



HISTORY OF GREYHOUND RACING IN ARIZONA

Overview



Only two dog tracks still hold live racing in Arizona: Phoenix Greyhound Park in Phoenix and Tucson Greyhound Park in Tucson. Another track, Apache Greyhound Park, once held live races but now only offers simulcasting gambling on races held elsewhere.

The state's oldest track, Tucson Greyhound Park, opened in 1944 and is now a privately held corporation. Its owners, Joseph Zappala and Robert Consolo Jr., live in New York and Miami. Tucson offers pari-mutuel wagering year-round on live greyhound racing, Tuesday through Saturday evenings. Tucson is generally considered a "low-end" track; meaning that greyhounds racing at Tucson have typically reached the end of the line.¹

Phoenix Greyhound Park, founded over 40 years ago, also offers year-round pari-mutuel wagering on live dog racing, as well as daily simulcast wagering from racetracks across the nation. The track is owned by Delaware North Companies Gaming and Entertainment.

Apache Greyhound Park, which opened in 1959, ended live racing in 2004 due to the fact that it was no longer cost-effective. However, patrons at Apache can still view races broadcast from Phoenix Greyhound Park. Before its closing, the track operated seasonally, offering live racing from late November through March.

Two other tracks, Yuma and Black Canyon City, have been closed for over a decade. Yuma Greyhound Park, located in a remote area of the state near the Mexican border, operated for 28 years before its closure in 1993 and was the site of two serious cases of greyhound abuse.

The dog racing industry has been declining for the last two decades, and the state of Arizona has struggled to maintain attendance at its two remaining live-racing tracks. Like most in the U.S., the tracks have increasingly failed to attract younger gamblers, who tend to prefer casino-style gaming. After compacts in the early 1990s granted native Indian tribes the sole right to operate slot machines in Arizona, greyhound tracks were denied the opportunity to enhance profits through casino gambling.

More importantly, growing public awareness of the cruelty of greyhound racing has caused many to cease patronizing the tracks. Two major cases of greyhound neglect at the Yuma Greyhound Track in 1990, as well as the nationally publicized mass killing at Chandler Heights in 1992, sparked fresh debate over the ethics of the sport. The Chandler Heights scandal, especially, drove the Arizona Legislature to pass a bill in 1993 designed to prevent similar incidents. Much later, in 2008, successful passage of Proposition 401 prohibited the practice of feeding raw 4-D meat (meat from dead, dying diseased or downed animals) to racing greyhounds at Tucson Greyhound Park, as well as the administration of steroids to prevent female racing dogs from coming into heat.

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Animal Defense League of Arizona (ADLA), www.adlaz.org/programs/greyhoundracing/dogracingfacts.html

Influenced by the powerful racing industry lobby, state lawmakers have repeatedly attempted to keep Arizona greyhound parks afloat through granting various tax exemptions and credits, beginning in 1994. Such measures have led to drastically decreased revenue for the state government—a total loss of \$44 million between the years 2001 and 2006 alone.

Humane Issues

- **January – June 1990**

Two separate cases of abandonment occur at and near the Yuma Greyhound Park in 1990, claiming the lives of 80 greyhounds. On January 7, 36 greyhounds are discovered still muzzled in their cages and dying of starvation, about two weeks after their trainer left them at the race track's kennel compound. Six of these dogs are confirmed dead following the discovery. On June 20, 44 greyhounds are found dead from heat and starvation at a makeshift kennel 50 miles east of the Yuma Greyhound Park, where some of the dogs had raced. The kennel operator is arrested and charged on 70 counts of animal cruelty.²

- **January 1992**

In Chandler Heights, a small city near Phoenix, the decomposing bodies of 143 racing greyhounds are found in an abandoned citrus orchard, spread out over 300 acres. The dogs had been shot to death and their tattooed ears cut off to prevent identification.

