

April 29, 2024

Via email

Governor Greg Abbott
 c/o Gardner Pate, Chief of Staff
 Texas Governor's Office
 Gardner.pate@gov.texas.gov

Ken Paxton
 Attorney General
 State of Texas
 Ken.paxton@oag.texas.gov

Lt. Col. Jason Taylor
 Law Enforcement Operations
 Texas Dept. of Public Safety
 Jason.taylor@dps.texas.gov

Dear Governor Abbott, Mr. Paxton, and Lieutenant Colonel Taylor:

I am counsel to People for the Ethical Treatment of Animals (PETA), and I am writing to respectfully request that your offices investigate and seek prosecution of flagrant illegal conduct in association with unregulated (or “bush track”) Quarter Horse racing in Texas.

As thoroughly detailed in the enclosed materials, PETA has investigated the bush track racing industry, including research into Texas facilities such as 3 Amigos Race Track in Odessa, La Victoria Training Center in Cedar Creek, El Mezquite Training Center in Laredo, Carril El Coyote in Cleveland, and Carril El Nuevo Coyote in Conroe. The investigation revealed that race organizers and participants regularly engage in widespread illegal practices that demand immediate attention. PETA investigators in Georgia observed and documented systemic and repeated animal abuse—injecting horses with street drugs like cocaine and methamphetamine, whipping, and shocking them to push them past their natural limits, leading several horses to break down and be killed on the track—as well as extensive commercial gambling on every race.

As documented and discussed below, our research reveals that much of this conduct is apparently taking place among the nearly 50 unregulated tracks in Texas—four times more than any other state—including by race teams such as Cuadra Cristo Rey, which was documented injecting a horse and whose jockeys are facing criminal cruelty charges in Georgia. The parallel conduct occurring in Texas apparently violates the state's prohibitions on cruelty to livestock animals,¹ gambling,² possessing controlled substances,³ and importing horses from out-of-state without required documentation and disease testing.⁴ The

¹ Tex. Penal Code § 42.09.

² *Id.* § 47.02; Tex. Occ. Code §§ 2025.051, 2033.003—004; 16 Tex. Admin. Code § 309.1.

³ Tex. Health & Safety Code § 481.117.

⁴ 4 Tex. Admin. Code §§ 51.13, 51.2, 49.1. A separate complaint to the Texas Animal Health Commission (TAHC) submitted concurrently with the instant complaint is attached here as Exhibit 1.

PEOPLE FOR
 THE ETHICAL
 TREATMENT
 OF ANIMALS
 FOUNDATION

Washington
 1536 16th St. N.W.
 Washington, DC 20036
 202-483-PETA

Los Angeles
 2154 W. Sunset Blvd.
 Los Angeles, CA 90026
 323-644-PETA

Norfolk
 501 Front St.
 Norfolk, VA 23510
 757-622-PETA

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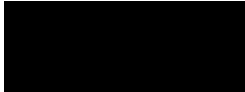
- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

identified conduct likely further amounts to common nuisance⁵ and racketeering,⁶ as several of these violations constitute predicate acts. Additional egregious conduct has been documented at bush tracks in Texas, such as a horse apparently being set on fire at an unregulated facility in Anderson County.⁷

These dangerous activities pose a serious ongoing threat to people and animals alike. Unregulated tracks also threaten Texas' regulated racing industry and accompanying revenue by drawing bettors away from licensed tracks. It is vital that the State take action to investigate and hold responsible those who organize, participate in, and host these unregulated horse races throughout the state.

PETA is prepared to assist your offices in any way possible in furtherance of your investigation, including by providing additional video and other documentary evidence, and welcomes the opportunity to meet with you. Thank you for your attention to this matter.

Respectfully,



Mary Maerz
Counsel, PETA Foundation
marym@petaf.org | 

⁵ Tex. Civ. Prac. & Rem. Code § 125.0015.

⁶ Tex. Penal Code § 71.02.

⁷ A December 18, 2023, Facebook [post](#) shows a horse in racing gear engulfed in flames, kicking and running until men appear to put out the fire with a water hose. Comments on the video suggest that it was recorded in Palestine, Texas, and [videos](#) of recent races at Rancho Los Pinos, located at 9102 FM322 in Palestine, appear to show the same tanker truck as can be seen in the fire video. Rancho Los Pinos held [races the day before](#) the video was posted.

APPENDIX

1. Factual Background

Since 2021, PETA has investigated unregulated (or “bush track”) Quarter Horse racing across the country, including attending and documenting race events. Included below is a detailed description of some of the systemic animal abuse and gambling activity documented in connection with every race attended, as well as the illicit controlled substance use observed.

