenue productive forms of spending which, **ultimately, leads to a reduction in state revenues**.”<sup>166</sup>

## 1D. AN INDUSTRY IN DECLINE

### Wagering and attendance

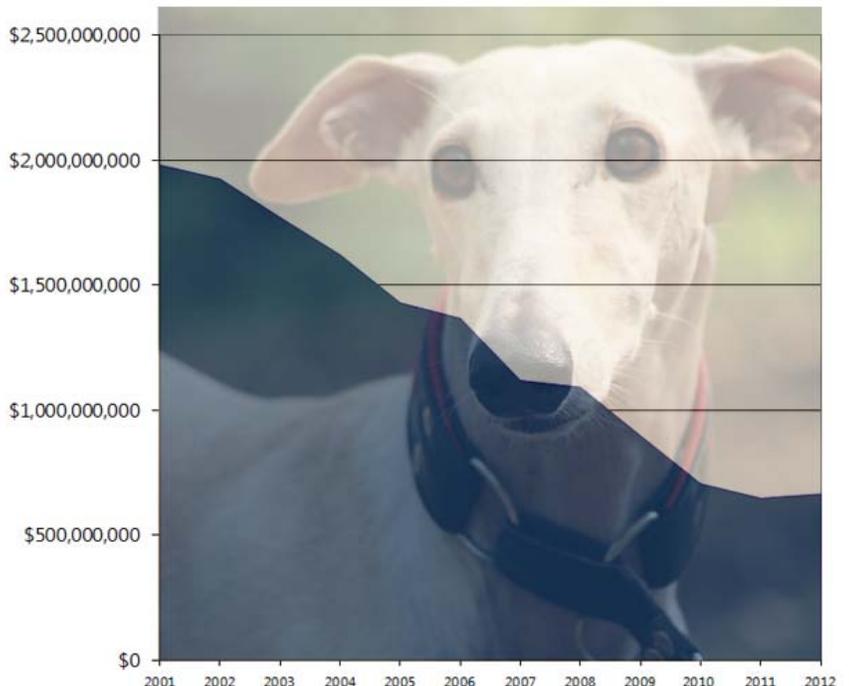
**Between 2001 and 2012, the total amount gambled on greyhound racing nationwide declined by 66%.**<sup>167</sup> This includes gambling on live dog racing, advanced deposit wagering, and simulcast gambling, where bettors wager remotely on races that take place elsewhere. In the same twelve-year time period, the amount wagered on live greyhound races alone declined by **79%**.<sup>168</sup>

Reported attendance at dog tracks across the country also continues to decline. For example, from 2008 through 2013 the attendance at Florida greyhound tracks declined by 67%, and by 59% at Texas greyhound tracks.<sup>169</sup>

### Greyhound breeding and industry membership are on the decline

As dog tracks close, the **number of greyhounds bred for racing continues to shrink**. A total of 10,657 individual dogs

**Total Amount Gambled on Greyhound Racing, 2001-2012**



were registered to race in 2013 as compared to 27,142 in 2002, a **decline of 61%**.<sup>170</sup> During the same period, the number of National Greyhound Association members decreased by 57%.<sup>171</sup> As of August 2014, there were only 1,398 NGA members nationwide.<sup>172</sup>

## Florida tracks are losing money on greyhound racing

According to state filings, Florida **dog tracks lost over \$42 million on racing between June 2012 and November 2013**.<sup>173</sup> During that same period, every greyhound track in the state lost money on racing. Eight permit holders were able to make up their losses with card room profits, further illustrating the fact that the tracks exist as profitable poker rooms forced to lose money on dog races.<sup>174</sup>

## Industry statements about economic viability

Key members of the dog racing industry have publicly acknowledged that greyhound racing is a dying industry and no longer viable.

- Pat Biddix, General Manger of Melbourne Greyhound Park in **Florida**, told a reporter in August 2014 it's "**time to quit racing dogs**. What we're doing is a little bit **barbaric**, we know that... For us, decoupling means [we can] stop running a business that has been losing money for about 11 years."<sup>175</sup>
- In 2014, Birmingham Race Course General Manager Joe O'Neil told a local reporter "It's just financial difficulties. **We're struggling to stay in business**."<sup>176</sup> Birmingham Racing Commission Executive Director Kip Keefer also noted "This track is in kind of a survival mode ... just trying to hang on in the hopes that something happens."<sup>177</sup>
- Former Executive Director of the Texas Greyhound Association, Diane Whiteley, acknowledged that there are demographic changes contributing to the decline of greyhound racing: "There are **not a lot of young people involved in racing**. They're a technology savvy generation, and greyhound racing is a little slow to them."<sup>178</sup> She also admitted that without slot machines at the track, "the long-term prospects for Texas dog racing are 'very bleak.'"<sup>179</sup>
- In 2014, Bo Guidry, General Manager of Bluffs Run in Iowa, stated the casino **loses about \$9 million per year on dog racing**.<sup>180</sup>

For the Record 			
	Breedings	Litters	Individuals
2013	2,768	2,048	10,657
2012	2,472	1,943	10,157
2010	2,649	2,176	12,801
2009	3,167	2,671	15,584
2008	3,816	3,242	20,365
2007	4,485	3,516	20,227
2006	4,773	3,768	22,951
2005	5,325	4,300	26,207
2004	6,265	4,977	26,262
2003	6,996	5,171	26,277
2002	7,122	5,205	27,142
2001	6,929	5,015	26,797
2000	6,780	5,234	26,464
1999	7,606	5,266	27,059
1998	7,815	5,034	26,036
1997	7,787	5,192	28,025
1996	8,508	5,438	28,877
1995	9,003	5,749	31,688
1994	9,463	6,232	34,746
1993	10,317	6,805	39,139
1992	12,250	7,690	38,023
1991	12,663	8,049	38,430
1990	12,607	7,722	38,615
1989	12,491	7,690	38,443
1988	13,275	7,979	37,784



Low attendance at Orange Park Kennel Club. Photo by GREY2K USA, 2014

- After the 2014 passage of a decoupling bill in Iowa, a local greyhound breeder noted "I hope we can keep racing, but if we're going to lose money on it, **we just gotta give it up**. Part of business."<sup>181</sup>
- According to Isadore Havenick, the owner of the Flagler and Naples Fort Myers greyhound tracks, "the only time there's a large crowd of people watching dogs is when people get up from the poker tables to smoke."<sup>182</sup>
- When Phoenix Greyhound Park in Arizona announced its permanent closure in September 2009, trainer Clifton Gray indicated the news was not a surprise, saying "It's not much of a shock. **The writing's been on the wall for a while**."<sup>183</sup>

# TRACK CLOSURES

Since 1991, forty-one dog tracks have closed or ended live racing.

## Alabama

Greenetrack – ceased live racing in 1996.<sup>184</sup>

VictoryLand – closed on June 1, 2011.<sup>185</sup>

## Arizona

Apache Greyhound Park – ceased live racing in 2004.<sup>186</sup>

Phoenix Greyhound Park – closed on December 19, 2009.<sup>187</sup>

Yuma Greyhound Park – closed in 1993.<sup>188</sup>

## Colorado

Cloverleaf Kennel Club – ceased live racing in 2006.<sup>189</sup>

Interstate – closed in 1991.<sup>190</sup>

Mile High – closed on September 1, 2008.<sup>191</sup>

Post Time – closed in 2005.<sup>192</sup>

Pueblo Greyhound Park – closed in 2002.<sup>193</sup>

## Connecticut

Plainfield Greyhound Park – closed on May 14, 2005.<sup>194</sup>

Shoreline Star – ceased live racing on October 10, 2005.<sup>195</sup>

## Florida

Biscayne – closed in 1995.<sup>196</sup>

Jacksonville Kennel Club – ceased live racing on May 28, 2007.<sup>197</sup>

Jefferson County Kennel Club – ceased live racing in September 2012.<sup>198</sup>

Key West – closed in 1991.<sup>199</sup>

Seminole Greyhound Park – ceased live racing in October 2000.<sup>200</sup>

St. Johns Greyhound Park – ceased live racing in 2000.<sup>201</sup>

Tampa Greyhound Park – ceased live racing on August 18, 2007.<sup>202</sup>

## Idaho

Coeur d'Alene – closed in 1995.<sup>203</sup>

## Iowa

Waterloo – closed on July 13, 1996.<sup>204</sup>

## Kansas

Camptown Greyhound Park – closed in 2000.<sup>205</sup>

Wichita Greyhound Park – ceased live racing on October 6, 2007.<sup>206</sup>

The Woodlands – ceased live racing on August 23, 2008.<sup>207</sup>

## Massachusetts

Raynham Park – ceased live racing on December 26, 2009.<sup>208</sup>

Wonderland Greyhound Park – ceased live racing on September 18, 2009.<sup>209</sup>

## New Hampshire

Hinsdale Greyhound Park – closed on December 15, 2008.<sup>210</sup>

The Lodge at Belmont – ceased live racing on September 1, 2008.<sup>211</sup>

Seabrook Greyhound Park – ceased live racing on September 1, 2008.<sup>212</sup>

## Oregon

Multnomah Greyhound Park – closed on December 24, 2004.<sup>213</sup>

## Rhode Island

Twin River – ceased live racing on August 8, 2009.<sup>214</sup>

## South Dakota

Black Hills – closed in 1992.<sup>215</sup>

Sodrac – closed in 1994.<sup>216</sup>

## Texas

Corpus Christi – ceased live racing on December 30, 2007.<sup>217</sup>

Valley Park – ceased live racing in September 2009.<sup>218</sup>

## Vermont

Green Mountain – ceased live racing in October 1992.<sup>219</sup>

## Wisconsin

Dairyland Greyhound Park – closed on December 31, 2009.<sup>220</sup>

Fox Valley – closed in 1993.<sup>221</sup>

Geneva Lakes Kennel Club – closed on November 6, 2005.<sup>222</sup>

St. Croix Meadows – closed on August 9, 2001.<sup>223</sup>

Wisconsin Dells – closed in 1996.<sup>224</sup>

- In February 2013 Michael Maestle, President of Operations at Wheeling Island in West Virginia, stated that greyhound racing is facing competition from other, more lucrative forms of gambling:

“Racing was very popular many years ago, but with the extra casinos and lotteries and different forms of entertainment that have come on line, **racing has year over year become a declining business for us** ... currently about 10 percent of our business is on the racing side and 90 percent on the casino end of the business.”<sup>225</sup>



A night race at Tucson Greyhound Park with empty stands.  
Photo by GREY2K USA, 2011

## Tucson Greyhound Park is surviving on loans from its owners

In 2014, the state operating permit for Tucson Greyhound Park (TGP) was up for its three year renewal. During this process, the Arizona Department of Racing contracted with a consulting company named Veriti to conduct an assessment of TGP's financial situation. Veriti found that TGP had generated a net loss in every year from 2009 to 2013, with a **net loss in 2013 of \$543,983**.<sup>226</sup> Veriti found that the track's "below average liquidity, higher risk, and lower profitability" meant that **"TGP's financial position is unstable and it cannot sustain itself for the permit renewal period."**<sup>227</sup> Without ownership funding, the report concluded that the track "will likely go bankrupt."<sup>228</sup> However, the owners of TGP subsequently committed to funding the track with their own money for the foreseeable future. In March 2014, five year loans to TGP from all four owners totaling \$762,500 were signed.<sup>229</sup>

The fact that TGP is not financially viable is even more noteworthy in light of state tax breaks the track receives. In 1995, TGP was granted a hardship tax break, meaning the track does not have to pay taxes on pari-mutuel revenue.<sup>230</sup> From Fiscal Year 2009 through 2013, TGP received more than **\$3.2 million in hardship tax credits** from the state.<sup>231</sup>

## Greyhound decoupling

In recent years, track operators have increasingly sought to **reduce or eliminate their statutory live racing requirements**. Since 2008, measures to eliminate state dog racing mandates have been adopted in New Hampshire, Rhode Island, Arizona and Iowa. Meanwhile, top newspapers in Florida, Iowa and West Virginia have editorialized in favor of eliminating state dog racing mandates, a policy known as decoupling. In Florida, this policy is supported by ten daily newspapers, including the *Daytona Beach News-Journal*, *Tampa Bay Times* and *Panama City News Herald*.<sup>232</sup> In a January 2014 editorial, *The Sarasota Herald-Tribune* wrote:

“Requiring facilities to offer racing that the public no longer supports doesn’t make sense. Eliminating the requirement won’t hurt anyone, but it will **help greyhounds avoid a fate they don’t deserve**.”<sup>233</sup>

*The Intelligencer* newspaper from West Virginia called for immediate action on legislation to decouple greyhound racing in February 2013. It stated that “**racetracks should be permitted to hold as many or as few races as they judge prudent - or none at all**.”<sup>234</sup>

Notable lawmakers have also expressed public support for decoupling. In March 2014, Florida State Representative Dana Young advocated for decoupling, saying “What you’ve got here in Florida is a **taxpayer-funded artificial market for live greyhounds to prop up an industry that’s failing**.”<sup>235</sup>

Dog tracks have also attempted to reduce the number of greyhound races that they are required to hold. West Virginia Racing Association President John Cavacini told reporters during the 2013 legislative session that the “track people know best as to how many races there ought to be on a particular day, **not the people who are racing their dogs to make a living and earning money off it**.”<sup>236</sup> Wheeling Island made a request in December 2012 to the state Racing Commission to reduce the number of races it held, with the track’s general manager at the time saying that it needed a reduction in races to “remain solvent.”<sup>237</sup> Although the Commission initially approved this request, it later reversed its decision.<sup>238</sup>

In September 2014, the West Virginia Racing Commission drafted a resolution requesting legislative approval to **reduce the number of required race days from 220 to 185 days**, or “such number as is approved by the Commission.”<sup>239</sup>

## Subsidies for greyhound racing

**Every year, millions of dollars in subsidies are used to prop up the dog racing industry in Arkansas, Florida, West Virginia, and Iowa.** These subsidies are derived from a portion of table games, video gambling, and slot machine profits at racetracks. Many of these subsidy dollars go to **out-of-state greyhound breeders**.



Low attendance at Wheeling Island in West Virginia. Photo by GREY2K USA, 2013

In Iowa, the two racetracks pay approximately **\$13 million annually** to the greyhound industry.<sup>240</sup> In 2013, around 27% and 41% of payments went to out-of-state individuals from races at Dubuque and Bluffs Run, respectively.<sup>241</sup>

In West Virginia, a total of **\$20 million** was paid out in purse funds in 2012, which were awarded to the owners of winning greyhounds.<sup>242</sup> Virtually all of these purse payments were derived from **state mandated subsidies**. According to former Wheeling Island General Manager Jim Simms, **77%** of the money that Wheeling Island paid out in 2012 went to **licensees in other states**.<sup>243</sup> In addition to purse monies, the West Virginia dog racing industry is subsidized through the Greyhound Breeding Development Fund. From 2008 through

2013, breeders of West Virginia-bred greyhounds received more than \$41 million through this fund.<sup>244</sup>

In May 2014, Iowa Governor Terry Branstad signed legislation that will **terminate annual subsidies** to the greyhound industry by the end of 2015.<sup>245</sup> A bill also passed in West Virginia in 2014 to **cut annual dog race subsidies** in that state by 10%.<sup>246</sup>

## Opposition to greyhound subsidies

Leading newspapers across the country have editorialized against greyhound racing subsidies. Editorials in West Virginia have consistently pointed out that instead of propping up the dog racing industry, these **funds could be used for other state and community programs**.<sup>247</sup> In 2014, the *Des Moines Register* called for an end to the requirement that casinos subsidize the dying greyhound racing industry in Iowa.<sup>248</sup>

In addition to media support, leading community figures have expressed their opposition to subsidies for the greyhound racing industry. In May 2014, Dubuque Iowa Mayor Roy Buol, the Dubuque Area Chamber of Commerce, the Greater Dubuque Development Corporation, and the President of the Dubuque Racing Association/Mystique Casino sent a letter to Governor Branstad asking him to sign legislation to repeal annual greyhound subsidies. In their letter they pointed out that **over \$4 million in subsidies is paid out each year to only ten individuals, of which half reside out of state**.<sup>249</sup>

## 1E. DIVERSIFICATION OF DOG RACE GAMBLING

Gambling on greyhound races is conducted through a variety of means. Patrons can go to a track to watch and wager on a live greyhound race, or bet on horse and greyhound races taking place at other tracks through a practice called simulcast wagering. There will typically be a simulcasting area at each track, where televisions **broadcast live races occurring at other facilities around the country**. Some states also allow **phone or internet betting**.

