

CALIFORNIA HORSE RACING BOARD  
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## JOCKEY AND DRIVER WELFARE COMMITTEE MEETING

of the California Horse Racing Board will be held on Wednesday, May 27, 2015, commencing at **1:00 p.m.**, in the Baldwin Terrace Room at the Santa Anita Park Race Track, 285 West Huntington Drive, Arcadia, California. Non-committee Board members attending the committee meeting may not participate in the public discussion, official committee vote or committee closed session.

### AGENDA

#### Action Items:

1. Discussion and action regarding **the use of the riding crop in California, including harness racing.**
2. **General Business:** Communications, reports, requests for future actions of the Committee.

Additional information regarding this meeting may be obtained from Jacqueline Wagner at the CHRB Administrative Office, 1010 Hurley Way, Suite 300, Sacramento, CA 95825; telephone (916) 263-6000; fax (916) 263-6042. A copy of this notice can be located on the CHRB website at [www.chrb.ca.gov](http://www.chrb.ca.gov). \*Information for requesting disability related accommodation for persons with a disability who require aids or services in order to participate in this public meeting, should contact Jacqueline Wagner.

### JOCKEY AND DRIVER WELFARE COMMITTEE

Alex Solis, Chairman  
Madeline Auerbach, Member  
Rick Baedeker, Executive Director  
Jacqueline Wagner, Assistant Executive Director

STAFF ANALYSIS  
DISCUSSION AND ACTION REGARDING  
THE USE OF THE RIDING CROP IN  
CALIFORNIA, INCLUDING HARNESS RACING

Jockey and Driver Welfare Committee Meeting  
May 27, 2015

ISSUE

The California Horse Racing Board has repeatedly amended its rules pertaining to the construction and use of riding crops for the benefit of the horse. The earlier rule amendments dealt with the length of and the flap at the end of riding crops, and limited their use in races. More recently the Board mandated the use of softer materials on riding crops. And effective July 1, 2015, riders will be prohibited from using the riding crop more than three times in succession without allowing a horse to respond. Continuing in this tradition, the CHRB is considering additional ways to protect racehorses in terms of riding crop construction and use. One suggestion is for a rule amendment to allow the racing secretary to card selected races in which the whip would be prohibited.

BACKGROUND

Business and Professions Code Section 19420 provides that the Board shall have jurisdiction and supervision over meetings in California where horse races with wagering on their results are held or conducted, and over all persons or things having to do with the operation of such meetings. Business and Professions Code Section 19440 states the Board shall have all powers necessary and proper to enable it to carry out fully and effectually the purposes of Chapter 4, B&P Code. Responsibilities of the Board shall include, but not be limited to, adopting rules and regulations for the protection of the public and the control of horse racing and pari-mutuel wagering. Business and Professions Code Section 19481 provides that in performing its responsibilities, the Board shall establish safety standards governing equipment for horse and rider.

RECOMMENDATION

This item is presented for Committee discussion and action.

CALIFORNIA HORSE RACING BOARD  
 TITLE 4. CALIFORNIA CODE OF REGULATIONS  
 ARTICLE 8. RUNNING THE RACE  
 RULE 1685. EQUIPMENT REQUIRED; RULE 1688. USE OF WHIPS

ARTICLE 9. HARNESS RACING RULES  
 RULE 1721. DRIVING RULES; RULE 1725. EQUIPMENT  
 RULE 1733. WHIPS; RULE 1734. WHIPPING

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**Rule 1685, Equipment Required**

(a) No bridle shall weigh more than two (2) pounds.

(b) Whips allowed for use in flat racing shall be unaltered from the original manufacturer; shall have shaft and flap (popper); shall weigh no more than 8 ounces and shall not be more than 30 inches in length.

(1) The minimum diameter of the shaft shall be 0.5 inches, with a smooth, padded contact area that has no protrusions or raised surface.

(c) The only allowed attachment to the shaft is the flap (popper), which shall not extend more than 1 inch beyond the end of the shaft.