This cruel and apparently illegal conduct extends to Texas, where there are more than 45 bush tracks.⁸ The Texas Racing Commission recently acknowledged these tracks are “largely ungoverned spaces that allow for a wide range of organized criminal activity, to include human trafficking, unlicensed alcohol sales, tax evasion, [as well as] turning a blind or knowing eye to illicit drugs and shocking devices that can injure or maim racing horses and undermine the sport’s integrity.”⁹ In 2019, Texas’ Department of Public Safety raided one such track in Parker County after an undercover officer witnessed betting, which additionally uncovered “numerous large syringes,” drug paraphernalia, and shock devices.¹⁰ At these events, race teams and jockeys inject horses on the track—likely with performance-enhancing substances including controlled stimulants like cocaine, methamphetamine, and methylphenidate—and relentlessly whip and shock them to make them run faster than their natural abilities, leading to injuries and death. The perpetrators of much of this conduct include the racing team Cuadra Cristo Rey—which is led by Eddy Guzman and includes Luis Martinez and Javier Amoedo—whose jockeys have been charged with cruelty to animals in Georgia following PETA’s investigation.

Public video of races at two unlicensed tracks—Carril El Nuevo Coyote in Conroe and La Victoria Training Center in Cedar Creek—reveal that the team and its members relentlessly whip horses and apparently use syringes to inject them while on the track. Videos from El Mezquite Training Center in Laredo similarly show race team members from Cuadra Basurto Racing and Cuadra Pichonsitos, respectively, holding syringes adjacent to horses in stalls. At Carril El Coyote in Cleveland, a photo shows a horse for Cuadra Gonzalez racing with blood running down their neck from the same area injections are typically made. These examples are emblematic of the illicit conduct underlying these races. The abuse and apparent illegality are widespread across bush tracks throughout the state and likely fueled by extensive illegal gambling on every race.

⁸ A list of all Texas tracks PETA has identified to date is attached as Exhibit 2.

⁹ See Texas Racing Commission, Legislative Appropriations Request (2024-25) 22 (2022), <http://tinyurl.com/5n6z3cnu>; see also, Natalie Voss, Paulick Report, *‘They’re Going To Take Down All Of Racing’: Here’s Why Legitimate Tracks Should Be Concerned About The Bush Circuit* (Mar. 21, 2023), <https://paulickreport.com/news/the-biz/theyre-going-to-take-down-all-of-racing-heres-why-legitimate-tracks-should-be-concerned-about-the-bush-circuit>.

¹⁰ Stallion Search, *Nine Arrested in Illegal Horse Racing Scheme In Parker County Texas* (Oct. 8, 2019), <https://www.stallionsearch.com/default.asp?section=6&story=26527>. The Texas Animal Health Commission subsequently performed “40 livestock inspections on vehicles which hauled 82 horses,” and found 147 Class C violations of “no equine infectious anemia (Coggins) or Piroplasmosis test.” *Id.* “Only one horse had the proper paperwork.” *Id.*

2. Cruelty to Horses

Texas expressly criminalizes intentionally or knowingly torturing livestock animals, including horses.¹¹ “Torture” is a felony offense defined to include “every act or omission” that causes “unnecessary or unjustifiable pain or suffering” to an animal.¹² Texas further criminalizes seriously overworking or unreasonably failing to provide necessary care for a livestock animal, each of which is a misdemeanor.¹³ PETA’s preliminary investigation has revealed bush track race participants are knowingly and intentionally overworking horses by driving them to excessive speeds beyond their physical limits, failing to provide proper care to, and torturing horses by subjecting them to excessive whipping and injections, causing unnecessary suffering, breakdowns, and deaths, which constitutes criminal cruelty to animals.

Excessive and repeated whipping is common practice among bush track race participants, as PETA revealed through an extensive investigation on the ground in Georgia and corroborated by livestreams and other videos of Texas races. Whippings occur even while horses are still behind the starting gate. At 3 Amigos Race Track alone, excessive whipping has been documented by video at every event held at the track from January through March 2024.¹⁴ For example, during the January 14 event, a Cuadra Tierra Suelta jockey can be seen on video whipping a horse 17 times in under 10 seconds.¹⁵ In February races at the facility, videos show jockeys whipping horses up to 30 times in races as short as 350 yards.¹⁶ Videos from March 10 and March 24 show jockeys whipping horses 16 times in a 250-yard race and 24 times in a 330-yard race, respectively.¹⁷ This conduct is not limited to 3 Amigos Race Track. In a single short promotional video for a Texas race at Carril de Cleveland, a jockey is shown whipping a horse 18 times in fewer than 8 seconds.¹⁸ Other Texas race videos document jockeys whipping horses up to and beyond 25 times in races as short as 350 yards.¹⁹

This whipping is extreme, especially as compared to conduct at sanctioned horse races. While state regulations permit whip use,²⁰ they also establish limitations on the “correct use of a whip” by defining it to include “showing the whip to the horse” before striking, doing so “in rhythm to

¹¹ Tex. Penal Code § 42.09.

¹² *Id.*; see *Swift v. State*, No. 2-05-236-CR, 2006 WL 1030174 (Tex. App. Apr. 20, 2006) (citing *Hansen v. State*, No. 05-03-00649-CR, 2004 WL 1353783, at *3 (Tex. App. Dallas June 17, 2004); *In re J.A.M.*, No. 03-02-00610-CV, 2003 WL 22303115, at *5 (Tex. App. Austin Oct.9, 2003); *Barnett v. State*, 117 Tex. Crim. 358, 35 S.W.2d 441, 443 (Tex.Crim.App.1931)).

