

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

May 11, 2021

Marc A. Guilfoil
Executive Director, Kentucky Horse Racing Commission
Via e-mail: Marc.Guilfoil@ky.gov

Dear Mr. Guilfoil and Commissioners:

Thank you for your service to Kentucky. I am writing regarding the results of the drug test for Medina Spirit in the Kentucky Derby.

As this matter goes to adjudication, we are concerned by potential conflicts of interest among some members of the commission who have business ties to Bob Baffert. As you may know, the California Horse Racing Board came under fire in 2019 when it was disclosed that some board members had hired Baffert and later chose to conceal a positive drug test for the Baffert-trained Justify.

Commissioner [Charlie O'Connor](#) is the director of sales for Coolmore America, where several prominent Baffert-trained horses stand at stud, including Triple Crown winners American Pharoah and Justify; Maximum Security, who was transferred to Baffert from Jason Servis (recently indicted on drug charges) after he was disqualified from the Kentucky Derby; Preakness winner Lookin At Lucky and graded stakes winner, Cupid. Coolmore has a financial stake in preserving Baffert's reputation.

Commissioner [Lesley Howard](#) is general manager of Stonestreet Farms, which is the owner or part owner of several horses trained by Baffert, including Charlatan, Hozier, Bezos, Money Mike, Fenway, and Curvette. A year ago, Charlatan was found to have lidocaine in his system after winning a division of the Arkansas Derby.

Commissioner [Tom Riddle](#) was a veterinarian at Rood & Riddle for many years and now serves as the practice's director of public relations. Baffert has had horses treated at Rood & Riddle, including Life Is Good, who recently had surgery there.

How will you ensure that these potential conflicts of interest don't compromise—or even appear to compromise—your actions in this case?

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We also have concerns about other critical issues related to this drug positive. If the split sample test confirms the violation, the commission will be obligated to disqualify Medina Spirit and redistribute the purse.

This alone is inadequate. We urge you to take additional meaningful actions in the following areas:

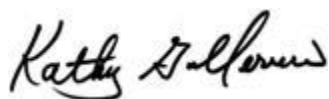
- Mandate payouts to all bettors who should have won, including those who made exotic bets and those who bet on Kentucky Derby future wager pools.
- Investigate the veterinarian who treated Medina Spirit at Churchill Downs, and if they are found to be complicit, ban them from Kentucky tracks.
- Take steps to make Baffert's license suspension permanent. We have no doubt that Baffert will come up with a reason for the presence of betamethasone in Medina Spirit's system—a groom with a bad back or perhaps poppy seed bagels, which he once argued (successfully) were responsible for a morphine positive. His lawyers will try to cast doubt on everything. As Pat Forde recently [commented](#), "The positive drug tests keep piling up for Bob Baffert's top horses. So do the explanations for them. The dog keeps eating the homework—an entire semester's worth by now, with permanent damage to the digestive tract."

The trainer is responsible, no matter how the substance gets into the horse. And Baffert has been responsible for four drug violations in the last 12 months alone and for 30 in the years before that. Enough is enough.

The public has made it clear that drugging Thoroughbreds is unacceptable. The racing industry must come to terms with this and understand that a small fine and purse redistribution are not enough. Drugging a horse is not only cheating but also abuse—and anyone who abuses a horse must not be allowed to race in Kentucky.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Kathy Guillermo". The signature is written in a cursive, flowing style.

Kathy Guillermo
Senior Vice President