At the same time that overall gambling on dog racing is declining, a trend toward off-track gambling continues. In 2012, **nearly three-quarters (74%) of all wagers on dog races were made by simulcast and Advanced Deposit Wagering**.<sup>250</sup>

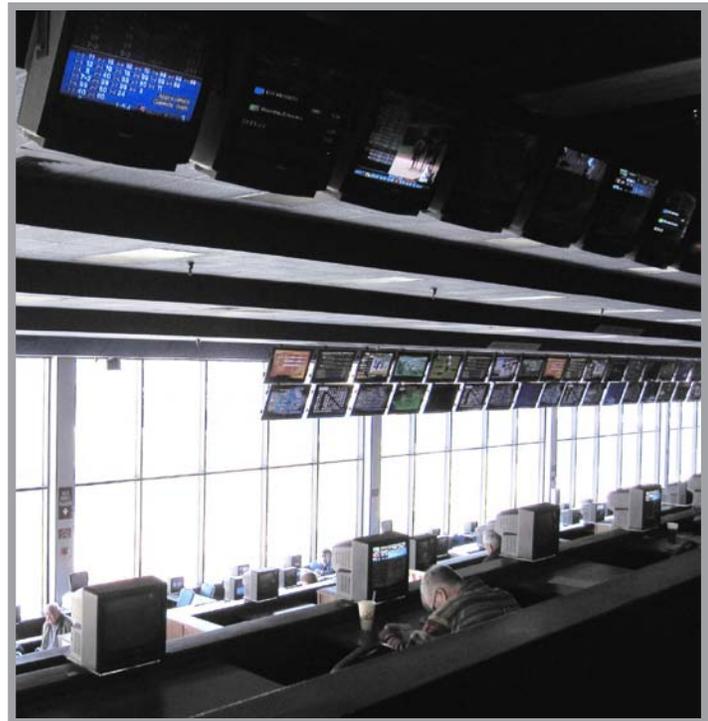
### Simulcasting

Greyhound simulcast betting also occurs in states that do not have live dog racing. These states include **Colorado, Connecticut, Idaho, Louisiana, Massachusetts, Montana, Nevada, New Mexico, New Hampshire, North Dakota, Oregon, Rhode Island, South Dakota, Wisconsin and Wyoming**.<sup>251</sup> In 2013, at least \$129 million was wagered on simulcast races in these non-racing states.<sup>252</sup>

In addition to domestic simulcasting, the US greyhound racing industry also **simulcasts internationally**. For example, as of May 2014 the Palm Beach Kennel Club was broadcasting its races to nearly thirty nations, including Antigua, Argentina, Aruba, Austria, Barbados, Bermuda, Brazil, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, England, Germany, Granada, the Isle of Man, Mexico, the Netherlands, Panama, Paraguay, Peru, South Africa, Spain, Saint Kitts, Trinidad, Uruguay, and Venezuela.<sup>253</sup>

### Advanced Deposit Wagering

Advanced Deposit Wagering (ADW) is a form of betting in which an **individual deposits money in an account** and that money is subsequently **used to pay for pari-mutuel wagers in person, by phone, or online** through a licensed provider. The percentage that greyhound owners and tracks receive from these wagers varies by state. Gamblers using ADW services often receive rebates, a small percentage of all bets made.<sup>254</sup> ADW is currently



Simulcasting area at Gulf Greyhound Park. Photograph by GREY2K USA, 2013

prohibited in Alaska, the District of Columbia, Georgia, Hawaii, Mississippi, Missouri, Nebraska, North Carolina, South Carolina, Texas and Utah.<sup>255</sup>

Although residents of the forty remaining states may place ADW wagers, the **actual transactions are processed in Idaho, Oregon, or South Dakota**, the three states where multi-jurisdictional totalizer hubs are legally permitted.<sup>256</sup> These hubs are similar to credit card processing centers. For example, if a bettor places a wager through one of the Oregon hub companies, regardless of where the gambler is located, it is considered to have been made in the State of Oregon.

A majority of ADW companies are licensed in Oregon through a hub network. From 2008 through 2014, more than \$150 million was wagered through an ADW company named the Greyhound Channel.<sup>257</sup> The amount wagered via ADW appears to be declining. For example, wagers through the Greyhound Channel declined by 30% over the six year period from 2008 through 2013.<sup>258</sup>

There has been **debate over the legality of ADW** as it relates to the Federal Wire Act and the Interstate Horseracing Act. For many years, the Wire Act was interpreted to apply to all online gambling. However, in September 2011 the Department of Justice issued an opinion related to state lotteries that concluded "Interstate transmissions of wire communications that do not relate to a 'sporting event or contest' fall outside the reach of the Wire Act."<sup>259</sup> In 2014 U.S. Senator Lindsey Graham and Congressman Jason Chaffetz introduced legislation to restore the original interpretation of the Act, prohibiting all forms of internet gambling except on horse racing.<sup>260</sup> As of January 2015 their legislation had not been considered. The Interstate Horseracing Act was amended in 2000 to allow states to decide whether residents can make ADW bets on horse races from out of state operators, as long as ADW was legal in both states.<sup>261</sup> However, it is important to note that the Interstate Horseracing Act applies specifically to horse races only, and makes no reference to the legality of ADW bets on greyhound racing.

The greyhound industry has also voiced concerns over ADW. In 2013 Jack Cory, a lobbyist for the Florida Greyhound Association, stated that "the greyhounds are hurt much more by the Oregon hubs than horse racing .... the dog owners get nothing."<sup>262</sup>

# SECTION 2

## HUMANE ISSUES

The commercial greyhound racing industry uses various standard practices that are designed to **increase the profit margin for each dog**. These practices include the use of a **confined housing system**, the use of anabolic **steroids** to prevent estrus in female dogs, and the use of **meat from dying and diseased livestock** as a primary food source. In addition, a large number of greyhounds suffer serious **injuries** at racetracks across the country. These injuries are partly due to the use of an oval racetrack design.

Due to these concerns, and other humane issues, **greyhound racing is opposed by every major animal protection organization in the United States**.

### 2A. CONFINEMENT

Greyhounds are **confined for extensive periods** of time at commercial racetracks. With the exception of periodic "turn outs," they are kept in a cage perpetually on non-race days. According to the industry itself, greyhounds receive less than three hours of turn-out time daily. In an essay on kennel life written by a former trainer from Arizona, the total turnout time described was 2 hours and 50 minutes.<sup>263</sup>



A greyhound confined at Pensacola Greyhound Track. Photograph by Tuskawilla Greyhound Racing Kennels, 2014

Each racing state has its own regulations regarding the frequency and duration of turn-out times:

State	Minimum Cage Size Regulations	Turn-out Time & Frequency Regulations
<b>Alabama: Birmingham</b>	Did not respond to information request	Did not respond to information request
<b>Alabama: Mobile</b>	none <sup>265</sup>	none <sup>266</sup>
<b>Arizona</b>	42"L, 31"W, 32"H <sup>267</sup>	At least four times every twenty-four hours <sup>268</sup>
<b>Arkansas</b>	none <sup>269</sup>	none <sup>270</sup>
<b>Florida</b>	36"L, 24"W, 32"H <sup>271</sup>	none <sup>272</sup>
<b>Iowa</b>	none <sup>273</sup>	none <sup>274</sup>
<b>Texas</b>	48"L, 36"W, 36"H <sup>275</sup>	none <sup>276</sup>
<b>West Virginia</b>	44"L, 32"W, 34"H <sup>277</sup>	none <sup>278</sup>



A cage in a greyhound kennel at Daytona Beach Kennel Club in Florida. Photograph by the Florida Department of Business and Professional Regulation, 2011

### Large greyhounds cannot stand fully erect in their cages

According to the American Greyhound Council, greyhounds stand between 23 inches and 30 inches tall at the shoulder and weigh between 50 and 85 pounds.<sup>264</sup> Using these dimensions provided by the industry, **large greyhounds cannot stand fully erect** in racetrack cages.

### Tucson Greyhound Park has ignored a city ordinance that limited confinement

In 2008 voters in South Tucson, Arizona approved a local ordinance which requires that greyhounds be confined for no more than eighteen hours per day. However, two years after the passage of this

law there was **clear evidence that it was being ignored** by kennels at Tucson Greyhound Park. In December 2010, track manager and CEO Tom Taylor told a local television station that the track did not ensure the confinement law was followed:

**“We don’t make sure.** There is no way we can. The only way we can is if we had someone sitting in there everyday.”<sup>279</sup>

Also, in August 2010 a greyhound trainer at the track told an investigator retained by GREY2K USA that the dogs in his kennel **“usually go back out about two o’clock and be done for the day.”**<sup>280</sup> When the trainer was later asked by investigators whether the dogs were left out for a “couple of hours” the trainer indicated that they were not.<sup>281</sup>



A greyhound at Tucson Greyhound Park. Photograph by Pima County Animal Care Center, c. 2011

## 2B. GREYHOUNDS SUFFER SERIOUS INJURIES

From **January 2008** through **November 2014**, there were **11,722 greyhound injuries reported nationwide.**<sup>282</sup> In four states, greyhound racing was operational for at least some portion of time between 2008 and 2014, but has since ended. In Arizona, Arkansas, Iowa, Texas and West Virginia greyhound racing has occurred throughout the entire time period. These states also make injury reports available through public information requests.

This total includes no data for Alabama and virtually no data for Florida. These states do not publicly report greyhound injuries.

The total injuries per state and year are as follows:

State	2008	2009	2010	2011	2012	2013	2014	Totals
<b>Alabama</b>	Does not report greyhound injury data							
<b>Arizona</b>	404	143	^	^	^	57	105	709
<b>Arkansas</b>	182	101	58	88	96	93	92	710
<b>Florida</b>	Does not report greyhound injury data							186~
<b>Iowa</b>	101	114	111	107	95	122	125	775
<b>Kansas</b>	90	*	*	*	*	*	*	90
<b>Massachusetts</b>	96	76	*	*	*	*	*	172
<b>New Hampshire</b>	92	*	*	*	*	*	*	92
<b>Rhode Island</b>	^	^	*	*	*	*	*	
<b>Texas</b>	320	475	360	383	291	282	201	2,300
<b>West Virginia</b>	1,082	999	899	851	829	793	580	6,036
<b>Wisconsin</b>	362	278	*	*	*	*	*	640
<b>Totals</b>	2,729	2,186	1,428	1,429	1,311	1,347	1,103	<b>11,722</b>

^ - Did not report data

\* - not applicable

~ - data obtained from other state documents, not injury reports

The most commonly reported injury was a broken leg

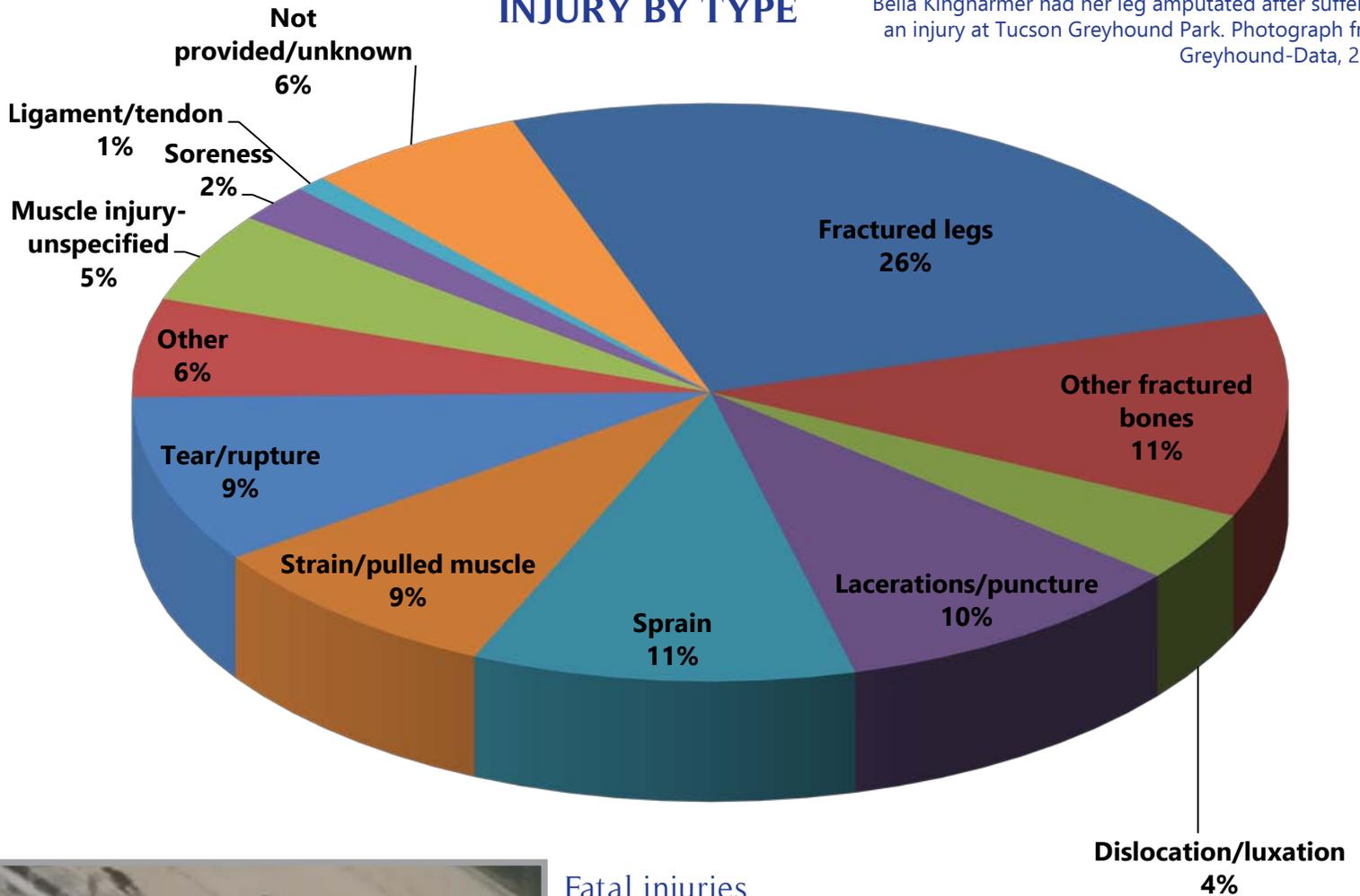
The most commonly reported injury was a leg fracture. Specifically, **3,068 or 26% of all injuries involved broken legs**. Other commonly reported injuries included other broken bones (1,338 or 11%), sprains (1,254 or 11%), lacerations (1,175 or 10%) and tears/ruptures (1,102 or 9%).

Other injuries included paralysis, electrocutions, cramping, swelling, dogs that collapsed and other injuries that did not fit into existing categories.



Bella Kingnarmer had her leg amputated after suffering an injury at Tucson Greyhound Park. Photograph from Greyhound-Data, 2009

## INJURY BY TYPE



Final race of DB's Badatude. Still from a video by Roberts Communications Network, LLC, 2014

## Fatal injuries

At least **758 greyhounds** either died or were euthanized after suffering serious injuries while racing between January 2008 and November 2014. For example:

- On June 22, 2014 a four-year-old black greyhound named **DB's Badatude** was euthanized after he broke his leg during a race at Gulf Greyhound Park.<sup>283</sup>
- On April 4, 2014 a one-year-old white and fawn greyhound named **Colt Maximus** fractured her skull in a schooling race at Wheeling Island in West Virginia.<sup>284</sup> Colt Maximus had yet to run in an official race at the time of her death.<sup>285</sup>

- On March 22, 2014 a one-year-old light fawn greyhound named **HK Cream** hit the rail and died on impact during a race at Southland Greyhound Park in Arkansas.<sup>286</sup> It was HK Cream's fourth official race.<sup>287</sup>
- On March 13, 2014 a three-year-old red greyhound named **RF Summer Peach** collapsed shortly after running a schooling race at Gulf Greyhound Park and died.<sup>288</sup> The track veterinarian determined the dog suffered a vascular rupture, aspirated blood from her abdomen, and bled out to death.
- A three-year-old black greyhound named **LNB Night Mare** was electrocuted during a race on March 9, 2014 at Tucson Greyhound Park in Arizona.<sup>289</sup> She collided with another dog, fell into the electrified rail, and died.
- On February 14, 2014 a one-year-old white and brindle greyhound named **Budz Roscoe P** was euthanized after he fractured his skull during a schooling race at Wheeling Island.<sup>290</sup> Budz Roscoe P had yet to run an official race at the time of his death.
- On September 27, 2013 a one-year-old brindle greyhound named **Kells Crossfire** hit the rail, fractured her neck and was euthanized during a race at Gulf Greyhound Park.<sup>291</sup> It was only Kells Crossfire's third official race.<sup>292</sup>
- On July 11, 2013 a three-year-old black greyhound named **Scotty's Buzz** suffered a severe spinal injury during a race at Dubuque Greyhound Park in Iowa and was subsequently euthanized.<sup>293</sup>
- On January 2, 2013 a two-year-old light brindle greyhound named **Bob's Tebow** collapsed and died after a race at Southland Greyhound Park.<sup>294</sup>
- On June 9, 2012 a one-and-a-half-year-old red brindle greyhound named **SH Transporter** was euthanized after breaking his right front leg during a race at Dubuque Greyhound Park. He had to be carried off of the track.<sup>295</sup>



JA's Angry Sky's final race. Still from a video by Roberts Communications Network, LLC, 2011

**GULF GREYHOUND PARK INJURY REPORT FORM** # 6287

Use this form to report all injuries. It is mandatory to report all race or schooling injuries to the association veterinarian immediately.