(1) The flap (popper) shall have a width of not less than 1 inch, or more than 1.5 inches; shall have a minimum length of 7 inches; and a minimum circumference of 3 inches measured around the width. The flap (popper) shall have no reinforcements or additions beyond the end of the shaft, and no binding within 7 inches of the end of the shaft.

(2) The flap (popper) shall be folded over and sewn down each side. It shall have an inner layer consisting of memory foam, closed cell foam, or a similar shock-absorbing material, and an outer layer that is dark in color and made of a material that does not harden over time.

(d) All whips are subject to inspection and approval by the stewards.

Authority: Sections 19420 and 19440,  
 Business and Professions Code.

Reference: Sections 19441.2 and 19481,  
 Business and Professions Code.

**Rule 1688, Use of Whips**

(a) In all races where a jockey will not ride with a whip, an announcement shall be made over the public address system of such fact.

(b) Although the use of a whip is not required, any jockey who uses a whip during a race is prohibited from whipping a horse:

(1) on the head, flanks, or on any part of its body other than the shoulders or hind quarters;

(2) during the post parade except when necessary to control the horse;

(3) excessively or brutally causing welts or breaks in the skin;

- (4) when the horse is clearly out of the race or has obtained its maximum placing; or
- (5) persistently even though the horse is showing no response under the whip.
- (c) Correct uses of the whip are:
  - (1) showing horses the whip before hitting them;
  - (2) using the whip in rhythm with the horse's stride; and
  - (3) using the whip as an aid to maintain a horse running straight.

Authority: Sections 19420, 19440 and 19562,  
Business and Professions Code.

Reference: Sections 19440, 19481 and 19562,  
Business and Professions Code.

### **Rule 1721, Driving Rules**

No driver during a race shall:

- (a) Change either to the right or left during any part of the race when another horse is so near that in altering the position of his horse he compels the horse behind him to shorten his stride, or causes the driver of such other horse to pull such horse out of his stride.
- (b) Jostle, strike, hook wheels, or interfere with another horse or driver.
- (c) Cross sharply in front of a horse or cross over in front of a field of horses in a reckless manner, endangering other drivers or horses.
- (d) Swerve in or out or pull up quickly.
- (e) Crowd a horse or driver by putting a wheel under him.
- (f) Carry a horse out or sit down in front of him, take up abruptly in front of other horses so as to cause confusion or interference among the trailing horses, or do any other act which constitutes what is popularly known as "helping."
- (g) Let a horse pass inside needlessly.
- (h) Lay off a normal pace and leave a hole when it is well within the horse's capacity to keep the hole closed.
- (i) Commit any act which shall impede the progress of another horse or cause him to break.
- (j) Change course after selecting a position in the home stretch, or bear in or out, in such manner as to interfere with another horse or cause him to change stride or break.
- (k) Drive in a careless or reckless manner.
- (l) Drive or cause to be driven any unreasonably slow quarters or fractions.
- (m) Fail to use his best efforts to win.
- (n) Whip his horse under the arch of the sulky.
- (o) Drive in such manner as to obtain for himself an unfair advantage.

### **Rule 1725, Equipment**

All equipment, hobbles, head-poles, whips and other tack and equipment used in any race is subject to the approval of the stewards who may refuse a change in such equipment or require the use of such equipment as may be deemed proper.

**Rule 1733, Whips**

Whips shall not exceed four feet plus a snapper not longer than six inches. Whips shall be in good condition and are subject to inspection by the officials at any time.

Authority: Sections 19420 and 19440,  
Business and Professions Code.

Reference: Section 19563,  
Business and Professions Code.

**Rule 1734, Whipping**

No driver shall use unreasonable or unnecessary force in the whipping of a horse, nor whip any horse causing visible injury, nor whip any horse about the head, nor whip any horse after the finish line has been crossed except when necessary to control the horse.

Authority: Sections 19420 and 19440,  
Business and Professions Code.

Reference: Section 19563,  
Business and Professions Code.