

# PAULICK REPORT

*Shining Light On The Horse Industry*

## **IRWIN: Independent Overseer Will Ensure Integrity**

By Barry Irwin, 23 Dec 2020

What's the big deal about the new racing legislation?

When I called for horseracing to find a way to install the United States Anti-Doping Agency as the overseer of drugs in an Op/Ed for *The Blood-Horse* back in 2004, I did so with some specific goals in mind. My overriding reason, however, was to have an agency that was independent.

Now that USADA will be given the job, nobody knows whether the hopes and dreams of those who worked so tirelessly to make USADA's presence a reality will be fully accomplished. One thing that everybody in the sport can be sure of is that special interests will no longer be able to tilt the playing fields or the halls of justice.

Over the years people have asked me why special interests fought so hard to keep the legislation from being enacted. The answers are many but they all boil down to unethical participants in racing being stopped from running their games and not paying any price when they get caught.

As I explained to my peers who fought side by side to bring the Horseracing Integrity and Safety Act to fruition, the one thing the bill's opponents dread is that when they or members of their team get caught breaking the rules, they will be unable to find a way in a boardroom, steward's stand, men's club or corporate office to obtain a favorable outcome.

Anybody paying the least bit of attention to what is going on right now will know exactly what I am writing about. An unbeaten young stallion's reputation is on the line in an ongoing battle that involved a racing board, a steward's office and selective interpretation of rules. Another case is going through the adjudication process involving a positive for a banned substance and a bonus reportedly worth millions of dollars.

We have all seen horsemen and owners break rules yet escape with favorable rulings or slaps on the wrist.



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*Travis Tygart, CEO of the United States Anti-Doping Agency*

At the same time, we have seen trainers cheat with impunity and watched as those charged with the responsibility of going after them sit on their hands or shrug their shoulders. Why, one may wonder, would racetracks, stewards, medical directors and racing boards protect the guilty?

Well, they all have conflicts of interest. Racetracks all think that it is trainers who bring in owners and racetracks need owners to supply their racing cards. Stewards, by and large, are concerned first and foremost with keeping their jobs and they learn early on in their tenure that the best way to accomplish this goal is not to rock the boat. Racing boards, like racetracks, are loath to bring cheating trainers to justice for fear of tarnishing the sport, as though by the cheating trainers' actions they had not done so already.

I really hate to have to write this next part of this Op/Ed because it is so embarrassing to racing, but I humbly submit to you that some owners at the highest level of the sport only participate because they can game the system and get away with it.

And these people, as well as their trainers, live in mortal fear of not being able to find a get-out-of-jail card after they break the rules. They count on this aspect of the sport. They know the tracks will not turn them in. And plenty of others feel the same way.

What scares the hell out of these miscreants is an agency like USADA being in charge, headed by a world-renown sports cop, because they know Travis Tygart is not going to roll over and play dead.

Owners and trainers who play by the rules in the main understand how important and liberating this concept is and can be, but there have been others—especially trainers—who have fought against the legislation. They don't want trainers held up to scrutiny or caught and adjudicated because these innocent horsemen think that all of them will be unfairly painted with the same brush. It is the same philosophy engaged in by racetracks, who worry racing will be put in a bad light by trainers being exposed as cheats.

Nothing could be further from the truth. It is only when a sport takes itself seriously, like Major League Baseball has done from time to time, that it can thrive and soar to new heights of popularity.

As important as it is for fans and gamblers to believe in the integrity of racing, it is just as important for owners and trainers to believe in it as well. In a sport well-managed and adjudicated, pride of ownership can return in North America and trainers can once again go to restaurants or walk in the front door of their house carrying a *Daily Racing Form* without fear of embarrassment.

So, yeah, passage of the “Integrity” aspect of the new law is a big deal. It is, in fact, such a big deal that it might very well save our sport.

Passage of the bill, it must be said in closing, is only the beginning. In order for USADA to be successful it must rely on assistance from ethical owners and trainers. So instead of mimicking silent officials in racing who sat by and let cheating take place, we will need owners to report on a new hotline any instances they know of regarding cheating so that Travis Tygart and his team can root out evil wherever they find it.

I have every faith that owners will comply, and some faith that a lot of trainers will comply. I do, however, fear that the code of silence among those of the current generation will prevail and make USADA's job

harder. Perhaps as in many things today the next generation will save our sorry asses, because in order to keep this sport on the level and make it fair for everybody, help will be required.

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