Kennel Name: Bone Man Racing

Date: 10/31/08 Date of Injury: 10/31/08 Previous Injury at GGP (Date): \_\_\_\_\_

Greyhound: U Too Wood Birth Date: \_\_\_\_\_ Last Race Date: \_\_\_\_\_

Race/Position: \_\_\_\_\_ Grade: \_\_\_\_\_ Matinee: \_\_\_\_\_ Evening: \_\_\_\_\_ Schooling: Am

Weight: \_\_\_\_\_ Distance: \_\_\_\_\_ Place Where Injury Occurred: Track  
(Track, Ignite Patch 9, Kennel Box)

3/8 Box Back Stretch 7/16 Box

FAST \_\_\_\_\_ WET \_\_\_\_\_  
SLOW \_\_\_\_\_ DRY \_\_\_\_\_

Far Turn \_\_\_\_\_ Escape Turn \_\_\_\_\_  
Finish Line \_\_\_\_\_

5/16 Box

Death: \_\_\_\_\_ Euthanasia:

Injury: Collapsed on Track

Cause: \_\_\_\_\_

Veterinarian's Assessment: Shift-Strain on Presentation - Rx - Fx Back  
Euthanized

Radiographic Findings: \_\_\_\_\_

Owner/Handler: [Signature]

Veterinarian: [Signature]

7/1-29-2009 00:02 4099869134 95% P.08

- On June 24, 2011 a one-year-old black female greyhound named **JA's Angry Sky** was euthanized after breaking two different leg bones during a race at Mardi Gras racetrack in West Virginia.<sup>296</sup>
- On April 30, 2010 a one-year-old greyhound named **Rags Patches** was euthanized at Gulf Greyhound Park after she "fell as the result of a racing accident," broke her neck and was paralyzed.<sup>297</sup> Two months earlier, on February 25, a sister of Rags Patches named **Rags Carla** was euthanized after she broke her right front leg during a race at Gulf.<sup>298</sup>
- On May 30, 2009 a two-year-old brindle greyhound named **Bonafide Player** was euthanized after breaking her leg during a race at Southland Greyhound Park.<sup>299</sup>
- On October 31, 2008 a three-year-old brindle greyhound named **U Too Wood** was euthanized after he suffered a broken back during a race and collapsed on the track at Gulf Greyhound Park.<sup>300</sup> According to state records U Too Wood was injured on two other occasions before his fatal injury, including a broken leg he suffered only sixteen weeks earlier.<sup>301</sup>
- On September 20, 2008 a greyhound named **Mustang Mcnabb** was euthanized after he tripped leaving the starting box and suffered a spinal cord injury during a race at Dairyland Greyhound Park in Wisconsin.<sup>302</sup>

Injury report for U Too Wood. Texas Racing Commission, 2008



Rambo for Dawn. Photograph from the Texas Greyhound Association, 2014

### Rambo for Dawn

**Born:** December 23, 2011

**Died:** August 22, 2014 (two years old)

Rambo for Dawn was euthanized after she ruptured a ligament during a race at Gulf Greyhound Park in Texas.<sup>305</sup>



Al E Mony. Photograph from Greyhound-Data, 2012

### Al E Mony

**Born:** June 5, 2010

**Died:** January 11, 2014 (three years old)

Al E Mony collapsed and died on the track after racing at Pensacola Greyhound Track, and attempts to revive her failed.<sup>307</sup>



Pretty Gorgeous. Photograph by Brianna Burkhart, 2012

### Pretty Gorgeous

**Born:** March 11, 2011

**Died:** November 30, 2013 (two years old)

Pretty Gorgeous was euthanized after falling during a race and suffering an injury at Orange Park Kennel Club.<sup>306</sup>



PJ Diamondbacks. Top: photograph by Brianna Burkhart, 2013  
Below: Still from a video by Roberts Communications Network, LLC, 2013

### PJ Diamondbacks

**Born:** December 3, 2011

**Died:** July 18, 2013 (one year old)

PJ Diamondbacks was euthanized after she fell, was run over by other dogs, and broke her leg during a race at Bluffs Run in Iowa.<sup>308</sup>

**Greyhounds also suffer injuries in unofficial schooling races and training activities, but these injuries are not always reported on state injury forms.** For example, a two-year-old black greyhound named **Atascocita Haft** broke his leg during an unofficial schooling race at Gulf Greyhound Park on February 19, 2013.<sup>303</sup> As a result of the injury, Atascocita Haft was euthanized at an off-site veterinary hospital.<sup>304</sup>

Similarly, injuries observed during pre-race veterinary exams don't typically result in an official injury report. Instead these injuries may be listed on the state racing commission or track's vet list or scratches list, which document injured and sick dogs that are unable to compete.

## Alabama and Florida do not report greyhound injuries

**Alabama** and **Florida** are the only two states with active dog tracks that **do not report greyhound injuries** to the public. Because of this omission, it cannot be known how many greyhounds are injured annually in these two states. This is a notable, because a majority of operational dog tracks are now located in Florida.

The Florida Greyhound Association (FGA), which represents breeders, trainers, and owners, has **actively opposed efforts to disclose injury data**. In 2006 a lobbyist for the FGA thanked two lawmakers for helping defeat an injury reporting proposal. According to the lobbyist, lawmakers filed a reporting bill themselves to control the legislation and ensure it could not advance.<sup>309</sup> In 2014, another piece of legislation to mandate injury reporting was introduced and supported by humane advocates. The *Sun Sentinel*, one of the state's leading newspapers, editorialized in favor of the bill's passage, noting that such reform **"could keep greyhounds from being run to death."**<sup>310</sup> The measure passed the State Senate unanimously. The House of Representatives, however, never considered the bill and the measure died.

Florida dog tracks do maintain injury records, but these reports are **not made available to the public**. In 2013, Sarasota Kennel Club pledged to allow public inspection of its injury data, but then changed course and withdrew its commitment a few weeks later.<sup>311</sup> Minimal injury data has become available through Florida Department of Business and Professional Regulation (DBPR) **investigative files**. These records document dogs suffering broken legs and other broken bones, dogs dying from heart attacks, and dogs being electrocuted while racing.

The Florida data that is available suggests that injuries are common in the state. For example:

- According to state records, **twenty greyhounds were injured at Flagler during a seven-week period** between June 4, 2011 and July 24, 2011. At least fifteen of these greyhounds suffered broken legs. Additionally a greyhound named **GMC Kook Keever** was euthanized after suffering a broken back, and a dog named **Fuzzys San Jose** died on the track after suffering a heart attack.<sup>312</sup>
- At Ebro Greyhound Park, **twenty-eight greyhounds suffered "substantial" injuries and ten greyhounds were euthanized in a six-week period** between May 21, 2011 and July 5, 2011.<sup>313</sup>

An examination of Florida DBPR investigative files, death notifications, and track inspection reports identified **186 greyhound injuries between 2008 and 2014**, including at least **124 dogs that died or were euthanized**. This figure includes racing related deaths as reported by the Department since May 2013 in compliance with the passage of an administrative rule. For further information on those deaths, see section 2c.

State kennel inspection reports also provide information on injured greyhounds in Florida. The report forms contain an area for inspectors to indicate the presence of injured dogs in the kennel. A review of 2,408 inspection reports found that **580 (23%) listed injured dogs** in racetrack kennels. This review included inspection reports from January 2009 through April 2010 and January 2013 through September 2014.<sup>314</sup>

Florida Department of Business & Professional Regulation		Division of Pari-Mutuel Wagering Office of Investigations 1400 West Commercial Boulevard, Suite 165 Ft. Lauderdale, Florida 33309 Phone: 954.202.3900 • Fax: 954.202.3930	
Ken Lawson, Secretary		Rick Scott, Governor	
<b>OFFICE OF INVESTIGATIONS</b> <b>INVESTIGATIVE REPORT</b>			
Office: P M W /	Region: Southern	Date of Complaint: July 08, 2011	Case Number: 2011 03 6678
Respondent: <b>WEST FLAGLER ASSOCIATES, LTD</b> 450 NW 37 <sup>TH</sup> AVE MIAMI, FL 33125		Complainant: DBPR – PMW- INVESTIGATION SECTION 1400 W. COMMERCIAL BLVD. SUITE 115 FT. LAUDERDALE, FL 33309 954-202-3900	
License # and Type: 155 /1001	Profession: GREYHOUND TRACK/ CASINO	Board:	Report Date: August 15, 2011
Period of Investigation: JULY 8, 2011 – August 15, 2011		Type of Report: PRELIMINARY	
Alleged Violation: 550.2415 (6)(a): <b>It is the intent of the Legislature that animals that participate in races in this state on which pari-mutuel wagering is conducted and animals that are bred and trained in this state for racing be treated humanely, both on and off racetracks, throughout the lives of the animals.</b>			
Synopsis: On July 08, 2011 while conducting a routine facility inspection at the Flagler Dog Track and Magic City Casino, I was advised by PMW Chief Inspector Flor Ferrifino of numerous dogs being injured during the greyhound races in a 1 month period. Chief Inspector Ferrifino stated that it is not abnormal for greyhounds to get injured during the races; however, because of the large amount in such a short time frame, she believes that the matter should be looked into for the welfare of the animals. A case was opened to review the problem.			
Related Case:			
Investigator / Date Tyrell D. Smith Chief of Investigations / Date	July 25, 2011	Investigator Supervisor / Date C. Derek Washington	August 22, 2011
Steven E. Kogan /			
LICENSE EFFICIENTLY. REGULATE FAIRLY. WWW.MYFLORIDALICENSE.COM			

State record indicating large number of injuries at Flagler. Florida Division of Pari-mutual Wagering, 2011

## The Texas Greyhound Association reported a higher number of greyhound injuries than the State Racing Commission

At a June 2014 Texas Racing Commission meeting, Nick James, Executive Director of the Texas Greyhound Association, stated that there had been 342 greyhound injuries in 2013.<sup>315</sup> However, reports received from the Texas Racing Commission by GREY2K USA indicated only 282 injuries for the same time period.<sup>316</sup>

### A veterinarian was not present to tend to an injured dog

On February 28, 2014 a two-year-old red brindle greyhound named **WWW Ray of Grey** broke her leg during a race at Naples Fort Myers Greyhound Track.<sup>317</sup> The track's veterinarian, Dr. Hakim Hamici, admitted that **he left the facility when WWW Ray of Grey suffered her injury and needed his attention.**<sup>318</sup> Dr. Hamici was euthanizing another racing greyhound at his clinic across the street from the track at that time.<sup>319</sup>

### A state veterinarian refused to approve the racetrack surface at Dairyland due to poor track conditions

In December 2008, Wisconsin state veterinarian Jennifer Barker e-mailed her supervisors at the Division of Gaming to inform them that **she would not approve of the track surface for racing.** Despite her concern, races were held as scheduled that night.<sup>320</sup> In a subsequent interview with the *Milwaukee Journal Sentinel*, Barker explained her position:

“I went back to the area, and I thought the surface was very hard ... as a veterinarian, my sole purpose is to look after the greyhounds, and **I didn't feel it was safe.**”<sup>321</sup>

### A greyhound kennel owner left the industry in part due to the high number of injuries

In 2008, Wisconsin greyhound kennel owner Bob Ryan asked Dairyland Greyhound Park to be relieved of his contract with the track. He cited financial losses and stated that the **high number of greyhound injuries** at the track bothered him.<sup>322</sup>

### A greyhound trainer asked for a dog to be euthanized because of his gender

On April 21, 2012 a two-year-old greyhound named **Pat C Rasputin** broke his leg during a race at Dubuque Greyhound Park in Iowa. According to state veterinarian Dr. Marianne Kirkendall:

“The trainer **requested euthanasia since it was a male dog.** This was declined as not medically necessary. The limb was wrapped and the dog was given Torbugesic (07cc) IM. Trainer **declined other pain meds.**”<sup>323</sup>

It appears that **Pat C Rasputin** has not raced since this injury, and his ultimate fate is unknown.<sup>324</sup>

### A greyhound returned to racing only one month after severing his tail

On January 29, 2014 a one-year-old red brindle greyhound named **CTW Jamboree Lee severed his tail** during a race at Bluffs Run in Iowa.<sup>325</sup> His tail “probably got caught on the rail” and as a result, was cut off around six inches from the end. The injury occurred in CTW Jamboree Lee's second official race, and **one month later the dog was back racing.**<sup>326</sup>

### The industry uses misleading information to minimize greyhound injuries

The industry compares the rate of injuries to the number of “starts,” the total number of times a greyhound starts a race.<sup>327</sup> In using this metric, the **industry counts the same dogs repeatedly**, creating the impression that a much larger number of dogs are competing than actually are. As a result, they are able to claim that the injury risk individual dogs face is lower than it actually is.

## Academic research on track design and condition

Several scholarly studies have examined the **impact of track design** and **condition** on racing greyhound injuries. Although a majority of this research was conducted outside of the United States, very similar track design between countries makes the findings relevant.

- A study of five greyhound tracks in Wisconsin found that **speed, race distance** and **track turns** all had an effect on orthopedic injury rates.<sup>328</sup> Specifically, researchers found that race distances of 7/16 and 3/16 mile had the greatest incident of injury and concluded that longer races may lead to injuries if a dog were not properly trained for such distance. They also found that “as the grade of race increased, the injury rate increased, and higher race grades correlate with higher race speeds.”<sup>329</sup>

The **first turn** was the most likely location where a **dog suffered an injury**, which researchers did not find surprising due to the “speed and congestion” at that point in the track.<sup>330</sup> The first or second turn was also “a significant factor in the incidence of hock injuries.”<sup>331</sup> The track with the greatest number of injuries in the study differed from the other tracks in that it had **steeper banks in its turns** and a **small turning radius** in the second turn, suggesting these track design features contributed to its injury rate.

- Researchers from Massey University in New Zealand conducted a five year study and found that injuries were a significant contributor to the end of dogs’ racing careers:



The final race of Ptl Jay Jay, who fell during the first turn at Daytona and broke his neck. Still from a video by Roberts Communications Network, LLC, 2014

“We identified that **hock injuries were the single most important cause of catastrophic failure and dog loss**. The combination of training practices, questionable feeding practices, and the suspicion of stress induced fractures was also a significant cause of dog loss.”<sup>332</sup>

The study also “revealed asymmetry between the bone density of the left/right central tarsal bones, as the result of track running” and found that **training led to microfractures of hock joints**. The conclusion drawn from these results was that “bone density changes that take place during training may cause greyhounds to be predisposed to a later catastrophic injury.”

- During a six-month period between 2011 and 2012, Australian researchers examined greyhound race performance to evaluate track design. They concluded that **one-turn tracks** were safer than **circle tracks** and “there is strong evidence that falls are more often due to the layout of the track, usually on the first turn.”<sup>333</sup>
- Researchers in the United Kingdom concluded that “**changes in track maintenance**, aimed at keeping track condition (going) slower, **may reduce injury rate** with consequent benefit to the welfare of racing greyhounds.”<sup>334</sup>

## 2C. GREYHOUND DEATHS IN FLORIDA

Although injury reporting is not required, **greyhound death reporting became mandatory in Florida in May 2013**, under Administrative Code Rule 61D-2.2023. The rule requires that “The division is notified within eighteen hours of the death of any racing greyhound that occurred on the grounds of a greyhound track or kennel compound.”<sup>335</sup>

Between May 31, 2013 and November 30, 2014 a total of **183 greyhound deaths** were reported to the Florida Department of Business and Professional Regulation’s Division of Pari-Mutuel Wagering.<sup>336</sup> This amounts to a greyhound death every three days, on average.

The facility with the **highest number of fatalities was Derby Lane**, with twenty-five reported deaths. **Daytona Beach Kennel Club** followed with twenty-four greyhound deaths.

According to state records, ninety-three greyhounds died or were euthanized for race related reasons. A majority of these dogs were **euthanized due to injuries** suffered while racing in official, schooling or training races. The most commonly reported injury (forty-four dogs, or 47%) was a broken leg. An additional nineteen deaths appeared to be race related. Although the state notices did not contain definitive information on the dogs' cause of deaths, all nineteen dogs raced on or around the day they died and the race result comments indicated that the dogs suffered some sort of trouble during that race. For example, some comments note that the dogs "fell," "collided," were "hit" and/or "DNF" [did not finish].

A total of forty-nine greyhounds died or were euthanized for reasons not directly related to racing, including illnesses, injuries incurred during turn out, or dogs that were found dead in their kennels. In twenty-two cases, the notifications did not provide any information on the manner or cause of death and there was no record of the dogs racing on the day of their deaths.

**The average number of greyhounds that died per month was 10.2.**<sup>337</sup> Ninety-four of the dogs that died were male, eighty-seven were female, and the gender for two greyhounds was not provided.

The **most common age** for greyhounds at the time of their death was between **twenty-four and thirty-five months old** (seventy dogs, or 39%). The next most frequent age was under twenty-four months.