A six-week investigation, carried out by the Arizona Department of Racing, the Arizona Attorney General and the Maricopa County Sheriff's Office, leads to the discovery of 13 left ears, whose identifying marks were traced to Arizona breeder and kennel owner Glen McGaughey. McGaughey was known to have raced his dogs at three different Arizona tracks. Ultimately, McGaughey is fined \$25,000, sentenced to 30 days in jail and 18 months probation, and ordered to perform 400 hours of community service with the ASPCA or the Humane Society.³

- **January 1995 – March 1998**

Over a three-year period, more than 2,600 racing greyhounds are donated to the Colorado State University veterinary school for the purpose of medical research. Approximately half of the dogs are used in "terminal teaching labs," where students perform surgery on their live tissues before killing them. The others are euthanized within 24 hours of arrival at the university. The majority of the greyhounds are three years old or younger.

In at least some cases, Arizona greyhound hauler and trainer Richard Favreau donates the dogs without the owners' permission. Dr. James Voss, CSU vet school dean, said that he trusted the honesty of all parties involved and lacked the resources to investigate further. He adds that the dogs would "likely die anyway, but by clubbing, shooting or other inhumane methods," as opposed to euthanasia.

The Colorado Division of Racing initially punishes Favreau by suspending his license for three years and imposing a \$5,000 fine. The penalty is later reduced to a four-month suspension and a \$500 fine, after Favreau writes letters of apology to the owners and pays each \$500 in restitution.⁴

² Animal Defense League of Arizona, www.adlaz.org/programs/greyhoundracing/yumatrack.html

³ *Greyhound Network News*, Fall/Winter 1992; *Arizona Daily Star*, February 28, 1992

⁴ *Rocky Mountain News*/Dan Luzadder, June 7, 1998; *Colorado Springs Gazette*/Anslie Willett, December 17, 2006

- **February 1997**

Eight greyhounds racing at Apache Greyhound Park are diagnosed with canine distemper and subsequently euthanized. Owner Robert Lee Wooten, who had leased the dogs to a kennel at Apache, is later fined for failure to vaccinate his greyhounds against common canine diseases. In a follow-up inspection, the Arizona Department of Racing discovers that seven of eight puppies from one of Wooten's recent litters had died, and that another 10 dogs had been euthanized a week earlier.⁵

- **June - October 1999**

Johnny Lloyd Rippetoe, owner of Rippetoe Greyhound Kennels, has 15 healthy greyhounds euthanized without attempting to locate adoptive homes for them. The dogs are put down at Pima County Animal Control, in violation of the state racing code which states that "every effort shall be made to adopt greyhounds not used for racing or breeding purposes." In defense of his actions, Rippetoe claims ignorance of the provision and cites his need to earn a living.

In October 1999, a state panel recommends that Rippetoe be fined \$2,000 to \$3,000, equaling one week's racing profits, to be donated to a greyhound adoption group. Rippetoe is allowed to retain his racing license.

In response to the incident and its aftermath, Pima County Animal Control changes its policies and pledges to no longer euthanize healthy greyhounds on demand.⁶

- **2005**

In January a contagious illness said to be kennel cough strikes 65-70 greyhounds at Tucson Greyhound Park. The Department of Racing imposes a quarantine, but the infection continues to spread throughout the kennels. In May about 380 dogs are reported ill, and the track closes for two weeks. At least one dog dies.

The illness is also reported at Phoenix Greyhound Park, and the track cancels four days of racing in April before resuming on a reduced schedule.

Track officials dismiss the possibility that greyhounds in Arizona are suffering from canine influenza, a disease far more lethal than kennel cough, which has plagued greyhound tracks nationwide for two years. Canine flu had already struck at tracks in Florida, Massachusetts, West Virginia, Wisconsin, Texas, Iowa and Rhode Island, and the Centers for Disease Control estimated that approximately 10,000 racing greyhounds had been sickened and about 100 had died since January 2004. Phoenix track manager Dan Luciano dismisses the widespread press coverage of the flu epidemic as "much ado over nothing."⁷



Tucson Greyhound Park, 2010

5 ADOR Investigative Reports, 1998

6 *The Arizona Daily Star*/Carol Ann Alaimo, September 11, 1999; October 15, 1999

