



TEXAS RACING COMMISSION
P.O. BOX 12080
AUSTIN, TEXAS 78711-2080
(512) 833-6699
FAX (512) 833-6907

June 2, 2011

Carey M. Theil
Executive Director
Grey2K USA
P.O. Box 442117
Somerville, MA 02144

Re: Judges' Ruling Gulf 962

Dear Mr. Theil:

Thank you for your letter of May 18, 2011, to Chairman Pablos regarding Judges' Ruling Gulf 962, issued on March 18, 2011, at Gulf Greyhound Park. In your letter, you expressed dissatisfaction with the penalty imposed by the board of judges and asked that the agency re-examine the case and take action to increase the penalty.

Under the Texas Racing Act and the Commission's rules, a decision of the stewards or judges becomes final unless appealed within three days of issuance by the affected licensee. Since Judges' Ruling Gulf 962 was issued on March 18, 2011, it became final on March 21, 2011, when Mr. Edwards did not file an appeal. The Commission therefore no longer has jurisdiction to re-open the case. The state's judges at Gulf Greyhound Park are among the most knowledgeable in the country, with a combined 45 years of regulatory experience and having worked in 12 different jurisdictions. I have full confidence in their qualifications and their ability to determine the appropriate sanction for any rule violation that takes place at Gulf Greyhound Park.

While all of the agency's stewards and judges are very capable and experienced, the Commission recognized during recent Sunset reviews that the Texas Racing Act could be improved by providing for additional management oversight of field staff. As a result, the Commission requested in both 2008 and 2010 that the Texas Legislature make appropriate changes to the Texas Racing Act. During its most recently completed session, the Legislature enacted HB 2271, which includes among its policy changes the authority for the executive director to review and modify decisions of the stewards and

judges. This bill has been sent to the Governor for his signature and, if it becomes law, will take effect on September 1, 2011. While this change would not authorize me to revise past decisions, my ongoing reviews of decisions will be accompanied by the authority to make adjustments where necessary to ensure that the Act and Rules are enforced consistently and effectively.

Finally, I would like to address your concern about the message that the Commission is sending regarding the humane treatment of greyhounds. The Commission takes the safety and health of all race animals very seriously and will not tolerate any animal's inhumane treatment. With their knowledge and experience, the judges are in the best position to determine the appropriate level of penalty that will both punish the individual and deter future, similar violations by the regulated community. In this case, the fine imposed by the board of judges is the highest monetary sanction imposed at Gulf Greyhound Park in more than two years. In addition, I have directed the judges to meet with both the kennels and management of Gulf Greyhound Park to verify that veterinary care is readily available at all times and to impress upon all trainers that necessary medical attention may never be delayed for any ill or injured animal. It is my expectation that all parties will take steps to ensure that there is no recurrence of this event.

I hope that you will find this information helpful, and thank you again for taking the time to write to the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Trout', with a long horizontal flourish extending to the right.

Chuck Trout
Executive Director

cc: Rolando Pablos, Chairman