The **youngest greyhound to die was only sixteen-months old** at the time of his death. **Rams Frankie Dee** died in May 2014 at Palm Beach Kennel Club. During the dog's first schooling race, he ran into the rail, suffered a severe shoulder laceration, and died on the track.<sup>338</sup>

An additional **six greyhounds** were **only seventeen-months old** at the time of their deaths. One dog had not even been given a name yet. The unnamed puppy **fell into the rail and suffered a severe head injury** while racing on the compound training track at Flagler.<sup>339</sup>



Photograph of Facebook by Brianna Burkhardt, 2012

## Facebook

Facebook was a two-year-old red brindle greyhound who raced at Daytona Beach Kennel Club.<sup>340</sup> On May 31, 2013 he was **euthanized after suffering an injury**.<sup>341</sup> According to his death notification form, "during the 11th race, Evening Performance the following greyhound fell causing a compound fracture. The track veterinarian Dr. Eastman made a determination ... that the greyhound needed to be euthanized."<sup>342</sup>

In the video footage of the race Facebook can be seen stumbling off to the side at the first turn. This was Facebook's 59th race.<sup>343</sup>



Photograph of Penrose Jake by Brianna Burkhardt, 2012

## Penrose Jake

A three-year-old fawn greyhound named Penrose Jake died after racing at Orange Park Kennel Club on August 22, 2013.<sup>344</sup> According to his death notification, Penrose Jake **died "after [the] 8th race"**.<sup>345</sup> The official notes from the track and the race replay indicates that he had **collided with another dog**.<sup>346</sup>

An Orange Park Tipsheet from one month before his death stated that Penrose Jake was "running hot" and a good dog for gamblers to bet on.<sup>347</sup>

## Kennel helper's actions result in greyhound death

On September 3, 2013 at 5:45 in the morning, a two-year-old brindle female greyhound named **Hallo Spice Kay** died at the **Jacksonville Kennel Club compound**.<sup>348</sup> The dog, along with other greyhounds, was being run on the track's sprint path before sunrise by kennel helper Charles Browning. According to state investigators, **"the sprint path's lighting was not operational and the greyhounds were forced to run on the path in the dark."**<sup>349</sup> Browning was driving his truck next to the path, honking and flashing his lights in an attempt to get the greyhounds to run. Afterwards, he brought the dogs back to the kennel compound, at which point he realized he was missing Hallo Spice Kay. **He returned to the sprint path to find the greyhound dead at the end of the path, likely from running into the fence.** The state investigation into Kay's death concluded "the death could have been prevented had the greyhound not been sprinted in the dark."<sup>350</sup>

Florida greyhound death notifications also indicate several instances when deaths were not reported within the mandated eighteen hour time period. For example, two greyhounds from the same kennel at Ebro Greyhound Park were euthanized after breaking their legs during races on September 7 and September 13, respectively.<sup>351</sup> However, the death notices were not faxed to the state until September 17, 2013. The trainer of both dogs received a written warning for the violations.

## Florida death notifications are not comprehensive

The greyhound death reporting rule **only applies to greyhounds that die on track or compound grounds**, not dogs that are euthanized or die off property. As a result, the actual number of greyhounds dying in the state is higher than the reported figure. For example, Florida Division of Pari-Mutuel Wagering track inspection documents reveal two additional dogs that died in 2014. **L's Nola**, a two-year-old brindle greyhound, fell during the fifth race on January 29, 2014 at Naples Fort Myers Greyhound Track.<sup>352</sup> She was **taken to a veterinary clinic off the track property, where she died.** L's Nola was taken to the vet by a trainer who witnessed her fall, but was not the trainer of record for the dog. **Kiowa Jet Joe**, another greyhound racing at Naples Fort Myers, was euthanized off site on February 28, 2014.<sup>353</sup>

## 2D. ANABOLIC STEROIDS

### Female greyhounds are routinely given anabolic steroids

Throughout the country, female greyhounds are given anabolic steroids to prevent estrus. According to the industry handbook *Care of the Racing and Retired Greyhound*, this practice can cause serious side effects:

**"The adverse side effects of male-derived hormonal preparations are increased aggression** which can result in fighting during trialing or racing; **increased weight** due to water retention; occasional **loss of vigor**; and **virilization**. The latter is evidenced by vulvar swelling, enlarged protruding reddened clitoris, and a clear to cloudy mucoid discharge from the vulva that mats the hairs under the tail where contact is made."<sup>354</sup>

### Tucson Greyhound Park ignored local steroid ban

In 2008, South Tucson voters passed the Tucson Dog Protection Act. This measure, in part, **prohibited the dosing of female greyhounds with anabolic steroids** to keep them from going into heat. Despite this prohibition, female greyhounds at Tucson Greyhound Park have continually been administered testosterone for years. According to a

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS & PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

Florida Department of Business & Professional Regulation

NOTICE OF VIOLATION  
(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

DATE: November 19, 2013

FACILITY NAME: Jacksonville Kennel Club FACILITY #: 145

LICENSE NAME: Charles L. Browning DOB: 10/10/1951

LICENSE: 352138 LICENSE TYPE #: 1021

OCCUPATION: Kennel Helper INCIDENT DATE: 9/3/2013

VIOLATION(S): Florida Statute 550.2415 (6)(a)

SPECIFIC RULE(S): Racing of animals under certain conditions prohibited; penalties; exceptions

DESCRIPTION OF VIOLATION(S): During the investigation of the death of HALLO SPICE KAY which occurred on September 3, 2013 at 5:45am at the Jacksonville compound sprint path it appears the death could have been prevented had the greyhound not been sprinted in the dark by CHARLES L. BROWNING helper for the JAMES E. O'DONNELL kennel.

NOTICE OF RULE VIOLATION FILED BY:  
 Chief Inspector  Judge/Steward  Investigator Specialist II  Other: \_\_\_\_\_  
(Title of State Employee)

Charles W. Taylor (Print Name) [Signature] 11/19/2013 (Date)

PMW 518 (Effective 8/13)

Notice of violation in the death of Hallo Spice Kay. Florida Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, 2013

2009 news report, greyhounds were being injected with anabolic steroids by track veterinarian Joe Robinson. When asked to comment on his involvement, **Robinson stated that he had no intention of following the law** and claimed that voters had “involved themselves in other people’s business that they had no right to be involved in.”<sup>355</sup> In the same news report, track manager Taylor claimed that Robinson’s actions were “not in violation of the South Tucson ordinance.”<sup>356</sup>

In April 2012 a local TV news station obtained undercover footage documenting Dr. Robinson administering steroids to female greyhounds in the city of Tucson.<sup>357</sup> Tucson and South Tucson are separately incorporated municipalities, and **by taking the dogs across the city line, the track was able to skirt the law.** However, the following month the Tucson City Council voted to ban the use of steroids in racing dogs, closing the loophole the track had been using.<sup>358</sup> As a result, TGP announced it would no longer accept female greyhounds and reduced its racing schedule from six to four days a week.

A year later, the Arizona Department of Racing sent a letter to the South Tucson City Council arguing that the steroid ban was interfering with the Department’s ability to regulate the industry. In October 2013, the Council voted to cease enforcement of the prohibition.<sup>359</sup>

## Anabolic steroids can enhance performance

In addition to its use as an estrus suppressant, anabolic steroids can be used to affect performance. According to Dr. Richard Sams of the University of Florida Racing Laboratory, anabolic steroids such as Stanozolol would be **“excellent” for enhancing performance.**<sup>360</sup>

## Steroid disciplinary cases

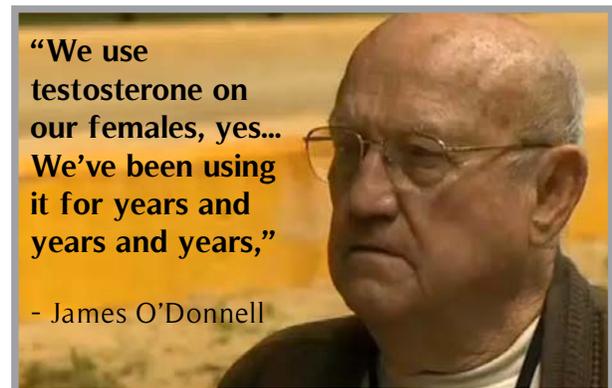
Racing industry participants have repeatedly been disciplined for possessing steroids or related paraphernalia, or for having a dog test positive for steroids.

- In 2013, anabolic steroids were found at the James O’Donnell kennel at the Florida Kennel Compound, which houses greyhounds that race at the Flagler and Mardi Gras tracks. The O’Donnell family runs one of the industry’s largest operations, training and racing greyhounds in Florida, Arizona, and West Virginia.

During a routine kennel inspection in August 2013, a syringe with an attached needle containing pain medication was found.<sup>361</sup> An unannounced follow up inspection was done two months later. The state investigator discovered another syringe with an attached needle, and tests revealed the **presence of the steroids testosterone, boldenone and androstenedione in the needle.**<sup>362</sup>

O’Donnell admitted to a local news reporter that he was giving female dogs in his kennel testosterone to prevent them from going into heat, and that **he had been doing so for many years.**<sup>363</sup>

- On June 21, 2011, an inspection of the Red Oak Racing Kennel at Derby Lane uncovered **an injectable vial of testosterone propionate** that was one-third full.<sup>364</sup> The trainer was fined \$50 by the state.<sup>365</sup>
- During a January 2012 kennel inspection at Tucson Greyhound Park investigators found a **syringe and needle with traces of testosterone**, a paint ball gun, a BB rifle and empty beer cans. The kennel owner and trainer was fined \$1,000 and suspended sixty days for the needle and the trace steroid.<sup>366</sup>
- In March 2013 Arizona greyhound owner and trainer Willard Eyer was fined \$1,000 and suspended for sixty days after a **greyhound tested positive for the steroid metandienone.**<sup>367</sup> Six months later Eyer’s fine was increased to \$1,500 and his license was revoked by the Arizona Department of Racing Director for this offense, as well as **other repeated violations.**<sup>368</sup>
- In December 2013 a greyhound trainer was fined \$100 for **possession of injectable medications and syringes.**<sup>369</sup> One of the injectable medications was testosterone Cypionate 200 mg/mi.<sup>370</sup> The prohibited items were found during a state inspection of the Fine Line Racing Kennel at Birmingham Race Course on December 4, 2013.



James “Barney” O’Donnell. Still image from a video by CBS Miami, 2014

## 2E. 4-D MEAT

At racetracks across the United States, dogs are fed a diet based on **"4-D" meat**.<sup>371</sup> The National Greyhound Association has stated it is "unaware of any professional Greyhound kennels or farms that use any other classification of meat as a major part of their Greyhound feeding programs."<sup>372</sup> It also acknowledges that "valuable" greyhounds are fed "the very same 4D meat as is fed to the entire farm or the entire racing kennel."<sup>373</sup>

This meat is derived from **dying, diseased, disabled and dead livestock** that has been deemed unfit for human consumption.<sup>374</sup> The United States Department of Agriculture requires that charcoal be added to this meat to discourage human use.<sup>375</sup> Additionally, the U.S. Food and Drug Administration (FDA) states that raw 4-D meat "may present a **potential health hazard to the animals that consume it** and to the people who handle it."<sup>376</sup>

According to *Care of the Racing and Retired Greyhound*, 4-D meat is used at commercial dog tracks because **"it is the most economically feasible for the Greyhound industry at this time."**<sup>377</sup> This handbook also notes that greyhound trainers are reluctant to cook the meat, which would kill bacteria, for fear of negatively impacting racing performance.<sup>378</sup>



A tub of 4D meat at Mobile Greyhound Park. Photograph by Sherry Liles, 2014

### Problems associated with the use of 4-D meat

As a result of eating 4-D meat, dogs can be exposed to pathogenic microorganisms, including ***Salmonella*, *Campylobacter jejuni*, and *Escherichia coli***.<sup>379</sup> A 2000 analysis of a Colorado breeding facility that was feeding raw meat to its dogs found a widespread presence of *Salmonella enterica*. The meat being used had been classified as unfit for human consumption by USDA inspectors and labeled as such. One hundred thirty three samples from around the facility were taken by investigators, including environmental, surface, soil and food samples.<sup>380</sup> *S enterica* was recovered from 88 (66%) of the total samples and 93% of fecal samples.<sup>381</sup> The researchers concluded that it "appeared likely that at least some of the *Salmonella* strains recovered from the premises were introduced via the raw meat being fed."<sup>382</sup>



4-D meat at Seabrook Greyhound Park. Photograph by the New Hampshire Racing and Charitable Gaming Commission, 2007

60% to 85% of meat samples tested contained the drug procaine.<sup>383</sup>

### 4-D meat was linked to Florida greyhound deaths

On April 6, 2014, 98 greyhounds in the Connell Kennel at Daytona Beach Kennel Club were experiencing **vomiting, diarrhea, and signs of dehydration**.<sup>384</sup> The next morning, a three-year-old greyhound named **Cherokee Rock** was **found dead in his cage** in a large pool of blood from his rectum. Another three-year-old greyhound named **Long Shadow** was found in shock in a large pool of blood in his cage. The dog was transported to Ravenwood Veterinary Clinic, where he was euthanized. The necropsy report of Long Shadow includes the following notes:

"vomit and diarrhea pasted on skin"  
"multiple teeth are fractured"  
"blood oozes" from the lungs and spleen

The Florida Department of Agriculture was contacted to investigate the case, and its veterinarians formed a consensus opinion that the **cause was “bad meat.”**<sup>385</sup> According to state records, the meat was a batch from Minnesota purchased from Seminole Food Supply, a company that provides the majority of the meat for Florida greyhound racing kennels. Conversely, the *Daytona Beach News-Journal* reported that Seminole Food Supply acquired the meat from Victory Greyhound, a company in Iowa.<sup>386</sup> After running into specimen testing issues and concluding its investigation, the Department of Agriculture could not conclusively determine the exact cause of the illnesses and deaths. However, it noted that handling procedures “would significantly increase the risk for rapid development of pathogenic microorganisms that may not have otherwise been present in the individual products in their original state.”<sup>387</sup>

## Interstate commerce of 4-D meat is prohibited

The FDA prohibits the transport of 4-D meat across state lines. Specifically, section 301 of the Federal Food, Drug, and Cosmetic Act prohibits the “introduction or delivery for introduction into interstate commerce of any food, drug, device, tobacco product, or cosmetic that is adulterated or misbranded.”<sup>388</sup> According to a FDA Compliance Policy Guideline Manual, it **considers raw 4-D meat an “adulterated” product** and “its shipment in interstate commerce for animal food use is **subject to appropriate regulatory action.**”<sup>389</sup>

**Despite this ban, meat used in greyhound racing kennels often comes from other states.** Seminole Animal Supply, a primary meat supplier of the Florida greyhound racing industry, receives its meat from suppliers in Michigan, Minnesota and Iowa.<sup>390</sup> Several Florida kennel inspection forms from 2013 documented that meat being used in racetrack kennels was coming from a provider in Wisconsin.<sup>391</sup>

In the fall of 2013, GREY2K USA filed a complaint with the FDA regarding the interstate transport of 4-D meat by Jason Haynes, an Iowa based supplier of 4-D meat to the greyhound racing industry. The FDA conducted three inspections of businesses owned by or affiliated with Haynes as a result of the complaint, including G.A.O.B (Greyhounds Are Our Business), a “distributor of packaged 4-D raw meat for greyhound food.”<sup>392</sup> Although an inspection of G.A.O.B was conducted, no report was provided to GREY2K USA regarding the findings.

One of the other companies inspected was Bullock Ag Service Inc., a business owned by relatives of Haynes’ wife. The inspection revealed that Bullock:

“does store packaged, frozen, 4D ground beef ... firm is the label guarantor. Product is distributed by [redacted] ... boxes are marked ‘no by-products, denatured with granulated charcoal’, ‘not intended for human food, denaturant added’ ... the firm is also storing similar product for [redacted]. Firm transports all products into the cooler from manufacturers in [redacted] transports all product out to customers, and **transport product directly from manufacturers to [redacted]’s customers.**”<sup>393</sup>

Management of Bullock Ag Service was given a warning to adhere to the Food, Drug, and Cosmetic Act.<sup>394</sup>

## 2F. CRUELTY AND NEGLECT CASES

Since 2008, **at least twenty-seven cases of greyhound neglect and cruelty** have been documented. These cases occurred in all seven states with active dog tracks, and in the state of Kansas.

A kennel inspection found a “persistent flea infestation” and poor conditions in Alabama.<sup>395</sup> Four additional cases of dogs with parasite infestations were documented in Arizona, Arkansas, and West Virginia. In Arizona, a greyhound breeder lost his license and was fined after severe neglect was documented at his farm.<sup>396</sup> In Arkansas, more than 140 neglected greyhounds were found at a breeding facility.<sup>397</sup> The same greyhound breeder previously had dogs confiscated in Kansas.<sup>398</sup> In another case, a greyhound trainer in Arkansas was fined after a state veterinarian accused him of neglect.<sup>399</sup>

**At least eight severe cases of greyhound cruelty or neglect were documented in Florida**, including a case at Ebro Greyhound Park in which dozens of greyhounds were **starved to death.**<sup>400</sup> In Iowa, a trainer was fined and suspended for failing to provide adequate veterinary care for a sick greyhound.<sup>401</sup> In Texas a trainer was fined after he caused an injured dog “**unnecessary suffering.**”<sup>402</sup>

Finally, eight cases of greyhound cruelty or neglect were documented in West Virginia, including six cases in which dogs were struck, lifted off their feet by the neck, or subjected to "manhandling."<sup>403</sup>

## Alabama

- In December 2013, inspectors found that the Phat Kat Kennel at the Birmingham Race Course "had a strong odor" and that multiple dogs in the kennel had "flea dirt" and "live fleas."<sup>404</sup> The official inspection report further stated that there has been a "**persistent flea infestation** in this kennel."<sup>405</sup> Poor conditions were documented at the kennel going back to May and September of 2013, yet it appears **no disciplinary action** was taken against the kennel by the local racing commission.