¹³ Tex. Penal Code § 42.09.

¹⁴ See Ggcarreras, YouTube (Jan. 14, 2024), <https://www.youtube.com/watch?v=Mtl3SEcY-A0> (starting at 2:04); Ggcarreras, YouTube (Jan. 28, 2024), <https://youtu.be/O5OmNe2vUd4> (starting at 2:03); Ggcarreras, YouTube (Feb. 11, 2024), <https://youtu.be/7V1jsNW3WR8> (starting at 1:50); Ggcarreras, YouTube (Feb. 25, 2024), <https://youtu.be/N8IqSX5VtYk> (starting at 1:52); Ggcarreras, YouTube (Mar. 10, 2024), <https://youtu.be/CvjOuEv35Qw> (starting at 1:45); Ggcarreras, YouTube (Mar. 24, 2024), <https://youtu.be/POIgUZcuEqM> (starting at 0:28).

¹⁵ Ggcarreras, YouTube (Jan. 14, 2024), *supra* note 17.

¹⁶ Ggcarreras, YouTube (Feb. 11, 2024) and Ggcarreras, YouTube (Feb. 25, 2024), *supra* note 17.

¹⁷ Ggcarreras, YouTube (Mar. 10, 2024) and Ggcarreras, YouTube (Mar. 24, 2024), *supra* note 17.

¹⁸ De la Garza Photo Finish, Facebook (Dec. 2, 2021), <https://www.facebook.com/watch/?v=961192827833103> at approx. 2:05.

¹⁹ Triple JJJ Productions, Facebook (Dec. 5, 2023), <https://www.facebook.com/watch/?v=163284693541895>.

²⁰ See 16 Tex. Admin. Code § 313.206.

the horse's stride," and using the whip as an aid "to keep a horse running straight."²¹ Similarly, federal thoroughbred race rules cap the number of times jockeys may use a riding crop to six per race.²² Whip use in bush racing egregiously exceeds these limits within seconds of the starting line with no regard for horses' welfare. The practice is completely futile, only serving to further contribute to horses breaking down and being killed on the track.

Both scientific and industry authority standards agree that excessively whipping horses causes them unnecessary and unjustifiable pain and suffering. At a biological level, a recent study revealed humans and horses have extremely similar concentrations of nerve endings in the outer layer of their skin, and share similar thickness of the skin's layer.²³ Based on that data, the researchers concluded that horses and humans experience pain similarly—stating that “horses are likely to feel as much pain as humans would when being whipped.”²⁴ Even among entities within the industry, whipping horses elicits welfare concerns. For instance, the International Society for Equitation Science—whose stated mission is to advance the “equestrian practice”—acknowledges that “[w]hipping tired horses, such as is commonly seen in horse racing is of welfare concern and should be actively discouraged.”²⁵ It further advises against “[e]xcessive or incorrect use of any aversive stimulus on any horse, including the whipping of horses to improve their position in a race field.”²⁶ Whip use causes harm beyond immediate pain, and is associated with catastrophic fractures, likely from pushing tired or injured horses beyond their physical limits.²⁷ The pain and suffering of these injuries is completely unnecessary. A study of reports comparing races in which horses were whipped to those in which they were not revealed no statistically significant improvement in the whipped horses' movement on courses, interference on courses, incidents related to jockey behavior, or race finishing times.²⁸

In addition to whipping, many jockeys in unregulated racing use shocking devices in an attempt to push the horses to run faster. PETA's investigators at Rancho El Centenario in Georgia documented many instances of jockeys with shocking devices taped to their wrists or held in their hands, including a Cristo Rey jockey. A video of a jockey racing for Cuadra 3 Amigos at the 3 Amigos Race Track on February 25, 2024, clearly shows the jockey with a shocking device on his wrist,²⁹ pictured below in Figure 1. Videos and photographs from the March 30, 2024,

²¹ *Id.* § 313.405.

²² Horseracing Integrity and Safety Authority, Racetrack Safety Program § 2280.

²³ Lydia Tong et al., *A Comparative Neuro-Histological Assessment of Gluteal Skin Thickness and Cutaneous Nociceptor Distribution in Horses and Humans* 10(11) *Animals* 2094 (2020).

²⁴ Loren Smith, *First Conclusive Evidence Horses Hurt by Whips, Whips Don't Aid Jockeys*, U. of Sydney (Nov. 12, 2020), <https://www.sydney.edu.au/news-opinion/news/2020/11/12/first-conclusive-evidence-horses-hurt-by-whips--whipsdon-t-aid-.html>

²⁵ Int'l Soc'y for Equitation Sci., *Position Statement on Aversive Stimuli in Horse Training* (2018), https://equitationscience.com/file_download/208/ISES_PositionStatement_Aversive_Stimuli_2013_2018.pdf.

