

May 7, 2020

Sheriff Ric Bradshaw
 Palm Beach County Sheriff's Office
 Via email: Sheriff@pbso.org

Dear Sheriff Bradshaw:

I hope this finds you well. I am writing regarding apparent cruelty to animals by Jorge Navarro, a horseracing trainer who was recently indicted by federal authorities for illegally doping horses; some of this conduct may have occurred at Palm Meadows Thoroughbred Training Center (hereinafter, "Palm Meadows") in Palm Beach County. A horse trained—and, allegedly, repeatedly drugged—by Navarro died of a heart attack at Palm Meadows on January 8¹ after a gallop. Considering the deleterious effects of the drugs favored by Navarro and the known potential for cardiac problems from such drugs, described below, PETA urges your office to investigate Navarro for any violations of state laws prohibiting cruelty to animals and aggravated abuse of horses. Navarro's alleged routine and extensive violation of drug laws treated horses as no more than a means to a financial end and demonstrates callous disregard for their health and their lives. While he is facing charges for violations of the Federal Food, Drug, and Cosmetic Act, it is important that he be held accountable under offenses that directly address the harm to horses—the victims of the offenses—allegedly pumped with dangerous, even deadly, drugs just for the sake of a larger purse.

On March 9, the U.S. Attorney's Office for the Southern District of New York announced federal charges against numerous defendants, including Navarro, for their alleged participation in a scheme of administering illegal performance-enhancing drugs ("PEDs") to racehorses.² Such drugs can be severely detrimental to horses' health, including causing cardiac problems and even death. For example, the indictment lists the following PEDs: Erythropoietin ("Epogen"/ "EPO"/"Monkey"), "SGF-1000," customized analgesics ("pain shots"/ "joint blocks"), and "Red Acid."³ As these drugs numb pain, horses can be forced to overexert themselves during a race and consequently suffer death from heart attack or from catastrophic injuries.⁴

¹ All dates are from 2020 unless otherwise specified.

² Press Release, Manhattan U.S. Attorney Charges 27 Defendants In Racehorse Doping Rings, U.S. Dep't of Justice, Mar. 9, 2020, <https://www.justice.gov/usao-sdny/pr/manhattan-us-attorney-charges-27-defendants-racehorse-doping-rings>

³ *E.g.*, Indictment at 8-10, *United States v. Navarro* (S.D.N.Y.), available at <https://www.justice.gov/usao-sdny/press-release/file/1256656/download>.

⁴ *Id.* See also, *e.g.*, Tessa Wilkin, Anna Baoutina, & Natasha Hamilton, *Equine Performance Genes and the Future of Doping in Horseracing*, 9 *Drug Testing & Analysis* 1456, 1460 (2017) available at <https://onlinelibrary.wiley.com/doi/pdf/10.1002/dta.2198> ("Doping of horses with rHuEPO is a major animal welfare concern. A direct effect is polycythemia resulting in potentially dangerous increases in blood viscosity and blood pressure.

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One horse evidently abused by Navarro was XY Jet,⁵ whom Navarro trained throughout 2019 until the horse's death in January. On February 13, 2019, XY Jet finished first in the Allowance Optional Claiming race at Gulfstream Park in Hallandale Beach.⁶ Two days prior, Navarro, apparently unhappy with XY Jet's performance in a pre-competition run, had discussed with co-defendant and fellow trainer Christopher Oakes "a plan to secretly introduce a bottle of the 'blocker' [a customized analgesic PED, which is intended to block a horse from feeling pain while racing] into the stable where XY Jet was being held prior to the February 13 race."⁷ Oakes agreed to smuggle it into the racetrack facility and meet Navarro there.⁸ On February 13, the day of the race, Navarro directed Oakes to administer the drug to XY Jet.⁹ Navarro's unlawful and dangerous doping of horses appears to have been prolonged, routine and widespread. For example, trainer Nicholas Surick remarked of Navarro, "You know how many fucking horses he fucking killed and broke down that I made [] disappear. . . . You know how much trouble he could get in . . . if they found out . . . the six horses we killed?"¹⁰ And Navarro himself stated that, had he not been warned by fellow trainer Jason Servis that a racing official was present in the area of the barn¹¹ where Navarro kept and administered PEDs, the official "would've caught our asses fucking pumping and pumping and fuming every fucking horse [that] runs today."¹² Thus, there is a strong possibility that XY Jet was not the only horse Navarro subjected to dangerous—even deadly—drugs.

On January 8, XY Jet, who was only eight years old, reportedly died of a heart attack at Palm Meadows after a "routine gallop."¹³ According to the U.S. Attorney's Office, an investigation into the circumstances of his death is ongoing.¹⁴ Given Navarro's wanton administration of dangerous PEDs, as alleged in the indictment, and the fact that some of the PEDs that Navarro favored can cause horses to suffer cardiac problems or death, an investigation into whether Navarro violated state law at XY Jet's expense is warranted. If XY Jet's death resulted from administration of PEDs, Navarro killed this horse as surely as if he had shot him, with no regard at all for the animal's capacity for suffering.

Additionally, . . . repeated administration of rHuEPO in horses has been shown to induce immune interference with endogenous EPO, resulting in fatal anaemia.").

⁵ His name is variously spelled "XY Jet" and "X Y Jet." The former spelling is that used in the indictment.

⁶ Charts, Equibase,

<http://www.equibase.com/premium/chartEmb.cfm?track=GP&raceDate=02/13/2019&cy=USA&rn=9>.

⁷ Indictment, *supra* note 3 at 15.

⁸ *Id.*

⁹ *Id.* at 16.

¹⁰ *Id.* at 14. One such horse may have been Nanoosh. When asked if Nanoosh was "jacked out? Is he on fucking pills or what or are just fucking—," Navarro responded, "Everything . . . he gets everything." *Id.* at 21. Reportedly, Nanoosh was euthanized sometime after his final career race on July 1, 2019, held at the PARX racetrack near Philadelphia, but before the filing of a list of racehorse owner Ahmed Zayat's assets on January 21, in which Nanoosh is listed on the final page as having been euthanized. See <https://www.paulickreport.com/wp-content/uploads/2020/02/7c55bbe5-e11e-4d2b-a924-430f7d41e811.pdf>.

¹¹ It is unclear from the indictment to which barn this refers.

¹² Indictment, *supra* note 3 at 30-31.

¹³ Mike Welsch, *X Y Jet, speedy earner of more than \$3 million, dies of apparent heart attack*, Daily Racing Form, Jan. 8, 2020, <https://www.drf.com/news/x-y-jet-speedy-earner-more-3-million-dies-apparent-heart-attack>. While Navarro indicates he felt grief at XY Jet's death, the allegations in the indictment suggest a much more mercenary attitude toward horses.

¹⁴ Press Release, *supra* note 2; see also Indictment, *supra* note 3 at 8-10.