## Arizona

- In 2010 a greyhound breeder and owner was fined \$1,000 and had his license revoked by the Arizona Department of Racing after an inspection of his farm documented severe neglect.<sup>406</sup> When investigators arrived at the farm, they found "**one dead greyhound lying on the ground,**" and observed several greyhounds that "were in poor physical condition and all appeared to weigh between fifteen (15) and twenty (20) pounds."<sup>407</sup> **Other greyhounds showed signs of neglect,** including "one greyhound observed with a large laceration to the left front leg and a second greyhound that appeared to be physically weak and immobile."<sup>408</sup> **Both greyhounds were subsequently euthanized.**<sup>409</sup>



## Arkansas

- On May 15, 2014, the National Greyhound Association contacted the IZard County Sheriff's Department to ask for its potential assistance in the raid of a greyhound breeding facility in Mount Pleasant, Arkansas. The NGA's actions were predicated on numerous complaints it had received about the condition of the dogs at the facility.<sup>410</sup> Shane Vonderstrasse, the farm's owner, agreed to turn over 141 greyhounds to the NGA.<sup>411</sup>



An inspector for the NGA [partially redacted] told the IZard Chief Investigator "there were 141 dogs that were alive and **2 were deceased** ... the 141 dogs were checked out by a vet and some of them had to be nursed back to health and all were still alive ... the dogs that were dead had died from **lack of food and water.**"<sup>412</sup> The inspector also told the Chief Investigator that Vonderstrasse only had the finances and means to care for around fifty to sixty dogs.<sup>413</sup>

A majority of the greyhounds were returned to their racing owners, with the remaining dogs either going to adoption programs or being sold at an industry auction. The NGA announcement of the auction, which referred to the **dogs as "lots" and "stock,"** listed a nine-year-old breeding female up for sale.<sup>414</sup> The greyhound, named **Gable Eris,** had only run one official race in her lifetime and given birth to fifteen registered greyhounds.<sup>415</sup> According to *Care of the Racing and Retired Greyhound*, a nine year old dog is considered a "senior" and just one year away from being "geriatric," yet **Gable Eris** was still placed up for auction to be bred again instead of being put up for adoption.<sup>416</sup> The auction brought in a total of just under \$7,000, with all but the two oldest dogs being bought by NGA members.<sup>417</sup>



Shane Vonderstrasse. Undated photograph from Myspace.com

When asked by the Sheriff's Department if the NGA was interested in pressing charges against Vonderstrasse, the NGA inspector told authorities they would need to speak with Gary Guccione [partially redacted], the Executive Director of the NGA, on the matter. The **NGA representative declined,** stating he did not wish to file charges and "**he would not be willing to come to IZard County to testify in Court ... (and) did not want people knowing that he was not willing to do so.**"<sup>418</sup>

During its June 2014 meeting, the NGA voted to deny "membership and registry privileges" to Vonderstrasse and announced any NGA members conducting business with him after July 7 could face disciplinary action.<sup>419</sup> However, as of August 2014, **Vonderstrasse remained actively licensed** by state racing commissions in Iowa and Florida.<sup>420</sup>

- On April 21, 2012 the Southland Greyhound Park Board of Judges held a formal hearing for greyhound trainer Bob Gray. Gray was asked to respond to a complaint that had been filed by Arkansas State Racing Commission veterinarian Lisa Robinson, in which she alleged that Gray **“had been negligent in the care of Greyhound ‘Bobby Munson.’”**<sup>421</sup>

Southland Greyhound Park Board of Judges determined that it could not substantiate the neglect claim. It did, however, suspend trainer Gray for 30 days after finding him “in violation for failure to follow Southland Park’s Section 1200-04 on the DNC injured greyhound policy.”<sup>422</sup> According to Greyhound Data, a database maintained by dog race gamblers, **Bobby Munson** did not race again but was adopted in November 2012.<sup>423</sup>



Bobby Munson. Photograph by Rachel Hogue, 2011

## Florida

- On July 13, 2014 a greyhound named **Where’s Fly In** broke his leg and shoulder during a race at Palm Beach Kennel Club.<sup>424</sup> A kennel helper named Loyce Metcalfe took Where’s Fly In directly to the track veterinarian, Dr. Neger. According to Dr. Neger, he advised Metcalfe that the dog needed to be transported to an emergency veterinary practice for additional care.<sup>425</sup> However, the dog’s trainer, Michael Marsella, **waited until the following morning** to attempt to obtain emergency treatment for the dog. Marsella arrived at the practice on the morning of July 14 to find that the facility was not yet open. He then left **Where’s Fly In** in his transport truck while he schooled the other greyhounds in his kennel. When Marsella returned to the veterinarian’s thirty minutes later, **he found Where’s Fly In deceased in the truck.**<sup>426</sup>



When questioned by authorities, Marsella claimed that Dr. Neger told his kennel helper Metcalfe that it was acceptable to delay obtaining treatment for **Where’s Fly In** until the following morning. Dr. Neger denied this claim, and also stated he believed the dog’s injury was repairable.

As a result of the case, both Marsella and Metcalfe were ejected from the Palm Beach Kennel Club premises. The Palm Beach County Sheriff’s Office also submitted a request for a warrant against Marsella on a **charge of felony cruelty to animals.**<sup>427</sup>

- In the summer of 2012, a Florida adoption kennel received four greyhounds from Saul Mays, a kennel operator at Jefferson County Kennel Club (JCKC). According to the kennel, the dogs arrived **“covered with ticks between their toes, around their anus, in their ears and around their eyes”** and were in **overall poor condition.**<sup>428</sup> After receiving a formal complaint, the Division of Pari-Mutuel Wagering conducted an inspection of the Mays kennel at JCKC. During the inspection investigators observed “several ticks” on greyhounds belonging to Mays, but concluded that “the tick problem on Mays dogs did not rise to the level of neglect or abuse.”<sup>429</sup> Mays was fined \$300.

The National Greyhound Association also banned Mays for life from having any further involvement with NGA-registered greyhounds.<sup>430</sup>

This was **not the first time Mays had been investigated for abusing greyhounds** in his control. Since 2003, the Florida Division of Pari-Mutuel Wagering had opened three other investigations of Mays for abuse or neglect, but no action was taken.<sup>431</sup>

The manner in which Mays was initially licensed by the Division is also questionable. Mays applied for a license with the state in 2001, and had to submit a request for a waiver given his criminal history. State investigators discovered Mays had an **extensive history of arrests and convictions**, including a conviction for aggravated assault and kidnapping that resulted in a four year jail term.<sup>432</sup> Mays also admitted to investigators that he had already been working at the Jefferson County kennel compound without a license for some time. The Division initially denied the license request, but months later a new Division Director withdrew the denial and Mays was granted a license.<sup>433</sup>

As of October 2014, Saul Mays is still **actively licensed to work with greyhounds** by the Florida Department of Business and Professional Regulation.<sup>434</sup>

- In April 2011 Dr. Donald Beck, the track veterinarian for Derby Lane, filed a complaint against a greyhound trainer for allegedly **kicking a greyhound**. Dr. Beck stated that he witnessed trainer Alexander Hall kick **Starz Awesome** in the head during weigh in and tell a kennel helper **"They [the greyhounds] wouldn't walk so I kicked them."**<sup>435</sup> An examination of the greyhound by Dr. Beck did not reveal any injuries. Hall denied kicking **Starz Awesome** in the head, but admitted that in a "momentary lapse of reason and poor judgment" he did kick the dog in the hip. He was suspended for seven days and fined \$500.
- On March 4, 2009, during a routine inspection of the Suncoast Kennel at Palm Beach Kennel Club, an investigator found a severely injured greyhound named **Dooley**.<sup>436</sup> The dog had an approximately **four inch open and infected wound on his neck** that was dripping blood and fluid. The track veterinarian had examined Dooley on February 25, determined it was a "very serious injury," and told trainer Osman Martinez to take the dog to his veterinarian (Dr. Miller) immediately.<sup>437</sup> Despite this instruction, **Martinez did not obtain veterinary care for Dooley** and instead treated him with unprescribed medication. It was not until state investigators discovered the dog twelve days later that **Dooley** finally received proper medical attention. **Dooley** was subsequently put up for adoption with Greyhound Pets of America, Florida Southeast Coast Chapter.<sup>438</sup>



Dooley, an injured greyhound found at Palm Beach Kennel Club. Photograph from the Palm Beach County Sheriff's Office, 2009



Dooley's four inch open and infected wound on the neck. Photograph from the Palm Beach County Sheriff's Office, 2009

The Division of Pari-Mutuel Wagering referred the case to the Palm Beach County Sheriff's office. Martinez initially lied to investigators and told them he had taken **Dooley** to the veterinarian, who had instructed him to leave the wound open. However, Martinez could not produce a receipt of the vet visit and later changed his story. Dr. Miller also told investigators that he had not seen the dog prior to March 4. Additionally, Martinez had claimed **Dooley's** injuries were from a dog fight, but both the track and private veterinarian determined the injury was a puncture wound, not a dog bite. On April 23, 2009 Martinez was arrested for felony cruelty to animals. Several months later he entered into a Deferred Prosecution Agreement with the State Attorney's Office.<sup>439</sup>

Two years later, in August 2011, the Division of Pari-Mutuel Wagering issued a final order against Martinez excluding him from all pari-mutuel facilities in the state.<sup>440</sup> **Despite this ruling, Martinez was still working with greyhounds at Naples Fort Myers Greyhound Track nine months later**, when a greyhound in his control tested positive for a prohibited substance.<sup>441</sup> In November 2012 Martinez finally surrendered his license to the state.

One year later Martinez submitted an application to the Division for a kennel helper license. He disclosed his 2009 arrest for animal cruelty on the application, and requested a waiver for licensure. On March 17, 2014, this waiver request was denied.<sup>442</sup>

- On October 29, 2010 state investigators discovered **37 dead greyhounds** during an inspection of the Ebro Greyhound Park kennel compound.<sup>443</sup> **Five other dogs were alive but severely emaciated**, including one greyhound that was unable to stand. Many of the dogs were double crated, and at least some of the dogs had silver **duct tape wrapped around their necks**. The tape was wrapped so tightly that it could not be cut off and had to be unwrapped. A necropsy later determined that the greyhounds died from dehydration or starvation.<sup>444</sup>

On the same day, greyhound trainer **Ronald Williams was arrested**.<sup>445</sup> A few days later, he was charged with 37 counts of felony animal cruelty.<sup>446</sup> Additional charges



Greyhounds found dead in the Williams kennel at Ebro Greyhound Park. Photograph by the Florida Department of Business and Professional Regulation, 2010

were later added, and Williams faced a total of **42 counts of felony animal cruelty**.<sup>447</sup> A week after the dead greyhounds were discovered, Washington County Sheriff Bobby Haddock stated it was the **“worst case of cruelty to animals”** he had ever seen.<sup>448</sup>

In response to the case, the Florida Department of Business and Professional Regulation fined Williams \$170,000 and revoked his license.<sup>449</sup>

Williams spent a year in jail before agreeing to plead no contest to thirty-nine counts of felony cruelty to animals.<sup>450</sup> He also agreed to waive the jail credit for his time served, and was **sentenced to five years in prison for each count**, to be served concurrently. A five year term was the maximum sentence for each charge.<sup>451</sup>



A greyhound rescued from the Williams kennel at Ebro Greyhound Park. Photograph by the Florida Department of Business and Professional Regulation, 2010

- In July 2010 a veterinarian and a track official documented unsanitary conditions in a kennel at Sanford Orlando Kennel Club.<sup>452</sup> According to witness statements the kennel had “a strong smell of ammonia” from urine, “indicating that the kennel was not being properly cleaned.” The trainer responsible for the kennel was banned from the facility, but no further action was taken.
- On October 2, 2009 two state investigators inspected a kennel at Pensacola Greyhound Track and discovered **evidence of severe neglect**.<sup>453</sup> According to their official report:

“Upon entering the kennel it was apparent from the **overwhelming urine smell** that the bedding materials in the crates were not cleaned in quite some time. The smell was so strong and overpowering that it burned the eyes ... the **greyhounds appeared unenergetic, lethargic**, and most just laid there not even offering a bark. Several of the cages were noticed with both dried and fresh urine puddles in them. Four greyhounds in particular seemed **noticeably thin.**”

Despite this evidence of severe neglect, one of the state investigators assigned to the case completed a Kennel Inspection Form on the same day which he indicated the overall condition of the kennel was **“satisfactory.”**<sup>454</sup>

After inspecting the kennel, state investigators interviewed witnesses who indicated that 22 greyhounds from the kennel had been euthanized between August 31, 2009 and September 4, 2009.<sup>455</sup> The dogs were euthanized after being examined by a veterinarian, who indicated that they were **severely underweight** and some were suffering from **pressure sores**.

in

Kennel Inspection Form indicating “satisfactory” conditions while there was evidence of severe neglect. Florida Division of Pari-Mutuel Wagering, 2009

- On April 8, 2008 a greyhound named **PHX Robeacon** became **overheated** after participating in a schooling race at Sanford Orlando Kennel Club.<sup>456</sup> According to trainer Sara Shull, the dog was allegedly “OK” until **two days later**, when she called Greyhound Pets of America and asked them to take **PHX Robeacon**. When the dog was brought to the veterinary hospital on April 10 she was **“unresponsive, unable to walk ... bleeding profusely from the rectum and was not expected to survive.”**<sup>457</sup> According to a staff member at the

hospital, the dog's bloody diarrhea had begun twenty-four hours prior, which contradicted the statements made by Shull. **PHX Robeacon** required two separate blood transfusions and according to the veterinarian "an **apparent delay in her treatment nearly caused her to die.**"<sup>458</sup>

Sanford Orland Kennel Club barred Shull for life from the facility for her "negligent failure to seek adequate medical treatment of a racing greyhound."<sup>459</sup> The Division also banned Shull from all dog tracks in the state.

## Iowa

- A trainer was suspended for thirty days in 2012 and fined \$300 after she neglected to notify the state about a sick greyhound, and failed to provide adequate veterinary care for the dog. In the same ruling, trainer Lisa Yochum was also cited for not promptly reporting the illness of a second greyhound in her control.<sup>460</sup> On November 1 a greyhound named **DS Cyclone** was seen by a veterinarian for weight loss and swollen hind legs. The dog was given four days' worth of medication, but did not receive follow up care until November 16. At that time **DS Cyclone** was given a poor prognosis and euthanasia was discussed. Yochum decided to **wait and see if DS Cyclone would get better on her own.** However, the **dog's condition deteriorated for three additional weeks** and the state was notified of her death on November 27.<sup>461</sup>

Yochum admitted to the state that she "**should have provided DS Cyclone additional veterinary care.**"<sup>462</sup> During the course of the investigation, it was discovered that Yochum also **failed the report the illness and paralysis** of a greyhound named **DS Trouble** to the state Stewards and Commission Veterinarian. **DS Trouble** was euthanized two days after becoming ill.

## Kansas

- The IZard County, Arkansas, Sheriff's Incident Report in the Vonderstrasse case also includes documentation regarding a case of greyhound neglect in Kansas. It notes that the NGA "**had a problem with [redacted] a short time back in Abilene concerning greyhound dogs and had to pick up a number of the dogs at that time.**"<sup>463</sup> It appears that the industry did not ask for law enforcement involvement in the previous seizure, as the Dickinson County Sheriff has no record of any such activity.<sup>464</sup>



Crispins Place. Photograph by Mardi Gras Casino, 2010

## Texas

- On February 14, 2011 a two-and-a-half-year-old brindle greyhound named **Crispins Place** **fractured his leg** during an unofficial morning workout at Gulf Greyhound Park.<sup>465</sup> Despite the severe nature of the injury, trainer Craig Alan Edwards **failed to seek veterinary care** for the greyhound until February 16, two days after the injury had occurred. At that time Crispins Place was **euthanized.** The Texas Racing Commission ruled that as of a result of his failure, Edwards had subjected **Crispins Place** to "**unnecessary suffering**" and fined him \$500. Edwards did not receive a suspension or have his license revoked.

## West Virginia

- On March 7, 2013 Racing Commission Veterinarian Dr. Lori Bohenko and Wheeling Island Director of Racing Jane Horvath inspected the Cardinal Kennel after receiving an anonymous tip about an **injured greyhound that had not received veterinary treatment.** They found that the greyhound, named **Kiowa Dutch Girl**, had an "**obvious injury to her right hind leg.** She was non-weight bearing on the leg which was severely swollen from her foot up to her stifle."<sup>466</sup> The greyhound had been injured on March 4, and

the only medication she had received was **aspirin**.<sup>467</sup>

When he was interviewed, assistant trainer James Grace stated that he **decided not to bring the dog to the vet because he thought she would be euthanized**.<sup>468</sup> He also said that Dutch Girl had not been given the stronger pain reliever Rimadyl because it was **too expensive**.

Dr. Bohenko instructed kennel owner Robert Mackey to have **Kiowa Dutch Girl** transported to a vet that day for treatment. However, Mackey **failed to comply with this directive** and the greyhound was not brought to the vet until March 8th. When the dog was finally treated, x-rays revealed that **Kiowa Dutch Girl's** leg was **broken in three places**.