7 *Arizona Republic*, Jan. 20, 2005; *Tucson Citizen*, May 13, 2005; *Milwaukee Journal Sentinel*, September 24, 2005; *The Racing Post (London)*, October 15, 2005; *Boston Herald*, May 14, 2005

- **June 2005**

After eight dogs die in his care, greyhound trainer Jesse Burgess is fined \$500 and his license is suspended for 60 days, the maximum penalty allowed under Arizona racing laws. According to Arizona Department of Racing director Geoffrey Gonsler, the animals were in a group of 35 dogs being taken from Tucson Greyhound Park to a racetrack in Ciudad Juarez, Mexico. While by law only two greyhounds are allowed in a crate during transportation, Burgess and his assistants placed three to four dogs in a single crate. Burgess had been in the dog-racing business since 1987, yet still claimed to be unaware of the two-dog-per-crate rule, implemented in 1992.⁸

- **July 2005**

In a South Tucson holding facility where racetrack owners keep retired greyhounds awaiting adoption, 100 dogs are discovered by Pima County Animal Control amidst inadequate living conditions. "None of the cages [in the holding facility] contained water, which is a violation of county standards," reports Animal Control. In addition, "the dogs had skin disease from flea bites, eye and nose discharge, poor coats, hair loss, and diarrhea." Pima Animal Control officers remove the greyhounds from the holding facility and provide them with immediate medical attention.⁹

- **2005-2006**

Following a second serious offense, the Arizona Department of Racing revokes the license of Colorado greyhound hauler Richard Favreau in December 2006 and bans him for life from racing in Arizona. The department also orders Favreau to pay \$140,000 to a greyhound adoption program and perform 700 hours of community service. Favreau already owed a \$1,000 fine imposed in October by the Arizona Racing Department Board of Stewards, who had recommended that his license be revoked. In April 2007 the Colorado Racing Commission follows Arizona's lead and revokes Favreau's license.

In six separate hauls from November 2005 to July 2006, Favreau transported 146 greyhounds from Tucson Greyhound Park, purportedly to adoption groups to Colorado. The transport was arranged by verbal contract between track officials and Favreau, who was paid \$150 per dog – twice the going rate. The dogs were taken from racing kennels that had closed or been abandoned. Ultimately only 6 of the dogs were placed with adoption groups. The remaining 140 greyhounds disappeared without a trace and are presumed dead.¹⁰

- **June 2007**

Following up on an anonymous tip, the Department of Racing tests 12 trainers at Tucson Greyhound Park for illegal drugs. Five test positive, forcing the track to close for two days.¹¹

- **October 2008**

State investigators document horrid conditions in kennel number one at Tucson Greyhound Park. After the kennel closes, a state investigation reveals extensive flea infestation, urine, blood and fecal stains on

8 *Arizona Daily Star*/Becky Pallack and Alexis Huicochea, June 24, 2005

9 KVOA-TV NEWS 4, Tucson/Elizabeth Vall, July 12, 2005

10 *Arizona Daily Star*, July 27, October 20, November 30, December 20, 2006; *Desert News (Utah)* October 25, 2006; *Colorado Springs Gazette*/ Anslee Willett, December 17, 2006

11 *Arizona Daily Star*, Josh Brodesky, June 9, 2007

floors and walls, and filthy conditions in the concrete area next to the dog-turnout pens. After the problems are discovered, track management fails to adequately clean the kennel for at least three weeks.¹²

- **2008**

According to state records, more than five hundred greyhounds are reported as injured (404), too sick to race (49) or too hurt to race (87) at Arizona dog tracks in 2008. Reported injuries included broken legs, broken backs, dislocations, amputations and paralysis. Twenty-eight dogs died as a result of these injuries.¹³

A Timeline: History of Dog Racing in Arizona

- **1992-1994**

Governor Fife Symington signs Arizona's first set of Tribal-State Gaming Compacts with 16 Tribes from 1992 to 1994. These compacts give tribes exclusive rights to operate slot machines and casino-style gambling, and limit the number of slot machines and casinos within the state. The new tribal casinos severely cut into the profits of the state's greyhound racetracks.¹⁴