²⁶ *Id.*

²⁷ Tim D.H. Parkin et al., *Analysis of Horse Race Videos to Identify Intra-race Risk Factors for Fatal Distal Limb Fracture*, 74 *Preventative Veterinary Med.* 44 (2006); Gina L. Pinchbeck et al., *Whip Use and Race Progress Are Associated with Horse Falls in Hurdle and Steeplechase Racing in the UK*, 36(5) *Equine Veterinary J.* 384 (2004).

²⁸ Kirrilly Thompson et al., *Is Whip Use Essential to Thoroughbred Racing Integrity? What Stewards' Reports Reveal About Fairness to Punters, Jockeys and Horses*, 10 *Animals* 1985 (2020).

²⁹ Ggcarreras, YouTube (Feb. 25, 2024), <https://www.youtube.com/watch?v=trrFKukD7tw> (2:22).

event at La Victoria Training Center show at least three separate jockeys using shocking devices,³⁰ as seen below in Figures 2 through 4.



Figure 1. Screenshot from video of a race at 3 Amigos Race Track in Odessa, Texas, on 2/25/24, depicting a jockey (left) with a shocking device adhered to his wrist.

³⁰ Pasi3n Carrerera Durango, Facebook (Mar. 30, 224), https://www.facebook.com/watch/live/?ref=watch_permalink&v=945181827136674 (7:49); Triple JJJ Productions, Facebook (Mar. 30, 2024), <https://www.facebook.com/watch/?v=1086639819237366> (1:37); BustillosPhotos, Facebook (Mar. 30, 2024), <https://www.facebook.com/photo?fbid=1093416775061491&set=a.384813615921814>.



Figure 2. Still from video of a race at La Victoria Training Center in Cedar Creek, Texas, on 3/30/24, depicting Cristo Rey jockey Rodrigo Vallejo taping on his shock device before a race.



Figure 3. Still from video of a race at La Victoria Training Center in Cedar Creek, Texas, on 3/30/24, showing the bulge of a shock device on C. 3 Amigos jockey Mauro Salcedo's right wrist.



Figure 4. Photograph from a race at La Victoria Training Center in Cedar Creek, Texas, on 3/30/24, apparently showing Cuadra Veracruz jockey Roman Huerta, with his wrist at an unnatural angle, shocking the horse. A blood spot likely from an injection can also be seen on the horse's neck.

Shocking devices have long been prohibited in licensed horse racing because of their obvious cruelty, “and since 1974 there have been nearly 300 instances in which racing commissions have investigated and taken action against jockeys, trainers, grooms or escort riders for infractions involving the devices.”³¹ A leading horse racing veterinarian in 2019 described these devices as “cruel, medieval measures that had no place in racing, ever, and certainly not [now],” when animal welfare must be considered.³²

³¹ Joe Drape, *Seamy Side of a Sport: Prodding Horses With Shocks*, N.Y. TIMES (Mar. 27, 2014), <https://www.nytimes.com/2014/03/28/sports/new-light-on-seamy-role-of-buzzers-in-horse-racing.html>.

³² Patrick Bartley, *Alleged Use of ‘Cruel, Medieval’ Devices Threatens Future of Victorian Racing, Says Horse Vet*, THE GUARDIAN (Jan. 31, 2019), <https://www.theguardian.com/sport/2019/feb/01/alleged-use-of-cruel-medieval-devices-threatenfuture-of-victorian-racing-says-horse-vet>.

Furthermore, injecting horses with drugs intended to enhance their performance is common in the bush track racing industry.³³ At only a single site in Georgia, PETA investigators documented horses associated with 14 different teams injected in the neck with syringes containing red or clear liquid immediately prior to racing at least *twenty-five* times, with Cristo Rey among them.³⁴ As discussed further below, PETA's investigation ultimately uncovered that the syringes used for these injections included powerful stimulant drugs, including methamphetamine, methylphenidate, and cocaine.

Videos and photographs of Texas races reflect that participants similarly inject horses shortly prior to racing, presumably also with substances intended to enhance their performance. A video from a six-versus-six race series against Cuadra Piedreros at La Victoria Training Center documents Luis Martinez of Cristo Rey providing syringes to associate Javier Amoedo for injection shortly before the race, as shown below in Figure 5.³⁵ Martinez, pictured below in Figure 6, can then be seen leading three-year-old Quarter Horse El Guero Palma with a syringe visibly protruding from his pants pocket.³⁶ Martinez can also be seen in video from a March 30, 2024, event at La Victoria Training Center with a syringe in his pants pocket. PETA's research has uncovered several public images depicting the use of syringes or apparent injections at Texas tracks.³⁷

³³ Cocaine and amphetamines have long been administered to horses used for racing in misguided attempts to improve their performance. See Thoroughbred Daily News, *A History of Drugs in Racing* (2013), <https://www.thoroughbreddailynews.com/pdf/magazine/Magazine-Drugs%20in%20Racing-Part%20I.pdf>; see also, e.g., Cocaine in Horses is a Losing Bet, CHICAGO TRIBUNE (Feb. 15, 2005), <https://www.chicagotribune.com/news/ct-xpm-2005-02-16-0502160251-story.html>; Kenneth H. McKeever et al., Effects of Cocaine on Incremental Treadmill Exercise in Horses. 75(6) J. Applied Physiology 2727 (1985) (finding a significant increase in time to exhaustion).