In addition to the injured greyhound, an initial inspection of the Cardinal Kennel also revealed **poor kennel conditions**. Horvath noted the following upon entering the kennel:



The injured Kiowa Dutch Girl. Photograph by the West Virginia Racing Commission, 2013



Torn muzzles in the Cardinal Kennel at Wheeling Island. Photograph by the West Virginia Racing Commission, 2013

“I began choking so badly that even my eyes were watering. When I composed myself, I realized that it was a **strong odor of urine** that affected me. The odor was overpowering. The kennel appeared very dirty as well ... most of the **muzzles** were in **great disrepair**-holes in the end, held together with duct tape.”<sup>469</sup>

As a result of this case, **James Grace's license was revoked** and Cardinal Kennel **trainer James Bloom was suspended for six months**.<sup>470</sup> Despite failing to follow Dr. Bohenko's directive, no disciplinary action was taken against Robert Mackey. The state Racing Commission also voted to refer

the cases to the relevant County Prosecuting Attorney for prosecution under the state anti-cruelty law.<sup>471</sup> Complaints against both men were filed, but Bloom and Grace **fled the jurisdiction before they could be served**.<sup>472</sup> As of June 2014, the men had yet to be located by law enforcement and the Brooke County Prosecutor had placed an authorization to extradite order on both cases.<sup>473</sup>

- On April 28, 2013 assistant trainer Christopher Bever was caught on surveillance video **striking two greyhounds**. While waiting to weigh in several dogs, Bever started jerking the dogs' leashes and struck one dog on the side and another in the head. Witnesses noted that one of the dogs "**covered in pain**" and "was so scared that it was lying on the ground."<sup>474</sup> Bever was confronted by State Presiding Judge Ralph Brehm about his behavior and initiated a verbal confrontation. Bever had to be escorted off the property by security and his license was subsequently revoked.<sup>475</sup>

**This was not the first instance of Bever displaying aggressive behavior.** In January 2012 he was fined \$150 and suspended for two weeks after swearing at and pushing a fellow licensee.<sup>476</sup> A track patron witnessed the altercation.<sup>477</sup>



Still image from Wheeling Island surveillance footage of Bever hitting greyhounds, 2013

- In August 2012, the West Virginia Racing Commission revoked the license of a kennel employee after he **admitted to striking a greyhound**. John Michael Schweizer claimed he hit a male dog named **Mad Max** in order to stop him from mounting a female dog. One witness claimed Schweizer hit Max once, while another stated that she saw him **punch the dog in the head three times**. The Commission ultimately ruled that Schweizer was guilty of "subjecting or allowing an animal under his control, custody or supervision to any form of cruelty, mistreatment, neglect, abuse, abandon or deprivation of necessary care of sustenance, shelter or veterinary care."<sup>478</sup>

Schweizer appealed the Commission's decision in Circuit Court and the State Supreme Court, but the ruling was upheld.

- In April 2010 a kennel helper named James Childress had his license indefinitely suspended for mistreating a greyhound at the Mardi Gras track. Childress was walking a greyhound when the dog got loose and was subsequently caught by other track workers. According to witnesses, Childress **"grabbed the dog by the neck and twisted its skin and pulled it up lifting its front feet off the ground."**<sup>479</sup> He then threw the dog into the back of a truck as the dog "screamed uncontrollable [sic]."
- In May 2009 the same kennel helper was disciplined by the Board of Judges for **striking a greyhound in the neck** during schooling. Childress was suspended for one week, placed on probation, and ordered to complete an anger management course.<sup>480</sup>
- A lead-out at Mardi Gras was suspended indefinitely in January 2010 for **using excessive force** when loading greyhounds into the starting boxes at the beginning of races. Multiple complaints were made that Zachary Searls would **"violently swing" and push the dogs into the boxes**. One witness stated that "the head of dog is just about always **rammed into side of box** not even close to make it in the hole. Note there are bolt heads and uneven pieces where dog head is hitting, not just a blow to head could be cut pretty good with that kind of impact [sic]."<sup>481</sup> Another complainant noted that Searls "acts like it's a joke."<sup>482</sup>
- An assistant trainer at Wheeling had his license suspended and was fined \$150 for **"manhandling" and slapping a greyhound** in December 2012.<sup>483</sup>
- In 2012 a kennel helper at Wheeling failed to show up for two shifts at the Williamson Kennel, resulting in the **neglect of multiple dogs**.<sup>484</sup> His license was revoked.

## 2G. GREYHOUND DRUG POSITIVES

Racing greyhounds have repeatedly tested positive for serious drugs, including cocaine. Since 2008, at least **sixteen race dogs have tested positive for cocaine** in Florida and Alabama. A greyhound in Florida also tested positive for the powerful opiate oxymorphone.<sup>485</sup>

At least some dogs that test positive for cocaine may be exposed to the drug through human transference. Positive test results often involve small amounts of cocaine. There are also multiple state disciplinary rulings against trainers for testing positive for cocaine themselves. For example, an assistant greyhound trainer at Tucson Greyhound Park in Arizona was fined \$300 and suspended for sixty days after testing positive for cocaine and marijuana in 2012.<sup>486</sup>

Cocaine is a powerful narcotic and extremely harmful.<sup>487</sup> It **can also be used to fix races**, and has been used for that purpose in the United Kingdom.<sup>488</sup>

- In 2012 a greyhound trained by Robert Dawson **tested positive for a metabolite of cocaine** in Florida.<sup>489</sup> Over two years later, the Florida Division had yet to take disciplinary action against Dawson.
- A greyhound named **Scotty Smalls tested positive for a cocaine metabolite** after racing at Orange Park in Florida on January 6, 2010.<sup>490</sup> As a result of this positive test, a greyhound trainer was fined \$1,000.<sup>491</sup>
- A greyhound trainer was fined \$1,000 after a dog in his control tested positive for a metabolite of cocaine after racing at Palm Beach Kennel Club in Florida on November 12, 2008.<sup>492</sup>
- A greyhound named **Kiowa Fly Lucia** tested positive for cocaine at Mobile Greyhound Park in Alabama in 2010 and the dog's trainer was fined \$50.<sup>493</sup>

- A greyhound that won a race at the Birmingham Race Course in Alabama in October 2009 subsequently tested positive for benzoylecgonine, a metabolite of cocaine.<sup>494</sup> The dog's handler was fined \$750 and suspended for sixty days.<sup>495</sup>



Rude Reuben. Photograph from Greyhound-Data, 2012

### Rude Reuben

**Rude Reuben tested positive for a metabolite of cocaine** on December 13, 2013 at Mardi Gras Racetrack in Florida.<sup>500</sup> Less than one month later, another greyhound named **Me Me Me** tested **positive for the same metabolite** at Mardi Gras.<sup>501</sup> Both dogs had the same registered trainer and owner.



Easi Steve. Photograph from Greyhound-Data, 2011

### Easi Steve

**Easi Steve tested positive for a cocaine metabolite** after racing at Orange Park in Jacksonville, Florida on November 17, 2010.<sup>502</sup> It appears that the state did not take any disciplinary action against the dog's trainer until 2013, and at that point his license had already expired.



GS Rae. Undated photograph by Stacy Heckel

### G's Rae

**G's Rae tested positive for a cocaine metabolite** after racing at Orange Park in Jacksonville, Florida on January 28, 2010.<sup>503</sup> The trainer responsible for **G's Rae** was fined \$1,000.<sup>504</sup>

## 2H. POOR KENNEL CONDITIONS

State kennel inspection reports shed light on the poor living conditions for greyhounds at tracks across the country.

GREY2K USA conducted an analysis of **689 greyhound kennel inspection forms** filed by the Florida Department of Business and Professional Regulation between January 1, 2009 and April 27, 2010. These reports documented several humane concerns, including:

- On **127** inspection forms the condition of the kennel facility was listed as **"poor."**<sup>496</sup>
- **28** inspection forms indicated that **multiple greyhounds were living in the same cage.**<sup>497</sup>

Inspection records from 2013 and 2014 show that problems continued to be documented at Florida tracks:

- There were **27** inspection forms indicating that the overall kennel condition was **"unsatisfactory."**<sup>498</sup>
- There were numerous instances of kennels receiving **satisfactory markings from the state despite evidence of poor conditions** in those kennels. For example, on both August 13 and October 10, 2013, inspectors documented the following conditions in the O'Donnell kennel at the Florida Kennel Compound:

**"Kennel unclean. Roaches visible.** Bleach sitting on top of crates where dogs are bedded. IV bag hanging on cage area inside the kitchen. Absolute [sic] vodka bottle containing an unknown substance in fridge."<sup>499</sup>

Despite these issues, the inspectors marked the condition of the kennel facility as **“good”** and the overall kennel condition as **“satisfactory.”**<sup>505</sup>

Dirty kennel conditions at Tucson Greyhound Park have also been documented on state inspection forms by the Arizona Department of Racing. Over a four month period in 2012, **blood and feces on walls** and in crates were continually reported in one kennel.<sup>506</sup> In June 2011, an inspection of the Eyerl kennel revealed that the **“Floors [were] filthy (urine & feces)/refrigerator covered inside and out with blood (from meat).”**<sup>507</sup> The kennel owner, Willard Eyerl, also could not produce a record of the dogs that had been in his kennel and their dispositions. Eyerl received a warning from the Arizona Department of Racing for these violations.<sup>508</sup>

Repeated problems have been documented during inspections at the Birmingham Race Course in Alabama, yet it appears regulators have failed to take action to correct these issues. In addition to problems at specific kennels, inspectors noted that the Birmingham kennel compound was in a **general state of disrepair** in 2013.<sup>509</sup> There were also instances in which the racing commission was unable to inspect certain kennels at all.<sup>510</sup>

## 2I. OTHER HUMANE ISSUES

### A case of “live lure training” was documented in Texas

In September 2011 a Texas greyhound trainer named Timothy Norbert Titsworth surrendered his state license after he was **caught on video tape using live rabbits to train greyhounds at his farm.**<sup>511</sup> This practice, known as “live lure training,” is prohibited under the state’s animal cruelty laws.<sup>512</sup>

According to the video transcript prepared by the State Racing Commission, the **rabbits can be heard screaming** as they are chased and subsequently caught by greyhounds. After a dog catches a rabbit, an individual on the tape is heard saying **“Got a little blood, didn’t it.”**<sup>513</sup> Later in the video Titsworth remarks that the dogs “have killed enough jackrabbits” and tells another individual present that **“these dogs have had seven rabbits** in the field. And then they’ve had about eight on the whirligig.”<sup>514</sup>

In addition to facing discipline from the State Racing Commission, Titsworth faced a criminal charge of cruelty to non-livestock animals in Burleson County, Texas. However, his case was dismissed in April of 2012.<sup>515</sup>

### Track acknowledges that a pesticide was used on dogs to reduce costs

In November 2011, the general manager of Daytona Beach Kennel Club admitted that greyhounds at the track had been **given a pesticide named Termidor** for years, in an attempt to control fleas and ticks.<sup>516</sup> After an investigation by the state Department of Agriculture and the U.S. Occupational Safety and Health Administration, the track agreed to stop the practice. In announcing its decision, Daytona’s general manager stated that **the use of Termidor was an “industry standard” practice** and it was used by greyhound kennels because it is **“cheaper”** than flea and tick repellants.<sup>517</sup>

Termidor can be purchased through Kennel Supply LLC, a racing greyhound supply company operated by Jon Stidham, a board member of the Iowa Greyhound Association.<sup>518</sup> The product is listed under the “Flea & Tick” category of Kennel Supply LLC’s online store.<sup>519</sup>

### Illnesses have been reported at dog tracks

- The Mardi Gras Casino and Resort in West Virginia experienced a **kennel cough (tracheobronchitis) outbreak** in March of 2014.<sup>520</sup> The illness spread to **all seventeen racing kennels** and the adoption kennel, with close to **14%** of the kennel compound population becoming ill. One dog required treatment at a veterinary hospital.
- In February 2014, there was an **unspecified illness** reported at Tucson Greyhound Park. According to the Arizona Department of Racing Chief Veterinarian, the illness lasted about 24 hours, affected 3 kennels and was “short and sweet.”<sup>521</sup>
- From February 5 through February 9 2014, **fifty-four greyhounds were prevented from racing** (scratched) by a Texas Racing Commission vet **due to coughing**. The vet list specifically categorized the illness as “medical disease - respiratory.”<sup>522</sup> On February 19 an additional six dogs were scratched for the same reason.<sup>523</sup> Races were cancelled at Gulf Greyhound Park from February 17-23.<sup>524</sup> According to an email from

the Mutuels Manager at Gulf, the illness was **kennel cough**.<sup>525</sup>

- In April 2012 an **outbreak of canine influenza** occurred at Gulf Greyhound Park, resulting in the **death of six greyhounds**. In addition, as many as over **half of the 600-700** greyhounds living at the Park became ill and suffered from symptoms including **“fevers, cough, and even pneumonia.”**<sup>526</sup> Races were cancelled for eight days and a quarantine was issued. This was not the first time that Gulf Greyhound Park experienced an outbreak of canine influenza, with the disease affecting the dogs at the track at **least four previous times since 2003**.<sup>527</sup>

## Greyhound trainers fail to provide vaccinations

There have been numerous cases of greyhound licensees being cited for failing to have up-to-date vaccinations for the dogs in their control:

- In December 2013 an Arkansas trainer was fined \$450 for **failing to get nine greyhounds vaccinated** before their current shots had expired.<sup>528</sup>
- A trainer at the Florida Kennel Compound **could not provide the vaccination records for sixty-one greyhounds** in his kennel during a March 2011 inspection.<sup>529</sup> When approached by state investigators, the trainer stated he would meet them in the building where the records allegedly were located, but he never showed up. He was fined \$150.
- In February 2011, a state inspector found that **185 out of 431 vaccination records (43%) at Jefferson County Kennel Club in Florida were expired**.<sup>530</sup> The Racing Secretary stated that “none of the trainers had any money and they could not afford to pay for all the inoculations needed.”<sup>531</sup>
- On 14 Florida inspection forms from 2009 and 2010, greyhound trainers **could not provide proof of vaccinations**, or greyhound vaccinations had expired.<sup>532</sup>

A Florida greyhound kennel owner was also investigated for **falsifying nearly 100 vaccination records**. In 2011, James O'Donnell purported to show documentation that dogs running at Mardi Gras, Orange Park and Derby Lane were current on their inoculations. However, the documents were **signed by a veterinarian that was already deceased**. As a result, O'Donnell's contracts with Mardi Gras and Orange Park were suspended.<sup>533</sup>



Aerial view of the Gulf Greyhound Park kennel compound. Image from Google Maps, 2012



A greyhound hauler at Orange Park Kennel Club. Photograph by GREY2K USA, 2014

## Greyhounds die while being transported

Two greyhound haulers were suspended for 30 days and fined \$500 each after **eight greyhounds died while being transported to Arizona** in 2010.<sup>534</sup> At least some of the dogs were being sent to race at Tucson Greyhound Park.<sup>535</sup> The haulers claimed that they were unable to check on the dogs for part of the trip due to bad weather, but a state report of the incident found that “the evidence does not support that they drove through severe rainstorms.”<sup>536</sup>

In another incident, **three greyhounds died** in August 2008 while being transported from Iowa to the Palm Beach Kennel Club.<sup>537</sup> The dogs apparently died of heat related illness.

On June 27, 2014 a greyhound named **Gone Gone Gone died while being hauled** from West Virginia to Palm Beach Kennel Club in Florida to race.<sup>538</sup>

In 2012, trainers discovered a **greyhound that had died** during the trip to Southland Greyhound Park.<sup>539</sup> **No one reported the death of the dog** to Southland officials, a violation of track policy. When questioned, the trainers **lied about the circumstances** surrounding the discovery of the greyhound. For their part in the cover up, two of the trainers were fined \$1,000 and suspended for six months.<sup>540</sup> The third trainer was fined \$250 and suspended for two weeks.<sup>541</sup>

## Greyhounds race in extreme weather conditions

Greyhounds race year-round at some racetracks, including the **hottest days of summer** and **coldest days of winter**. This was acknowledged in February of 2010 by a legislative agent representing Bluff's Run in Iowa:

"We race 301 days a year. If you look outside and think about the weather right now, we'll have dogs running tonight with no one there. We have dogs running **all week, rain, snow, ice, you name it.**"<sup>542</sup>

There is some evidence that racing in **extreme weather conditions can cause greyhounds to suffer injuries**. For example, according to state records a greyhound named **Pat C Make it** suffered a broken leg at Dubuque on May 29, 2008 due to a **"sloppy track" caused by heavy rains**.

