



WALLY SKALI

MAKING and explaining

THE CALL

BY FRANK ANGST

The rough start of the 2014 Breeders' Cup Classic (gr. I) at Santa Anita Park where Bayern took a hard left out of the gate, bumped previously undefeated Shared Belief, and seized a lead he never relinquished, ensured a new focus on race rulings made by stewards, not only in California but throughout the country.

In the \$5 million Classic's rough start, Bayern slammed smack into two points of emphasis of the Racing Officials Accreditation Program, a group that accredits and educates stewards throughout the country. While it's up for argument how well the points have been addressed, it is good news that in its continuing education classes ROAP emphasizes consistency and uniformity in enforcement of interference rules and better communication of those race decisions to participants and the public.

ROAP releases points of emphasis each year for its required continuing education program. In 2014 besides the emphasis on consistency in rulings and better communication of those rulings, it also encouraged better use of technology by stewards in the stand and office, understanding of new guidelines that call for stiffer penalties for multiple medication rule offenders, and information on getting troubled licensees help through addictive behavior treatment programs.

Those other three points of emphasis speak to the wide range of responsibilities that fall into stewards' laps, but their decisions on interference often are the most debated among the media and public—specifically the betting public—and participants.

The wild start to the Classic, in which runner-up Toast of New

ROAP works to keep
stewards
ahead of curve



COURTESY ROAP

California steward Kim Sawyer

York also veered sharply at the start, ultimately saw no changes to the order of finish. The heated debate that followed proved a prime example of the need for consistency in rulings and effective communication of those decisions.

gram. The points of emphasis show that ROAP is aware that continued efforts are needed in training and accreditation of stewards, as well as the importance of consistency of racing rules on the books, consistency of interpretation of those rules, and improved communication of stewards' decisions to the public.

At least one California steward, Kim Sawyer, believes some things could have been done better in communicating the reasons for making no changes to the order of finish in the Classic. More than an hour after the race the stewards released a statement that said, "the incident occurred in a part of the race where horses interfered with were not cost the opportunity to place where they were

Accredited stewards receive continuing education through the University of Louisville Equine Industry Program or the University of Arizona Race Track Industry Pro-

reasonably expected to finish.”

As written, the statement verifies that the stewards determined there was interference. But the statement does little to explain why no disqualification followed, despite determining interference occurred. A press conference conducted the following day by California racing steward Scott Chaney did a better job explaining why no action was taken even after determining interference had occurred. Sawyer acknowledged it would have been better to provide that detailed information in a more timely manner.

The press statement released on race day awkwardly tried to convey that the interference rule in place in California (and in the majority of other racing jurisdictions, for that matter) requires stewards to determine first whether a foul occurred. And, if they determine a foul has occurred, they also have to determine whether that foul affected the race outcome, specifically whether it cost the affected horse a placing, before issuing a disqualification.

The second step of the review process was added to the model rule to eliminate instances where a five-length winner might be taken down for a minor infraction early in the race. Understandably, instances where an easy winner was disqualified following a minor infraction had created their own outcry from participants, bettors, and the public, leading to the rule change.

These rulings entail fine points that don't lend themselves to a short press release, making Chaney's day-after press conference enlightening.

“Subjectivity is written into the rule. We could go back to the old way of ‘a foul is a foul’ but that leads to inequitable results,” Chaney said. “We've gotten away from that. The current rule requires us to make some determination if the horse is cost a better placing. The casual wagering public sees interference and expects some sort of punishment. But this rule is not about punishment but about creating some equity. We're trying to get rid of that unfairness. Over time this is a lot more equitable than the old rules.”

Chaney later added that taking down an obvious winner for a minor infrac-

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— KIM SAWYER

tion never sat well.

“There is a danger to going back to the ‘foul is a foul’ approach,” Chaney said. “Racing fans would be disappointed with that approach.”

That helped explain how the stewards arrived at their decision, but Sawyer believes that message took too much time to be delivered.

At the 2014 Global Symposium on Racing and Gaming in Tucson, Dayle Brown, executive general manager of integrity services for Racing Victoria (Australia), said that stewards need to explain their decisions promptly or risk losing the public's confidence.

“The thing racing has to do is respond to a matter quickly, take ownership, and show you're in control. People accept that these things happen,” Brown said. “If you don't take control, that's when people lose confidence in the sport.”

