

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

Report to Shareholders on Replacing Churchill Downs Dirt Track with Synthetic Surface

Resolved that Churchill Downs, Inc., assess and report to shareholders on the feasibility of replacing the dirt track surface at Churchill Downs with a synthetic surface, given the potentially detrimental effect on our Company of horse fatalities and the higher fatality rate associated with dirt tracks.

Background

Horse racing industry-generated statistics are clear: Fewer horses suffer fatal catastrophic injuries on synthetic surfaces than on dirt tracks. According to The Jockey Club's Equine Injury Database, between 2009 and 2019 there were 1.19 fatal injuries per 1000 starts on synthetic tracks versus 1.94 such injuries on dirt tracks and 1.48 on turf.¹ Based on these statistics, if all the dirt starts from 2009-2019 had been run on synthetic instead, as many as 2,000 Thoroughbreds could have been spared from death. One-third of all racing-related fatalities could have been prevented.

It is not only the racing injuries that are catastrophic; the effect on a racetrack's reputation can be devastating. The dozens of racing and training deaths at Santa Anita Park in 2019 resulted in extensive negative media coverage, the temporary closure of the track,² a criminal investigation,³ and an overhaul of the California Horse Racing Board.⁴

Churchill Downs has already come under scrutiny by media. Our Company's most famous venue was identified as "one of the deadliest racetracks in America" by the Louisville Courier-Journal.⁵ The March 2019 article stated that "the home of the Kentucky Derby has lost 43 thoroughbreds to racing injuries since 2016, a 2.42 per 1,000-start average that was 50 percent higher than the national average during the same three-year span." To our Company's credit, Churchill Downs introduced safety measures, and its fatality rate improved in 2019 to

¹ http://jockeyclub.com/pdfs/eid_11_year_tables.pdf

² <https://www.sfgate.com/sports/article/chrb-santa-anita-battle-of-midway-fatalities-13649643.php>

³ <https://www.nytimes.com/2019/03/15/sports/santa-anita-horse-deaths.html>

⁴ <https://www.courier-journal.com/story/sports/horses/horse-racing/2019/09/23/california-governor-gavin-newsom-says-horse-racing-industry-time-up-unless-reforms/2424861001/>

⁵ <https://www.courier-journal.com/story/sports/horses/horse-racing/2019/03/27/churchill-downs-horse-fatalities/3284846002/>

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0.93 deaths per 1000 starts,⁶ which is equal to the 2019 fatality rate on synthetic surfaces.⁷ A combination of the track's safety measures and the installation of a high quality synthetic surface, such as Tapeta, is likely to spare even more horses.

Our Company is aware that synthetic is desirable, as evidenced by its decision to install Tapeta at Turfway Park.⁸

Our Company has an ethical and fiscal responsibility to do all in its power to prevent fatal injuries and to ensure the highest standards of safety. We urge shareholders to support this measure for a feasibility report.

⁶ <https://www.courier-journal.com/story/sports/horses/horse-racing/2020/02/17/churchill-leading-way-synthetics-horse-safety-takes-forefront/4771359002/>

⁷ <http://jockeyclub.com/Default.asp?section=Resources&area=10&story=1184>

⁸ <https://www.courier-journal.com/story/sports/horses/horse-racing/2020/02/17/churchill-leading-way-synthetics-horse-safety-takes-forefront/4771359002>