According to state records, greyhounds were raced at Southland Park on days of **extremely high temperatures**. For example, on July 26, 2008 races were held despite a reported temperature of **100 degrees**.<sup>543</sup> Additionally, **five greyhounds suffered from heat exhaustion/stress** after racing on hot days in May 2008, February and July 2010, and August 2011. According to the injury report for one of these greyhounds, the temperature that day was "90+ with heat index of 99, and over 70% humidity."<sup>544</sup>

According to a 2008 *Milwaukee Journal Sentinel* news report, **weather conditions** were one reason why such a **large number of greyhounds suffered broken legs** at Dairyland Greyhound Park.<sup>545</sup>

## Greyhound owners sell dogs to overseas buyers

Greyhounds bred and raced in the United States have been **sold to race in other countries**, including jurisdictions with **substandard animal welfare standards** and poor oversight controls. For example, a greyhound named **Kelso's Guardian** raced in Florida and Arkansas prior to being **sold for \$183,000 to Dubai**.<sup>546</sup> As of March 2013, Kelsos Guardian was participating in non-commercial greyhound races in that country.<sup>547</sup>



Kelsos Guardian. Undated photograph from Greyhound Data

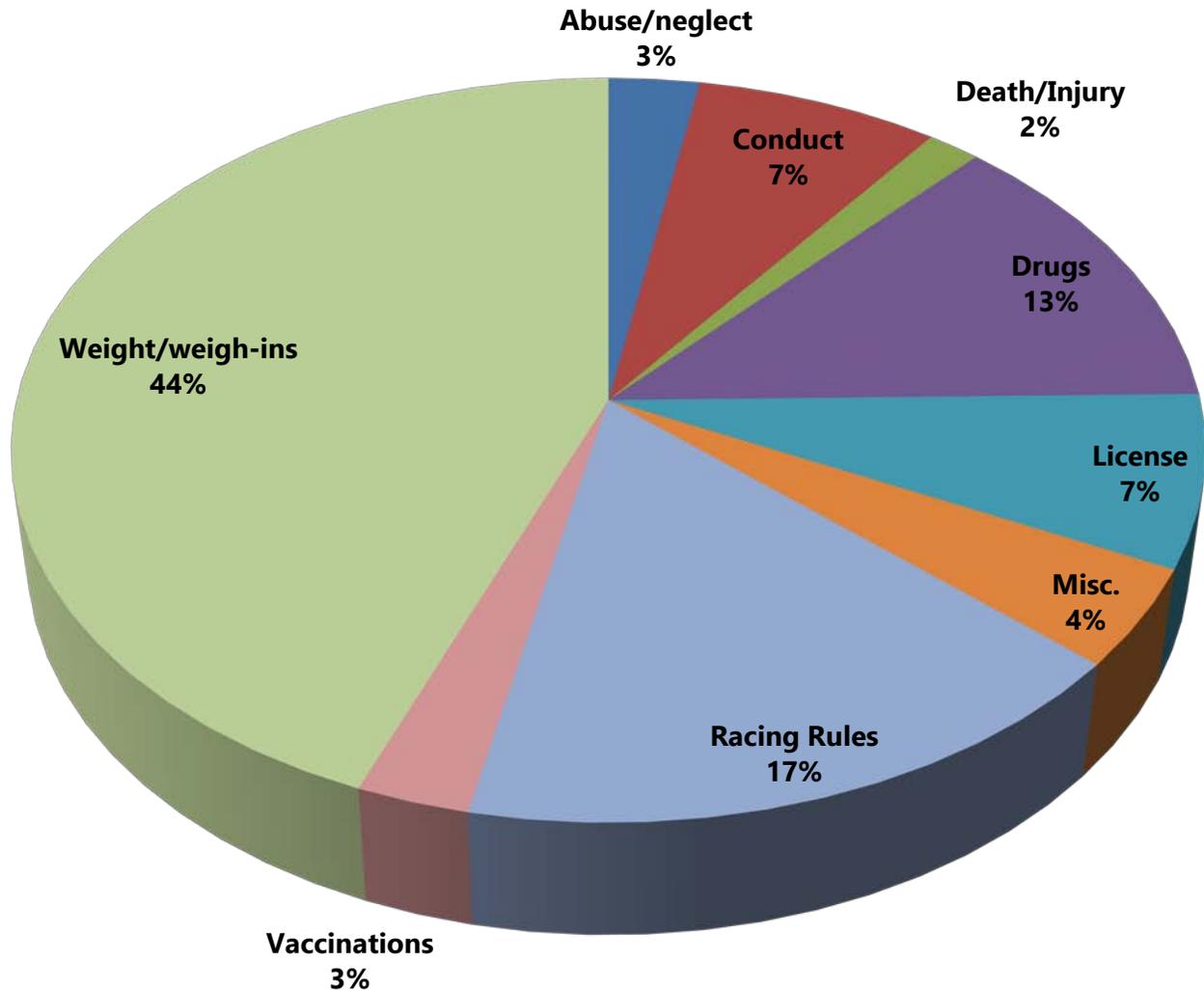
## State greyhound disciplinary rulings

Between January 1, 2008 and November 30, 2014, **at least 2,221 disciplinary rulings were issued** by state and county racing commissions for infractions of racing regulations. These rulings are from the seven states that currently conduct live racing, as well as Colorado, Kansas, Massachusetts, New Hampshire and Wisconsin.<sup>548</sup>

A total of 1,722 rulings (77%) resulted in a fine, ranging from \$10 to \$170,000. In 248 (11%) cases licensees were either suspended or had their licenses revoked. The most common type of ruling was for violations relating to dogs' weight or the weigh-in procedure (978 rulings, or 44%), including over or underweight dogs and trainers failing to bring dogs to weigh-in before races. The next most common type were racing rule violations (373 or 17%), such as licensees entering ineligible dogs into races. Rulings for dogs that tested positive for prohibited substances or for possession of paraphernalia in racing kennels (285 or 13%) were the third most common type of violation.

State	Rulings
Alabama	317
Arizona	254
Arkansas	92
Colorado	28
Florida	325
Iowa	247
Kansas	25
Massachusetts	32
New Hampshire	9
Texas	173
West Virginia	587
Wisconsin	132

## RULINGS BY TYPE



\* Some of the investigations for rulings related to abuse and/or neglect resulted in unproven allegations, and therefore the cases were closed with no disciplinary action being taken.

# SECTION 3

## REGULATORY ISSUES

In six of the seven racing states, there are **state racing commissions** in place to regulate and oversee greyhound racing. In Alabama, there are **two county commissions** that each regulate a single dog track. The commissions' budgets are set by the state legislature or local government. In recent years, **budgets for individual commissions have ranged from one million to nine million dollars.**<sup>549</sup>

Each racing commission is in charge of enforcing its state or county Rules of Racing or Racing Acts. These rules cover various aspects of racing, including licensing, race procedures and anti-doping policies.

With the exception of the Birmingham Racing Commission, all commissions in the seven racing states are members of the **Association of Racing Commissioners, Inc. (ARCI).**<sup>550</sup> The ARCI is a trade association with no regulatory authority itself, but rather is comprised of members who have legal authority over racing in their jurisdiction.<sup>551</sup> Members choose on their own to adopt ARCI's policy recommendations, such as its drug testing program. Each year the ARCI releases a report of wagering statistics for the horse, greyhound, and jai-alai industries.

### 3A. HISTORY OF REGULATORY FAILURES

The failure to rectify poor kennel conditions at Birmingham Race Course, documented in section 2H, are an example of larger regulatory problems in Alabama. It is the **only state without a state regulatory body** to govern greyhound racing. Instead there are two separate commissions; the Birmingham Racing Commission and Mobile County Racing Commission.

Both commissions have a history of **failing to take decisive action over rule violations.** For example, the Mobile County Racing Commission **only fined a greyhound trainer \$50 after a dog tested positive for cocaine.**<sup>552</sup> The Birmingham Racing Commission has also failed to modernize itself. Under current law, commission members can only be appointed at a special meeting called by the Mayor of Birmingham. In practice, this gives the Mayor **almost exclusive authority** in determining who serves on the Commission. According to State Senator Jabo Waggoner, the Mayor has not called such a meeting in decades:

“We’ve not had a change in the board in **20 years** because the mayor of Birmingham has not called a meeting.”<sup>553</sup>



A kennel at Birmingham Race Course. Photograph by Ray Wong, c. 2012

In 2011, 2012 and 2013, bills that would have allowed lawmakers to call appointment meetings failed to pass the Alabama legislature.<sup>554</sup>

The **Birmingham Racing Commission has approved bailouts** for the struggling Birmingham Race Course on two recent occasions. In 2010, the Commission gave the track \$400,000 in emergency funds.<sup>555</sup> In May 2014, the owners of the track asked the commission for \$800,000 to pay delinquent taxes. The Commission gave them \$398,000 to pay taxes it owed for 2011, and agreed to revisit the issue after it was determined how much the track owed for 2012 and 2013.<sup>556</sup>

State and county racing commissions' primary function are to regulate dog racing. However, the Mobile County Racing Commission has taken the position of **promoting and protecting the greyhound industry.** In

1997 the Commission adopted a resolution stating that it is “**fully committed to live greyhound racing** and will carefully and deliberately scrutinize, and withhold approval of a person, corporation or simulcast partner who takes any action which is not in the best interest of Mobile Greyhound Park.”<sup>557</sup>

Alabama isn't the only state where racing commissions have demonstrated an **inability to effectively regulate** the greyhound industry. In 2011, the Texas Racing Commission determined that a trainer had subjected a greyhound to “unnecessary suffering” after failing to provide the injured dog with veterinary care.<sup>558</sup> The trainer was fined \$500, but received **no suspension**.<sup>559</sup> GREY2K USA wrote to the Texas Racing Commission, asking for the case to be reopened and a stiffer penalty issued. In response, Commission Executive Director Chuck Trout stated that he did not have legal authority to reopen the case.<sup>560</sup> The Commission **did have this authority**, however, under Texas Administrative Code Rule §307.69:

“On its own motion or on request by the executive secretary, the Commission may reverse a decision of the stewards or racing judges, **modify a penalty** imposed by the stewards or racing judges, or reinstate a person’s license and rescind the penalty.”<sup>561</sup>

In April 2012 the above referenced rule was changed to include a time limit for action to fourteen days after a ruling was issued.<sup>562</sup> It also removed the Commission and instead gave the executive secretary sole control over making any changes to rulings and penalties.<sup>563</sup>

Two state racing commissions have acknowledged that they do not inspect the areas where racing greyhounds are confined. In June 2014, the West Virginia Racing Commission stated that it “**does not conduct kennel, farm, or track inspections**.”<sup>564</sup> In response to a request for 2013 inspections, the Mobile County Racing Commission stated it had “**no records**” that fell within the scope of such a request.<sup>565</sup>



Inside of a greyhound kennel at Wheeling Island Racetrack. Photograph from the Greyhound Relocation & Adoption Canada Forum, 2013

### 3B. LICENSING OF VIOLENT FELONS

Under Florida law, **felons can be licensed in the greyhound racing industry** if they are given a special waiver from the state Division of Pari-Mutuel Wagering.<sup>566</sup> Interested applicants are required to request a waiver, and the Division Director makes the final decision whether to grant or deny the license application. From January 2013 through July 2014, **79 applications for waivers were granted** by the Division and 114 were denied.

Of the waivers that were granted, **41%** involved applicants with offenses related to **theft and/or burglary** and **34%** involved **drug related offenses**, such as possession, distribution, or intent to distribute cocaine, marijuana, heroin and amphetamines. Other convictions of waiver recipients included **fraud, assault, and weapons possession**. A majority of the waivers granted were given to individuals with convictions that were at least ten years old.

As a result of this law, **violent felons are sometimes directly responsible for the health and welfare of racing greyhounds**. For example, an individual named Saul Mays, who had a criminal history involving assault and kidnapping, was given a waiver by the state (see section 2F for further details).

### 3C. DISCIPLINE FREQUENTLY DELAYED IN FLORIDA

Although the Florida Division of Pari-Mutuel Wagering has a highly competent investigations department, it sometimes takes years to punish licensees who violate rules, including animal welfare regulations. In many cases the penalties handed down are also insufficient.

In February 2011, investigators found “**unclean conditions and greyhounds with inadequate bedding**” during multiple inspections of a kennel at the Florida Kennel Compound.<sup>567</sup> The kennel’s trainer, Jose Lopez, also failed to provide proof of vaccinations for approximately 50 greyhounds. Finally, one greyhound was found in the kennel with an untreated toenail injury. The Division concluded that Lopez “caused unnecessary suffering” to the greyhounds

and a case was opened against him.<sup>568</sup> However, it took **three years for the case to be closed**, at which point Lopez was **only fined \$250 and suspended for ten days**.<sup>569</sup> In the meantime Lopez was allowed to work at Florida dog tracks.

In another case, a racing greyhound owner named Julie Forsyth was convicted of **seven counts of animal cruelty** in Pennsylvania after **sick and starving dogs and horses** were found at her property.<sup>570</sup> The Division of Pari-Mutuel Wagering opened an investigative case against Forsyth with the recommendation that her license be revoked. However, it took **two years for any action to be taken**, and in the meantime Forsyth continued to own Florida racing dogs.<sup>571</sup>

For another example of the Division's slow handling of an animal welfare violation, see the Osman Martinez case in Section 2F.

### 3D. INDUSTRY SELF-REGULATION

Although primarily regulated by state agencies, the industry has also **tried to police itself** through the National Greyhound Association (NGA) and other affiliated groups, such as the Iowa Greyhound Association, Florida Greyhound Association, Texas Greyhound Association and West Virginia Greyhound Owners and Breeders Association.

These associations generally represent the interests of the greyhound industry in state legislative affairs. For example, the Florida Greyhound Association has its own registered lobbyist.<sup>572</sup> The state associations also consider themselves the "official greyhound breed registry" for their respective states, and are recognized as such.<sup>573</sup>

The NGA is a 501(c) 6 trade association, and was originally formed in 1906 as the National Coursing Association.<sup>574</sup> In 1987 the NGA joined with the American Greyhound Track Operators Association (AGTOA) to form the American Greyhound Council (AGC). The AGC's purpose is to "fund and manage greyhound welfare, research and adoption programs for the racing community."<sup>575</sup> It does this primarily through grants to adoption groups.<sup>576</sup>

#### The greyhound industry is an ineffective self-regulator



If you have adopted a greyhound ... please realize that what I say is true. Do not adopt from groups who are against the industry. Do not volunteer or monetarily support AR groups. Tell all of your friends to adopt from groups who work with the industry to jointly make your dog the special dog that he is. If you don't, you are helping to push the racing greyhound to extinction.

Page from the Iowa Greyhound Association Newsletter, March 2012



Racing greyhound owner Julie Forsyth. Photograph from Julie Forsyth's Facebook page, 2011

The NGA has a long history of **covering up cases of misconduct and animal neglect**, has shown a double standard in its treatment towards certain industry figures and displayed a lack of willingness to press charges against offenders.

The NGA is not a regulating body, but rather a promoter of greyhound racing. One example of the industry's focus on promotion is the Iowa Greyhound Association's (IGA) position on adoption. The IGA posted a notice in its March 2012 newsletter that specifically told people to **"not adopt from groups who are against the industry."**<sup>577</sup> When GREY2K USA challenged the IGA on its stance, the IGA posted a response on its website from Marsha Kelly, a controversial public affairs consultant who represents animal-use industries. Kelly stated that "the success of our adoption effort has never and will never depend on the participation of a handful of extremely hostile 'anti-racing' groups. We don't need to depend on the hate-mongers."<sup>578</sup>

#### Mixed signals on animal cruelty cases

There is no clear statement on the NGA website regarding its policy on handling animal cruelty cases. However, through public statements made by the NGA it is possible to piece together its apparent approach.

The **NGA asks individuals to report cases of greyhound**

**abuse to itself**, the AGTOA, or the AGC.<sup>579</sup> The NGA also states that it “isn’t a law enforcement agency, and we don’t have police powers.”<sup>580</sup> In terms of taking disciplinary action against individuals, the “NGA rules authorize lifetime expulsion from greyhound racing for members found guilty of serious violations of the organization’s greyhound care standards. Non-NGA members are subject to disciplinary action by state and local racing regulators. NGA rules also allow the organization to disqualify for future membership any individual whose license has been revoked by state regulators.”<sup>581</sup>

## The NGA didn’t want the public to know it discouraged a cruelty prosecution

In May 2014, an **Arkansas** greyhound breeder **turned over 141 greyhounds to the NGA in very poor condition**. An additional **two greyhounds were found dead** as a result of lack of food and water. The local Sheriff’s Department assisted in the removal of the dogs, and a police report was filed. However, when the Department asked an NGA official if the group wished to press charges against the breeding facility’s owner, he declined and stated he **“would not be willing to come to Izard County to testify in Court.”**<sup>582</sup> The police report notes that he also specifically stated **“he did not want people knowing that he was not willing to do so.”**

## No NGA action in West Virginia cruelty case

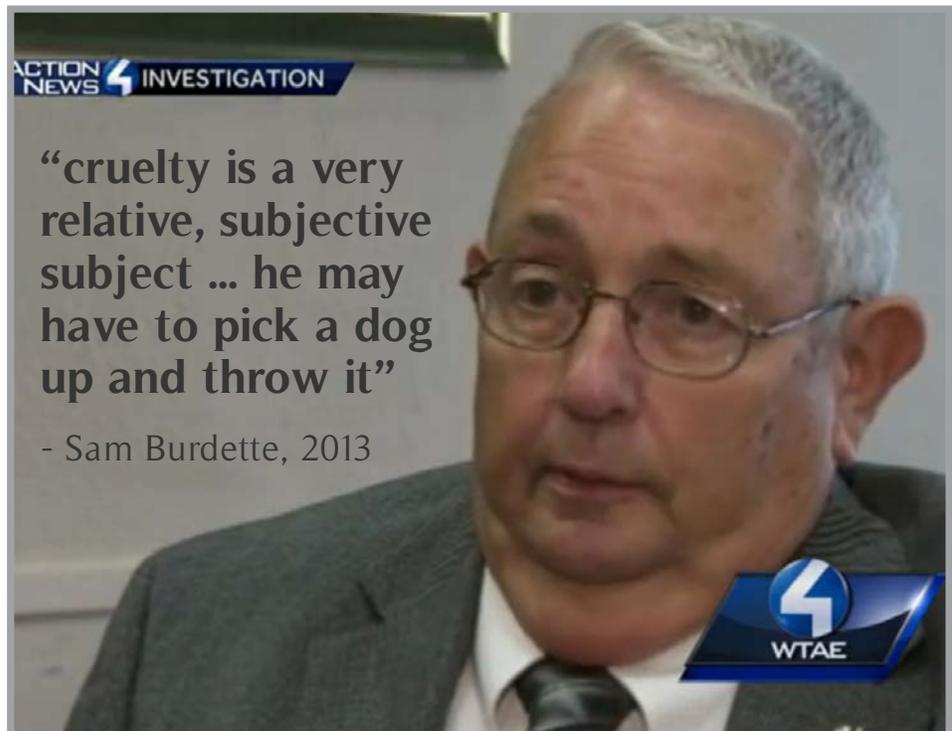
In 2013, a racing greyhound named **Kiowa Dutch Girl** was **not provided veterinary care** after she broke her leg in three different places. As a result, the West Virginia Racing Commission revoked the license of the dog’s assistant trainer James Grace and trainer James Bloom was suspended for six months. The NGA put out a statement in response to the case and noted that its rules “allow the organization to disqualify for future membership any individual whose license has been revoked by state regulators.”<sup>583</sup> However, the **statement didn’t indicate that any action was actually taken against Grace**, who was not a NGA member. The statement also made **no mention of any action taken against Bloom**.