As for the Classic decision, Sawyer is confident they got it right. In all her decisions Sawyer places a fairly high hurdle before calling for a disqualification. She believes that allows her to maintain consistency.

“A lot of our calls are in a gray area. They are judgment calls,” Sawyer said. “One thing's for sure: If I can't make up

my mind to change something, I won't do it. If I make a change, I'm adamant in my mind that that's the right call. So to me, I'm consistent with my calls.”

Of course, even after the stewards explained their Classic decision, it can be debated how much Bayern's ac-

tions (as well as Toast of New York's) might have affected Shared Belief. That's where proper training helps ensure expert interpretation of the rules.



Illinois Racing Board steward
Eddie Arroyo

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Accredited stewards go through a full 60-hour accreditation school that includes testing through an oral exam, film analysis exam, and a written exam on medication and drug testing, legal and regulatory issues in racing, and general rules and regulations. Stewards are then required to participate in the aforementioned continuing education sessions.

ROAP estimates that 76% of working stewards at Thoroughbred, Quarter Horse, and other flat races are accredited. Flat races that account for 86% of handle are overseen by three accredited stewards. At least one accredited steward oversees races that account for 99% of the handle in U.S. flat racing.

New stewards are accredited at the base level (Level III). Stewards who work 50 race days within three years are considered Level II and stewards with 200 race days in at least five years advance to Level I.

Eddie Arroyo, Level I steward for the Illinois Racing Board, said licensees and the public should know that stewards work hard to make the proper calls on interference.

“When we come out with a decision, it's a decision that has been thought out, discussed, voted on, and agreed to by those stewards,” Arroyo said.

Sometimes the way rules are written makes a steward's job especially difficult. With the requirement of determining whether a foul affects a horse's placing, interference at the start that doesn't result in a rider falling, horse falling, or horses clipping heels rarely results in a disqualification because it's too difficult to determine how that foul impacted the finish.

Rick Baedeker, executive director of the California Horse Racing Board, told *The Blood-Horse* Nov. 2 that the board will likely take a look at the rules for the start of races and could take some subjectivity out of the process. Of course, any change in California not followed in

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— EDDIE ARROYO

their decisions. Just two examples are California and New York. California stewards file reports on race decisions, license suspensions, and medication violations that are available for viewing at the CHRB website. The New York Racing Association has a “Stewards Corner” on its website where officials explain any disqualifications or non-action after an objection or inquiry.

On medication violations, RCI and The Jockey Club publish rulings against trainers, and RCI offers a detailed list of medication rules and recommended sanctions on its site.

Scot Waterman, the former RMTC executive director, recently gained entry-level steward accreditation. He has worked as a steward at small meets in Arizona and said the state is behind on transparency when compared with larger states.

“We have to figure out who is going to be responsible (for communicating the information),” Waterman said. “It’s time-consuming, and stewards already are overloaded. But it is important to inform the public. It’s a difficult challenge for smaller agencies but it’s worth it.”

ROAP posts videos that show controversial calls and allows stewards to vote on how they would decide. ROAP’s Cathy O’Meara said they plan to add some videos for the public to view that will allow them to make the call and will include detailed explanations on the decisions actually made and the rules of racing.

Arroyo added that stewards are available for direct comment from participants and bettors. He said they take phone calls

and if more explanation is needed, they will even bring people in to review the film and further explain their decision. Sawyer, a Level I steward, added that sometimes they wait a day to allow for cooling off but then return phone calls.

Arroyo understands why people get upset; he acknowledged the nature of racing results in a lot of close calls.

“There’s a lot of times when you folks out there are wondering, ‘What in the

other racing states would only further damage ROAP’s uniformity goals.

That uniformity already faces challenges. Even the model rule requirement linking interference to outcome before a disqualification is made has not been adopted in every state. That is one reason ROAP made “consistency and uniformity” on interference rules a 2014 point of emphasis.

ROAP board member Dan Fick said 23 racing jurisdictions require stewards to determine whether interference cost a horse a placing before making a disqualification. As for the few states that haven’t updated the rules, Fick said stewards in several of those states already consider the outcome in their decisions. He said on all model rules, the Racing Medication and Testing Consortium, Association of Racing Commissioners International, and ROAP work to get states on board, but he acknowledged, “I do wish we had more effort in following up on model rules.”