³⁴ The other teams documented injecting horses include: Cuadras Cash, Dos Trebol, La Espuela, Esquipulas, La Herradura, El Jarocho, La Mundial, La Noria, Nuevo Imperio, Los Primos, San Juan, W3 Farmz, and Potosinos.

³⁵ Triple JJJ Productions, Facebook (August 28, 2023), <https://www.facebook.com/watch/?v=318644164060083>.

³⁶ *Id.*

³⁷ See Exhibits 3–7.



Figure 5. Screenshot from video recorded on 6/25/23 at Carril El Nuevo Coyote in Conroe, Texas of Luis Martinez of Cristo Rey carrying a syringe in his mouth. One of the comments on the post addresses the visibility of the syringe.



Figure 6. Screenshot from video of an 8/27/23 race at La Victoria Training Center in Cedar Creek, Texas, showing Luis Martinez, on the left, leading El Guero Palma with a syringe poking out of his front right pants pocket.



Figure 7. Screenshot from video at La Victoria Training Center in Cedar Creek, Texas, on 3/30/24, showing Luis Martinez of Cristo Rey, in white shirt and “Mexico” hat, walking in front of El Millón with a syringe poking out of his front right pants pocket.

An individual sympathetic to the race participants’ apparent illicit activities voiced concern over Martinez openly carrying syringes in a comment on the June 25 video, imploring the participants to “hide those syringes” and implying that failure to do so would risk the races being cancelled entirely.³⁸ This comment reflects that injecting horses within the bush track racing industry is an open secret and participants are aware that their use, if known publicly, would jeopardize the existence of these unregulated races. As with whipping, drugging horses used for racing is well-established to increase their risk of catastrophic injury and death.³⁹

Widespread whipping and injecting have led many horses to break down on the track and ultimately be killed. Within one day following the race where he apparently received the injection, El Guero Palma died⁴⁰ alongside another horse he participated with named El Rayo, thus killing two of six horses within one day of racing them. In Georgia, PETA investigators saw

³⁸ See Figure 6.

³⁹ See, e.g., Alyssa A. Logan & Brian D. Nielsen, *Training Young Horses: The Science Behind the Benefits*, 11(2) *Animals* 463 (2021) (“Thoroughbreds and Quarter Horses that died as a result of race training had five times greater odds of having hyaluronic acid injections compared to animals that had not died during race training”); Joe Drape & Corina Knoll, *Why So Many Horses Have Died at Santa Anita*, N.Y. Times (June 26, 2019), <https://www.nytimes.com/2019/06/26/sports/santa-anita-horse-deaths.html> (“The track tolerated trainers who had been cited for using performance-affecting drugs, records showed. Experts have long considered drugs a leading cause of horse deaths. Not only do they dull pain and mask injuries, letting at-risk horses run when they should not, but they make horses unnaturally stronger and faster, increasing stress on their limbs.”).

⁴⁰ AeroPuertos Clandestinos, Facebook (Aug. 28, 2023), <https://www.facebook.com/AeropuertosClandestinos/posts/pfbid02qZrtZckAewgctvV7c8VdwCHysQVJYFboikYqxBbgz9EYXfmvJgtV5CnRjnPpSQgsl>; see also Raza Jugadora De Atlanta Ga, Facebook (Sept. 8, 2023), https://www.facebook.com/permalink.php?story_fbid=pfbid02x9Dqt6e4gRse2x5hfFNrcc7b5eqfPYi8PsWH8LvSygdQGHeoWXVkerVTjtnUMtUvl&id=100077023369255.

similarly deadly results. One victim, a horse named El Nacho Prieto, broke both front legs during a race and was subsequently shot in the head and dragged down the track by the rear legs with a tractor. Shortly after the finish line in the same race, another horse, El Borrego, reportedly died from a heart attack. Only two months later, another horse, El H, reportedly died⁴¹ mere minutes after winning a race;⁴² photos taken in the moments between El H completing the race and dying appear to show blood from an injection site stream down the right side of his neck.⁴³ At a single track in Georgia since 2018, at least twelve other horses were either killed during a race or reportedly died shortly thereafter. Cristo Rey was directly involved in three of those twelve instances:

- February 7, 2021: El Papi Chulo, Trainer Eddy Guzman. El Papi Chulo broke down just outside the starting gate in a 200-yard race and was later euthanized.⁴⁴
- January 17, 2021: El Bambino, Jockey Alex Carrillo, Trainer Eddy Guzman. Four-year-old El Bambino died when being brought to the stable just after winning a 400-yard race.⁴⁵
- July 12, 2020: El Granito De Oro, Trainer Eddy Guzman. In this six-horse race, El Granito De Oro fell hard and stumbled to the ground, breaking one or more legs.⁴⁶