## West Virginia Greyhound Owners and Breeders Association fought state anti-cruelty policy

Reaction to the Grace and Bloom cruelty case led the West Virginia Racing Commission to **adopt an animal cruelty policy**. This policy states:

“It is the policy of the West Virginia Racing Commission to report instances of animal cruelty, mistreatment, neglect, abuse or abandonment to the appropriate local law enforcement authorities for possible criminal prosecution pursuant to West Virginia Code § 61-8-19.”<sup>584</sup>

Sam Burdette, the president of the West Virginia Greyhound Owners and Breeders Association, was vocal in his opposition to the policy. He stated that **“cruelty is a very relative, subjective subject”** and a trainer may have to **“pick a dog up and throw it”** in order to stop a dog fight.<sup>585</sup> Burdette also called for the policy to be put out for public comment before the Commission took any vote on it. According to the Commission, Burdette was the only individual to request changes, including a definition of what would qualify as greyhound cruelty. Ultimately, the Commission rejected Burdette’s suggestions and adopted the original proposed policy.



Dog racing industry spokesman Sam Burdette. Still from a video by WTAE-TV, 2013

This was not the first instance in which Burdette made comments rationalizing greyhound cruelty. In 2013 a greyhound trainer lost his license after he was caught on video hitting greyhounds. When shown the footage by a reporter, Burdette defended the actions of the trainer, saying "He acted quick, and a little bit rough I thought, but I understand why he reacted so quick. **You're showing the dog what you want the dog to do and that's the way you handle dogs and the only way you can handle dogs.**"<sup>586</sup>

## The NGA is inconsistent in the application of its policies

It appears that the industry is **selective in whom it decides to pursue action against**, with several notable **NGA members not receiving sanctions** for alleged improper behavior.

In 2002, greyhound trainer Ursula O'Donnell was investigated for her role in the **killing of over 2,000 racing greyhounds**.<sup>587</sup> It was alleged that O'Donnell hired a man named Robert Rhodes to **shoot and kill greyhounds under her care**. She was charged with felony animal cruelty and criminal conspiracy, but the case was later tossed out when Rhodes died.

Despite the serious nature of the case and the fact that there was enough evidence to charge O'Donnell with felony animal cruelty, the **NGA never took action against her**. The O'Donnell's are a prominent family within the industry that has raised, trained and owned greyhounds for decades.<sup>588</sup> According to NGA Executive Director Gary Guccione "The NGA and the state of Florida awaited a final judgment on the legal cases against four other individuals, including Ursula O'Donnell, who had also been charged in the case. When Rhodes died soon thereafter and the court case was dismissed with no convictions, NGA's legal counsel advised that we did not have legal grounds to take unilateral punitive action, especially when the individuals remained eligible for licensing in racing jurisdictions."<sup>589</sup>



A dead greyhound at the Robert Rhodes farm. Photograph by the Florida Department of Business and Professional Regulation, 2002

However, in a separate case the NGA took action against at least one individual who remains actively licensed. Saul Mays, a kennel operator in Florida, was given **a lifetime ban by the NGA** after he turned over numerous dogs to an adoption group in very poor condition.<sup>590</sup> As of January 2015, Mays is still licensed by the Florida Division of Pari-Mutuel Wagering.<sup>591</sup>



Herb 'Dutch' Koerner receiving the NGA Lifetime Achievement Award. Photograph from the National Greyhound Association, 2011

In 2003, **former NGA president** Herb 'Dutch' Koerner admitted to an investigator from the Iowa Attorney General's office that he had **hidden ownership in an Iowa greyhound racing kennel for five years**. Koerner stated that he was a 50-50 partner in the Haynes kennels at both Dubuque and Bluffs Run. He also claimed to have worked with Haynes **"to have ineligible greyhounds falsely certified as Iowa-bred dogs in an effort to make additional money."**<sup>592</sup>

The Iowa Assistant Attorney had filed charges against Haynes for violating the state kennel transfer regulations, but the charges were thrown out after Koerner failed to show up as a witness at the trial.<sup>593</sup>

Not only did the NGA fail to take any action against Koerner, he was given a **Lifetime Achievement Award** in 2011.<sup>594</sup>

1. Historical information in this section is based on reading accounts from multiple sources. See generally Gwyneth Anne Thayer, *Going to the Dogs, Greyhound Racing, Animal Activism, and American Pop Culture* (Lawrence, KS: University Press of Kansas, 2013); Paul C. Hartwell, *The Road from Emeryville, a History of Greyhound Racing* (San Diego, CA: California Research Publishing, 1980); Tim Horan, "History of the Greyhound and Greyhound Racing," *The Greyhound Review*, February 2006, <http://data.ngagreyhounds.com/History.asp> (accessed September 4, 2014); Cynthia A. Branigan, *The Reign of the Greyhound* (2d ed.) (Hoboken, NJ: Wiley Publishing, Inc., 2004); "The History of Greyhound Racing," *The Greyhound Racing Association of America*, [http://www.gra-america.org/the\\_sport/history.html](http://www.gra-america.org/the_sport/history.html) (accessed September 4, 2014); Joan Eiding, "Greyhound Racetrack Operating in North America as of October 1, 2011," *Greyhound Network News*, [http://www.greyhoundnetworknews.org/Racetrack\\_List\\_October%201%202011.pdf](http://www.greyhoundnetworknews.org/Racetrack_List_October%201%202011.pdf) (accessed September 5, 2014).
2. Thayer, *Going to the Dogs*, 45 (the Blue Star Amusement Park cost \$67,000 to build); Branigan, *Reign of the Greyhound*, 172; Frank O'Connor, "New York Committee Considering Dog Racing," *Greyhound Review* 4.3 (March 1976) (also noting humane aspect of using a mechanical lure); Joel Hooper, "Some Wrong Impressions," *Greyhound Review* 3.4 (April 1975).
3. Hartwell, *Road from Emeryville*, 19; GRAA, "History of Greyhound Racing."
4. Thayer, *Going to the Dogs*, 58-59 (Smith's tracks belonged to his International Greyhound Racing Association while competitors joined George Heintz's American Electric Rabbit Association. Heintz had been an early Smith ally and partner); Hooper, "Some Wrong Impressions."
5. Thayer, *Going to the Dogs*, 59.
6. Hartwell, *Road from Emeryville*, 5; Branigan, *The Reign of the Greyhound*, 177.
7. *Ibid.*
8. *Ibid* 63-64, Thayer, *Going to the Dogs*, 47-50.
9. Hooper, "Some wrong impressions.;" Hartwell, *Road from Emeryville*, 15; Thayer, *Going to the Dogs*, 6.
10. Thayer, *Going to the Dogs*, 212.
11. Hartwell, *Road from Emeryville*, 3; Thayer, *Going to the Dogs*, 46 (Smith is described as anti-gambling in both of these treatments).
12. Branigan, *The Reign of the Greyhound*, 185; GRAA, "History of Greyhound Racing."
13. Smith, Sawyer, Hyland v. KY, 27 U.S. 509 (1927).
14. Thayer, *Going to the Dogs*, 74-77.
15. Hartwell, *Road from Emeryville*, 75; Thayer, *Going to the Dogs*, 83-85.
16. Hartwell, *Road from Emeryville*, 69; Thayer, *Going to the Dogs*, 95; Florida Senate Interim Project 2005-155, *Legalized Gambling in Florida – The Competition in the Marketplace*, [http://archive.flsenate.gov/data/Publications/2005/Senate/reports/interim\\_reports/pdf/2005-155rilong.pdf](http://archive.flsenate.gov/data/Publications/2005/Senate/reports/interim_reports/pdf/2005-155rilong.pdf) (accessed October 4, 2014).
17. *Ibid.*
18. *Ibid.* Hartwell, *Road from Emeryville*, 82; Horan, "History of the Greyhound."
19. Associated Press, "Doyle E. Carlton, 85, Dies; Was Governor," *Tallahassee Democrat*, 26 October 1972. (In refusing to sign the bill and accept the bribe, Carlton reportedly stated, "[I]f it's worth that much I believe I'll keep the signature.")
20. Hartwell, *Road from Emeryville*, 70; Thayer, *Going to the Dogs*, 73.
21. Thayer, *Going to the Dogs*, 88-89.
22. O'Connor, "New York Committee Considering Dog Racing;" Thayer, *Going to the Dogs*, 80.
23. Thayer, *Going to the Dogs*, 93-94.
24. Hartwell, *Road from Emeryville*, 70; Thayer, *Going to the Dogs*, 73.
25. Hartwell, *Road from Emeryville*, 97.
26. *Ibid.* 108; Arkansas Dept. of Finance and Administration, "Arkansas Racing Commission History and Organization," [http://www.dfa.arkansas.gov/offices/budget/budgetRequests/0631\\_dfa\\_racing.pdf](http://www.dfa.arkansas.gov/offices/budget/budgetRequests/0631_dfa_racing.pdf) (accessed October 4, 2014).
27. Hartwell, *Road from Emeryville*, 112. Thayer, *Going to the Dogs*, 256. (Alabama (1973), New Hampshire (1973), Nevada (1973), Vermont (1976), Connecticut (1976), West Virginia (1976), Rhode Island (1977), Iowa (1985) Texas (1986), Idaho (1987), Wisconsin (1987), Kansas (1989), "Gaming in the United States," *The Wagering Resource LLC*, [http://www.wageringresource.com/index.php?option=com\\_content&view=article&id=31&Itemid=126](http://www.wageringresource.com/index.php?option=com_content&view=article&id=31&Itemid=126) (accessed September 11, 2014); Eric Torbenson, "Greyhound Park to Stop Racing Dogs Since Opening in 1988, Track Has Lost More Than \$21 Million," *Spokesman-Review*, November 1, 1995, <http://www.spokesman.com/stories/1995/nov/01/greyhound-park-to-stop-racing-dogs-since-opening/> (accessed October 7, 2014).
28. Hartwell, *Road from Emeryville*, 112.
29. Thayer, *Going to the Dogs*, 86, 172-173 (voters were encouraged not to make California the "newest killing ground" for greyhounds); Connor, "New York Committee Considering Dog Racing" (the Fund for Animals was among the groups that brought humane concerns to the forefront); George C. Hardie, "About that AGTOA," *Greyhound Review* 3.11 (November 1975).
30. Thayer, *Going to the Dogs*, 22, 200; Branigan, *The Reign of the Greyhound*, 152 (Queen Elizabeth I accepted coursing as form of hunting for entertainment, but ordered the creation of the 1561 "Law of the Leash" to give prey animals some ability to escape).

31. Hartwell, *Road from Emeryville*, 49; Branigan, *The Reign of the Greyhound*, 187; Thayer, *Going to the Dogs*, 7.
32. Thayer, *Going to the Dogs*, 168; "History of Greyhound Racing."; "History of the Greyhound."
33. Hartwell, *Road from Emeryville*, 117-118; GRAA, "History of Greyhound Racing,."; Horan, "History of the Greyhound,."; Branigan, *The Reign of the Greyhound*, 187; Thayer, *Going to the Dogs*, 40-41, 54 (the NCA distanced itself from track operations, and before dog racing displaced coursing, its main purpose had been to serve as a registry for purebred greyhounds and to sell and ship live hares for coursing meets across the country).
34. Thayer, *Going to the Dogs*, 169; Branigan, *The Reign of the Greyhound*, 193.
35. Thayer, *Going to the Dogs*, 255.
36. Thayer, *Going to the Dogs*, 101-122.
37. Thayer, *Going to the Dogs*, 121.
38. Thayer, *Going to the Dogs*, 45, 101-106.
39. Branigan, *The Reign of the Greyhound*, 182. Thayer, *Going to the Dogs*, 105-106, 233.
40. Thayer, *Going to the Dogs*, 105-106.
41. Thayer, *Going to the Dogs*, 104-109.
42. Thayer, *Going to the Dogs*, 122-124.
43. Howard Schwartz, "Career of latest Rural Rube Award winner left in doubt," *Greyhound Review* 4.3 (March 1976); Thayer, *Going to the Dogs*, 169-170; Branigan, *The Reign of the Greyhound*, 193-198; Horan, "History of the Greyhound."
44. Hartwell, *Road from Emeryville*, 29.
45. *Ibid*, 29; Thayer, *Going to the Dogs*, 177-178; "Greyhounds aren't running anymore at Raynham Park," *Taunton Daily Gazette*, January 8, 2010, <http://www.tauntongazette.com/x1409365368/Greyhounds-aren-t-running-anymore-at-Raynham-Park> (accessed September 22, 2014); "Joseph Linsey," *Wikipedia, The Free Encyclopedia*, [http://en.wikipedia.org/wiki/Joseph\\_Linsey](http://en.wikipedia.org/wiki/Joseph_Linsey) (accessed September 6, 2014).
46. Branigan, *The Reign of the Greyhound*, 186; Thayer, *Going to the Dogs*, 98.
47. Thayer, *Going to the Dogs*, 125.
48. Bill Braucher, "THE BOYCOTT: A Dead Dog," *Greyhound Review* 3.11 (November 1975).
49. Gary Guccione, "Footnotes," *Greyhound Review* 3.4 (April 1975); Hartwell, *Road from Emeryville*, 116-117; Thayer, *Going to the Dogs*, 180-182.
50. Thayer, *Going to the Dogs*, 181-182.
51. Thayer, *Going to the Dogs*, 182.
52. Thayer, *Going to the Dogs*, 68; Branigan, *The Reign of the Greyhound*, 17 (according to Branigan, greyhounds can lose up to five pounds in a single race and even if overfed, cannot become obese).
53. Gary Guccione, "Footnotes," *Greyhound Review* 3.10 (October 1975).
54. Earl Johnson, "The Real Kansas Wild JACK RABBITS," advertisement in *Greyhound Review* 3.4 (April 1975); "Notes From Our Desk: Live Rabbits in Dog Training Okayed," *Greyhound Review* 3.4 (April 1975); Hooper, "Some wrong impressions" (arguing for continued live lure training in Texas but not Kansas); Thayer, *Going to the Dogs*, 40-41.
55. *Ibid*, Ann Church, then legislative assistant to Senator Bayh 1975-1980, e-mail correspondence with author, September 26, 2014 (Ann is now the Vice President of State Affairs for the ASPCA, and explained that, "In retrospect, Senator Bayh should have pressed for the bill's passage but Senator Bob Dole, known as a friend to animals, had brokered the deal.")
56. Mary Jo Pitzl, "Using live rabbits costly to dog racer," *Arizona Republic*, October 16, 2002; GREY2K USA, "Shocking Audio of 'Live Lure' Training of Greyhounds," <http://www.grey2kusa.org/about/videos.html> (accessed September 22, 2014).
57. Thayer, *Going to the Dogs*, 148-149 (*Reader's Digest* entitled its piece "The Hidden Shame of an American Sport" and *Life* used the simple title of "Run or Die").
58. Joyce Valdez, "Carcasses of 7 More Dogs Found," *Arizona Republic*, January 6, 1992.
59. Mike Beaudet, Fox News February 3, 2003.
60. David M. Halbinger, "Dismal End for race Dogs, Alabama Authorities Say," *New York Times*, May 23, 2002, <http://www.nytimes.com/2002/05/23/us/dismal-end-for-race-dogs-alabama-authorities-say.html> (accessed September 22, 2014).
61. Thayer, *Going to the Dogs*, 216 (Thayer writes that dogs with limited talent were probably gassed in the very early days); Branigan, *The Reign of the Greyhound*, 201 (Branigan writes that tens of thousands of dogs over the decades were euthanized outright or were sold for laboratory research).
62. Thayer, *Going to the Dogs*, 153.
63. Thayer, *Going to the Dogs*, 133.
64. Thayer, *Going to the Dogs*, 135.
65. Thayer, *Going to the Dogs*, 134.
66. Thayer, *Going to the Dogs*, 242 (when the price per dog increased to \$12, the number of greyhounds presented for killing declined dramatically).
67. Terry Greene, "Critters Never Win? Sometimes They Do," *Phoenix New Times*, January 17, 1990, <http://www.phoenixnewtimes.com/1990-01-17/news/critters-never-win-sometimes-they-do/full/> (accessed September 6, 2014).

68. Thayer, *Going to the Dogs*, 138 (from author's interview with industry proponent Leslie Wootten concerning her uncle's position on greyhound adoption).
69. Branigan, *The Reign of the Greyhound*, 201.
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