While most of the working stewards are accredited, that percentage is still not 100%. Some states do not require accreditation, and some stewards who already were employed did not spend the time or money needed to complete a course for working stewards. Also, some stewards do not stay up on their continuing education and allow their accreditation to lapse, but Fick said the percentage in that category is low. He said most accredited stewards have participated in the continuing education courses and find them valuable.

Closer oversight of stewards by regulators to ensure that they are meeting standards also might be warranted. At the ROAP session at this year’s Symposium, stewards said protocol dictates one steward watch the race live, as opposed to on a tele-

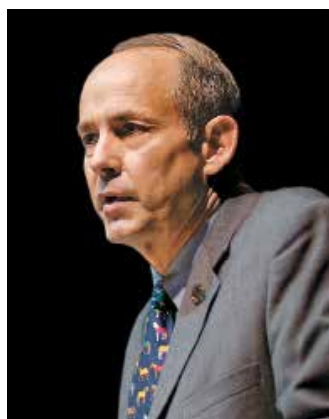
vision monitor. This policy is to make sure stewards see an incident that is not picked up by cameras.

Just two days after that Dec. 11 Symposium session a warning system was not launched at Charles Town Races when a loose horse reversed course and ran the wrong way in a race. Apparently the horse was not observed changing course by any of the stewards and he collided with a horse and rider in the far turn. Initial reports from the West Virginia Racing Commission suggest that all of the stewards were watching the race on monitors and didn’t see the riderless horse coming back up the home-stretch.

Stewards face busy race days in which they typically have oversight of racing officials, tote board operations, stop-betting protocol, scratches, post times, claims, licensing of participants, equipment changes, and gate placement, among other responsibilities. Without proper training, they can be left out of position to do their jobs.

“A lot of these things, people assume just happen,” Fick said of the busy race-day responsibilities. “But stewards are in charge of making sure that all of this happens. Depending on the rules of the state, some do more and some do less. Other racing officials can be assigned some of these responsibilities. The bottom line is they’re the hub to make sure everything goes off smoothly.”

Stewards are making efforts to inform the public and participants about



ROAP board member Dan Fick

SKIP DICKSTEIN



Cathy O'Meara said ROAP plans to add videos for the public that will allow them to make calls and will include explanations on the decisions that were actually made

world is taking so long?' We're arguing. Each one of us is trying to get a point across to the other two as to why we have our opinion on what should happen. We don't want to come out of that conversation (without making our point clear) because we have to live with that.

"There have been many times I've had a hard time sleeping at night because I keep replaying the thing and think that maybe I could've gone the other way."

Proper training is vital to make the tough calls. Waterman said watching an endless number of films with other students and instructors and listening to the debate that follows are indispensable in the accreditation process.

Proper rules and enforcement help ensure that all horses have as fair a chance as possible, but, more importantly, they improve safety. Communication with participants before an incident occurs also is being emphasized.

Apprentices and young riders in Illinois attend film sessions with the stewards according to Arroyo. He said such sessions are invaluable in reducing infractions and dangerous situations on the track.

Arroyo, a former rider, said when riders are called out for their actions—or more typically inaction—there's a lot of peer pressure during these sessions to get in line. He said everyone in the room realizes their safety is in the balance and the sessions help riders police themselves.

Arroyo said jockeys have to be allowed to compete but they also have to know when they've crossed the line.

"You don't want to take away the jockey's ability to be ag-

“There's a lot of times when you folks out there are wondering, 'What in the world is taking so long.' We're arguing.”

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gressive, and when I say 'aggressive' I mean trying hard, not interfering with other horses," Arroyo said. "They have to ride the best they can for the connections that they're working for. We don't want to take that away from them, but at the same time you have to have safety."

Sawyer added that sessions with the riders at the beginning of a meet are highly productive in making sure everyone is on the same page. Fick, who also is a Level I steward, encouraged interaction with riders. He said building those relationships helps when gathering information on what happened in a race.

"My experience is most often the jockeys will tell you exactly what happened; the truth," Fick said. "I've had riders tell me that a horse came over but really didn't affect the placing of his horse. I've had jockeys say, 'Yeah, I got him. My horse got away from me and I got him.'"

Arroyo said conversations with the other stewards and the participants help stewards make informed decisions.

"We do go in there, and it doesn't become an argument, but each one of us comes from a little different background and we have points that we want to make and we make them to the other two stewards," Arroyo said. "It does take a while sometimes to come up with our decision, but you want to make sure you've heard everything they have to say, whether you agree or not. They might bring something up that you're missing." **BH**



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