These breakdowns and deaths of horses used for bush track racing are not unique to Georgia and reflect the treatment of horses across this black-market industry, including in Texas. Indeed, notorious Texan jockey Roman Chapa, who was suspended and fined \$100,000 by the Texas Racing Commission after he was caught carrying an illegal horse-shocking device in a stakes race at Sam Houston, continued his career at bush tracks, where he ultimately sustained fatal injuries when a horse he was riding suffered a catastrophic breakdown.⁴⁷

The rampant injections and overwhipping at bush track races amount to widespread criminal cruelty to livestock animals, overworking by pushing horses past their natural limits, failing to provide proper care, and inflicting needless pain and suffering on horses that often culminates in their premature deaths. In *Swift v. State*, the court found that the defendant Swift acted with intent to torture sufficient to establish a cruelty to animals conviction due to his harmful treatment of his dog, a labrador retriever named Bull, done for the purpose of “training.”⁴⁸ Swift

⁴¹ Carreras 1\4 De Milla Nacionales, Facebook (May 22, 2022), <https://www.facebook.com/CarrerasCuartoDMillaNacionales/posts/pfbid02hUkSaYzAutMjKjAFtHZZ4Z7aPQ5aapRkz8QuF2B3gmkuu2md1XwHe2dXExL6Pqffl>.

⁴² Carriles De Georgia, Facebook (May 22, 2022), <https://www.facebook.com/261735500933956/photos/a.295194407588065/1462121087562052/?type=3&source=57>.

⁴³ Muñoz Photography, Facebook (May 22, 2022), https://www.facebook.com/permalink.php?story_fbid=pfbid0sGrwQ41wirM6RmB4oeMuJgC6XrcRSpu3FDs2mgBqA5C3V2Ebd6QYHen1A849844Cl&id=101887492503104.

⁴⁴ Somos Carrereros, Facebook (Feb. 7, 2021), <https://www.facebook.com/somoscarrereros/posts/pfbid02Zj9PVhDFgY67NdUymjfishnLU2pyjoxkiS3edYkcjbuRys4PJc2JHiB8rGg5VMyeel>.

⁴⁵ Caballos_Con_Poder, Facebook (Jan. 18, 2021), https://www.facebook.com/permalink.php?story_fbid=pfbid02wyuAJG4fvURGVMpbaobcTdzBP7X1LLeDQuj8f1G2zEAhuE5bikAdzh8mnUE1WQbkl&id=1391958907612254.

⁴⁶ Carriles De Georgia, Facebook (July 11, 2020), https://www.facebook.com/permalink.php?story_fbid=980990252341807&id=261735500933956 (providing information on the race); Gonzalo González (@gonzalo1630), TikTok (July 13, 2020), <https://www.tiktok.com/@gonzalo1630/video/6849139516435926277?> (video of breakdown).

⁴⁷ T.D. Thornton, *Talented But Troubled Jockey Chapa Dies, Reportedly After Bush-Track Accident*, Thoroughbred Daily News (July 29, 2021), <https://www.thoroughbreddailynews.com/talented-but-troubled-jockey-chapa-dies-reportedly-after-bush-track-accident/>.

⁴⁸ *Swift*, 2006 WL at *1 (Tex. App. Apr. 20, 2006).

had fastened a duct tape muzzle tightly to Bull’s snout, preventing him from drinking water or panting on a hot summer day, and Bull collapsed due to heat stroke and was later euthanized.⁴⁹ The court upheld Swift’s cruelty to animals conviction.⁵⁰ As in *Swift*, race participants like those in Cristo Rey intentionally used painful and harmful practices for a purpose akin to “training”—whipping horses severely, shocking, and openly drugging them to push them to run beyond their physical limitations, causing several horses to become visibly distressed on the track and die shortly after races.

Accordingly, this conduct violates the Texas Cruelty to Livestock Animals statute’s prohibition against overworking,⁵¹ demonstrates a failure to provide the horses with humane care,⁵² and amounts to “torture” by causing them unjustifiable pain and suffering.⁵³ The trainers, jockeys, and gate handlers who commit and authorize these incidents of abuse must be brought to account to prevent further needless suffering and death.

3. Controlled Substance Use and Possession

Possessing any amount of cocaine, methamphetamine, or their salts below one gram is a felony.⁵⁴ The penalties for possessing, manufacturing, or delivering cocaine, methamphetamine, or any other penalty group 1 substances becomes a first degree felony if the amount possessed reaches, “by aggregate weight, including adulterants or dilutants,” 200 grams.⁵⁵ These prohibitions extend to other drugs “having a potential for abuse associated with a stimulant effect on the central nervous system,” including controlled stimulants such as methylphenidate—categorized in Penalty Group 3.⁵⁶ The same stimulant effects that Texas recognizes as posing a significant danger of abuse are precisely what motivates bush track race teams to use controlled substances to push horses beyond their physical capabilities to obtain an illicit competitive advantage.

