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## Horse deaths: We must repeal HISA, replace it with the Racehorse Health and Safety Act.

*By Peter Ecabert, opinion contributor*

It is a tragic and colossal failure that twelve horses died at Churchill Downs Racetrack since the Horseracing Integrity and Safety Act Authority corporation implemented its so-called racetrack “safety” rules. After the HISA Authority corporation initially declared Churchill Downs to be in “full compliance” with its rules, the racetrack ultimately was pressured to halt all racing. The HISA track record is abysmal. Sadly, this was predictable. When you turn the reins of regulation of an industry over to a private corporation run by those with no concept of how the industry works, mistakes will be made, and horses will suffer. It is time to stop the bleeding by repealing HISA and replacing it with the Racehorse Health and Safety Act.



In his recent column, “Horse racing is at crossroads — it needs national standards and these new measures,” C.L. Brown praises HISA as the savior of horseracing. It is not. The HISA Authority corporation has repeatedly written rules based on public perception of the industry rather than scientific consensus on horse safety. As mentioned in briefings to the Northern District of Texas court, on over 20 occasions, HISA policy was so misguided that the Authority corporation was forced to reverse course and return to the starting gate.

First, HISA specifically required the Authority corporation to begin implementation and enforcement of racetrack safety and medication control rules by July 1, 2022. While the Authority corporation did put in place flawed safety regulations on the required date, it failed to make the deadline for the medication control rules. Instead, it began their implementation on May 22, 2023 — nearly a year late.

Second, as part of the implementation of the racetrack safety rules, the Authority corporation prohibited toe grabs, or cleats, on horseshoes, despite veterinary recommendations to the contrary. This rule caused horsemen to throw out all their old horseshoes, only to find the Authority corporation had



created a supply shortage of the new horseshoes. The rule had to be delayed twice, and finally it was partially reversed for toe grabs on hind legs on dirt tracks—exactly the veterinary recommendation that the Authority corporation had so haughtily rejected months earlier.

Third, the Authority corporation's safety rules forced jockeys to buy new riding crops. But this rule, too, had to be delayed and partially reversed.

Embarrassingly, it took months for the Authority corporation to admit that the shaft of the crop does not actually benefit horse health.

Fourth, and most importantly, when horse deaths began at Churchill Downs last month, the HISA Authority corporation first issued a denial. It stated that Churchill was in "full compliance" with its racetrack safety rules, which had been in effect since July 1, 2022. But as the tragic deaths began to accumulate, the Authority corporation looked for a scapegoat. The Authority corporation and its supporters blamed the deaths on the lack of medication control rules, which went into effect May 22. Sadly, Mr. Brown took the bait and parroted this argument in his column on May 23. But then two more horses died, and racing was forced to move to Ellis Park. Mr. Brown was wrong that Churchill Downs was a medication control problem, and he was wrong when he claimed the boogeyman was my colleague, Eric Hamelback, CEO of the National Horsemen's Benevolent and Protective Association. Eric has championed the fight for horse welfare, constitutional rights and a fair playing field for all in racing.

At the National HBPA, we have not been sitting idly by as HISA has sewn confusion, chaos and numerous false starts and failures throughout the industry. We are working with Congress to introduce the Racehorse Health and Safety Act, which will bring to the industry the national standards that Mr. Brown wants, but it will do so with a law that is rooted in science, cost effective, collaborative, transparent and of course, constitutional.

It is time to stop the bleeding, once and for all. Join us in support of the RHSA to bring real safety and wellbeing to horses and horsemen nationwide.

*Peter Ecabert serves as General Counsel for the National Horsemen's Benevolent and Protective Association.*