- **April 1993**

The governor signs into law House Bill 2357, intended to regulate the racing industry and strengthen greyhound welfare rules. The bill, first proposed in 1992 in the wake of the Chandler Heights case, makes it a felony to "alter or remove the identification tattoos of racing dogs" or to subject greyhounds to "severe mistreatment or grossly inhumane conditions." In addition, the bill permits the Arizona Department of Racing to inspect off-track breeding facilities and kennels, and raises licensing fees with a portion of the monies to be used in promotion of greyhound adoption.¹⁵

- **1994**

Lawmakers pass a tax exemption for simulcast wagering at Arizona greyhound tracks and tax deductions for capital improvements, as well as a "hardship tax credit" allowing tracks to pay no taxes at all. In fiscal year 1995, the last year before the legislation takes effect, the state receives \$9 million in revenue from dog racing. By 2008, this amount drops to a mere \$430,000. A 2007 review by the Arizona Office of the Auditor General later reveals that exemptions and tax credits cost the state \$44 million in revenue between 2001 and 2006.¹⁶

- **November 2000**

A lawsuit is filed on behalf of Phoenix, Apache, and Tucson Greyhound Parks, and Turf Paradise, a horse track in Phoenix. The suit contends that Arizona's 19 tribal casinos are illegal and should be shut down. It also seeks to prevent Governor Jane Hull from renegotiating tribal gaming compacts that would expire in 2003.¹⁷

¹² Arizona Department of Racing; *Tucson Weekly*/Tim Vanderpool, April 23, 2009

¹³ Arizona Department of Racing

¹⁴ Arizona Department of Gaming, "History of Gaming," online at <http://www.gm.state.az.us/history.htm>

¹⁵ *Greyhound Network News*, Summer 1993; *Arizona Daily Star*/Teena Chadwell, July 14, 1992

¹⁶ *Tucson Weekly*/Tim Vanderpool, June 4, 2009

¹⁷ *Greyhound Network News*, Summer 2001

- **July 2001**

U.S. District Court Judge Robert Broomfield surprises state lawmakers by ruling that slot machines, keno, and blackjack are illegal in Arizona, and declares the state's Indian gaming compacts unconstitutional. Furthermore, Broomfield denies Governor Jane Hull the authority to negotiate new compacts with tribes. The ruling is a victory for dog and horse tracks. However, polls reveal that two-thirds of state residents remain in favor of tribal gambling, a sign that the racing industry's victory would not last long.¹⁸

- **November 2002**

Proposition 201, the racing industry's attempt to gain voter approval for slot machines, is defeated by a 4-to-1 margin. All of Arizona's 15 counties vote against the proposition, including Yuma, whose long-closed track — the site of many cruelties toward racing dogs — would have reopened if the proposition had passed.

In addition, Arizona voters narrowly approve Proposition 202, an initiative that reauthorizes tribal gambling compacts and gives tribes the exclusive rights to operate slot machines and other forms of casino gambling.¹⁹

- **November 2008**

Proposition 401, the Tucson Dog Protection Act, is approved by South Tucson Voters in a vote of 402 to 373. The measure, which was drafted by a group called Tucson Dog Protection, contains three provisions addressing greyhound treatment at Tucson Greyhound Park. Specifically:

1. Greyhounds must be let out of their cages for at least six hours per day.
2. Greyhound trainers can no longer use raw "4-D" meat from downed and diseased animals.
3. Greyhound trainers can no longer use anabolic steroids to prevent female greyhounds from going into heat.

Despite the victory, track management vows openly to defy the new law. Officials for the Arizona Department of Racing state that its staff at the track will report violations of the ordinance and provide witness testimony if necessary. However, the department also says that it "does not have the resources to investigate violations of a rule that is not its own."²⁰

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18 *Greyhound Network News*, Fall 2001

19 *Greyhound Network News*, Winter 2002-2003; Arizona Department of Gaming, "History of Gaming," online at <http://www.gm.state.az.hs/history.htm>

20 *Arizona Daily Star*/Josh Brodesky, November 5, 2008; KOLD NEWS 13/J.D. Wallace, December 10, 2008; GREY2K USA