As previously discussed, bush track race participants commonly drug horses, as PETA investigators documented horses injected in the neck with syringes containing red or clear liquid prior to a race in at least *twenty-five* separate instances at a single site in Georgia. Indeed, the horses injected included those associated with Cristo Rey and 13 other teams. On June 19, 2021, when investigators witnessed a man inject a horse and drop the syringe to the ground, PETA’s investigator promptly recovered the syringe and placed it in a Ziploc bag free from any outside disturbance until reaching the University of Florida Racing Chemistry Laboratory and subsequently the K.L. Maddy Equine Analytical Chemistry Laboratory at the University California, Davis for testing. The Davis laboratory’s final report revealed that the syringe tested positive for “[c]ocaine and its byproduct benzoylecgonine.”⁵⁷ Other syringes were also collected

⁴⁹ *Id.*

⁵⁰ *Id.*

⁵¹ Tex. Penal Code § 42.09(a)(9).

⁵² *Id.* § 42.09(a)(2).

⁵³ *Id.* § 42.09(a)(1).

⁵⁴ Tex. Health & Safety Code §§ 481.112, 115.

⁵⁵ *Id.* § 481.102.

⁵⁶ *Id.* §§ 481.104, 114 (manufacture and delivery), 117 (possession).

⁵⁷ Exhibit 8. Letter from Benjamin Moeller, K.L. Maddy Equine Analytical Chemistry Laboratory, to Hannah Schein, PETA (Sept. 14, 2021).

from the ground and submitted to the laboratory—testing positive for methamphetamine, cocaine, and methylphenidate—further reflecting the industry reliance upon using controlled substances to improve horses’ race performances.

Much of the same can be seen at bush track sites in Texas, indicating a high potential for controlled substance possession and trafficking, often brazenly carrying syringes in full view of the public. As discussed previously, members of several teams including Cristo Rey are documented openly carrying syringes prior to injecting their horses with potential drugs such as cocaine, methamphetamine, or methylphenidate—stimulants Texas explicitly prohibits.

The possession and distribution of controlled substances pervades the bush track racing industry and presents a danger to the Texas public’s health and safety that requires investigation. As this conduct has proven typical to the industry, the mere presence of bush track races introduces a dangerously high risk of accompanying criminal possession, trafficking, and distribution of controlled drugs, particularly cocaine and methamphetamine. Texas is well-equipped to act decisively to address their potential presence⁵⁸ and delivery⁵⁹ at bush track races. Further investigation is therefore necessary to uncover whether injections observed on the track involve controlled substances and the extent to which they pervade Texas through the bush track racing industry.

4. Illegal Gambling

Texas prohibits betting on the result of games or contests,⁶⁰ including horse racing,⁶¹ which is a class C misdemeanor, except as sanctioned by the State.⁶² Moreover, knowingly permitting others to use any property they own, control, or rent, as a gambling place, constitutes a class A misdemeanor.⁶³ The Texas Racing Act (“TRA”) further prohibits conducting wagering on unlicensed horse races.⁶⁴ Participating or otherwise being involved in unlicensed horse racing that includes wagering is a class A misdemeanor—the penalty heightened to a state jail felony if the actor is required by the TRA to obtain a racetrack license.⁶⁵ Conducting a horse race without a license while one knows or reasonably should know someone else is betting on the outcome is also a third degree felony.⁶⁶ Wagering on the result of a horse race except as authorized by the TRA, and unlicensed facilities accepting wagers on the result of a horse race, are similarly

⁵⁸ Tex. Health & Safety Code §§ 481.103–105, 481.115–117.

⁵⁹ *Id.* §§ 481.112–119, 1121–1161.

⁶⁰ Tex. Penal Code § 47.02.

⁶¹ *See* Tex. Att’y Gen. Op. LO-94-051 (1994) (“Texas courts have consistently held wagering on the outcomes of horse or dog races to be gambling. Generally speaking, we think courts have taken for granted, in the gambling law context, that wagering on the outcome of an athletic event is a ‘game of chance.’ We believe a Texas court would find that wagering on the outcomes of sporting events constitutes ‘gambling’ under section 47.02.”) (internal citations omitted).

⁶² *Id.*

⁶³ Tex. Penal Code § 47.04.

⁶⁴ Tex. Occ. Code § 2025.051; *see also* *Rivera v. State*, 507 S.W.3d 844, 848 (Tex. App. 2016) (prosecution racing at a ranch that was not licensed by the Texas Racing Commission); *Hurd v. State*, 495 S.W.3d 592 (Tex. App. 2016) (conviction upheld against security officer at unlicensed track who aided in conducting a horse race without a racetrack license in violation of the TRA); Tex. Penal Code § 7.02 (criminal responsibility for conduct of others).

⁶⁵ Tex. Occ. Code § 2033.003.

⁶⁶ *Id.* § 2033.004.

prohibited.⁶⁷ These statutory offenses are further reflected in a Texas Racing Commission equivalent regulation prohibiting conducting a horse race where wagering takes place without a license.⁶⁸

PETA's investigation in Georgia uncovered gambling to be a central facet of every race. At these races, PETA documented the track announcer declare the advantage (equivalent of odds) for each race, bookies openly solicit bets and receive phone calls about gambling, spectators place and pay for bets of hundreds of dollars and more, bookies record those bets in a notebook, and finally pay out winnings from large stacks of cash. Gambling was so extensive that several individuals acted as bookies, apparently organized by a single individual from Texas: Zenaida "Paloma" Cardenas Muñoz, the same individual who posted the video of Martinez carrying a syringe in his mouth at a racetrack to her social media. Muñoz traveled to Georgia for these events,⁶⁹ and is facing felony gambling charges there for her involvement. That gambling serves such a central role in bush track races in Georgia strongly suggests that similar illicit gambling takes place elsewhere, including in Texas. These bush tracks are unlicensed by definition, and thus not within the limited exception for "[w]agering ... conducted *only* by a racetrack association within the racetrack association's enclosure."⁷⁰ Accordingly, it is important to investigate potential gambling at these events as well as any individuals who may be responsible for organizing, hosting, and profiting from the practice. Gambling is the lifeblood of bush track races, and the owners of these race sites and any organizers of gambling activities there must be held accountable.

5. Racketeering

Several of the abovementioned offenses are predicate acts under Texas' racketeering law. Specifically, Section 71.02 provides that:

- (a) A person commits an offense if, with the intent to establish, maintain, or participate in a combination or in the profits of a combination or as a member of a criminal street gang, the person commits or conspires to commit one or more of the following: ...
- (2) any gambling offense punishable as a Class A misdemeanor...
- (5) unlawful manufacture, delivery, dispensation, or distribution of a controlled substance or dangerous drug, or unlawful possession of a controlled substance or dangerous drug through forgery, fraud, misrepresentation, or deception;

⁶⁷ Tex. Occ. Code § 2027.102.

⁶⁸ See 16 Tex. Admin. Code § 309.1. The Texas Racing Commission regulation must be read as equivalent to its corresponding TRA provision, Tex. Occ. Code § 2025.051, to prohibit wagering activities at unlicensed tracks, as interpreting the language narrowly in accordance with the Commission's regulatory definitions would render it meaningless. See *TIC Energy & Chem., Inc. v. Martin*, 498 S.W.3d 68, 74 (Tex. 2016) (courts must "consider the statute as a whole, giving effect to each provision so that none is rendered meaningless or mere surplusage").

⁶⁹ Paloma Cardenas Muñoz, Facebook (May 3, 2022), https://www.facebook.com/permalink.php?story_fbid=2786833644957774&id=100008934972312.

⁷⁰ Tex. Occ. Code § 2027.002 (emphasis added).

(5-a) causing the unlawful delivery, dispensation, or distribution of a controlled substance or dangerous drug in violation of Subtitle B, Title 3, Occupations Code.⁷¹

As used in section 71.02, “combination” is defined as “three or more persons who collaborate in carrying on criminal activities.”⁷² Participants need not know each other’s identity to qualify as a combination, nor does it have to consist of the same members over time; rather, a loose “arm’s-length relationship in illicit distribution operations,” such as a wholesaler-retailer, are sufficient to be a combination.⁷³ Conspiring to commit an offense requires (1) an agreement with at least one person—either explicitly or implicitly through action—to commit the offense followed by (2) at least one person’s overt act in furtherance of that agreement.⁷⁴

The gambling and drug related offenses discussed above raise the possibility of criminal racketeering in association with these races. This would be consistent with PETA’s Georgia investigation, which documented the repeated involvement of common race participants (race teams, jockeys, and horses) and individuals administering the gambling ring and drug injections. Your further investigation of the potential gambling and controlled substance-related offenses in the nearly 50 bush tracks in the state is highly likely to reveal a combination of people involved in planning, coordinating, and managing races for the purpose of enabling and profiting from substantial commercial gambling. The proceeds of this commercial gambling are in turn likely to finance organizers’ operating expenses—enabling them to conduct additional races and to acquire and administer more controlled substances in the process.

6. Common Nuisance

Under Texas law it is a common nuisance to maintain a place where people regularly go to deliver, possess, and use controlled substances,⁷⁵ gamble, or engage in organized criminal activity as a combination if one knowingly tolerates the activity and fails to make reasonable attempts to abate it.⁷⁶ It is vital to enforce the rule of law against any potential site that knowingly hosts any of the illicit activities described herein. Gambling and injections take place openly and brazenly at race sites, leaving little doubt that those operating these spaces knew of these activities. Those organizing and hosting bush tracks are therefore likely maintaining common nuisances, and it is of the utmost importance that the State of Texas investigate, and take appropriate action against, those providing sites for illicit gambling, animal abuse, and use and administration of controlled substances like methamphetamine and its related stimulants.

⁷¹ Tex. Penal Code § 71.02.

⁷² *Id.* § 71.01.

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ See Tex. Health & Safety Code § 481.117.

⁷⁶ Tex. Civ. Prac. & Rem. Code § 125.0015.

Exhibit 1

April 24, 2024

Dr. Lewis R. Dinges
Executive Director
Texas Animal Health Commission
execdir@tahc.texas.gov

Re: Request to Investigate Texas Bush Tracks for Unlawful Import of Horses

Dear Dr. Dinges:

I am writing on behalf of People for the Ethical Treatment of Animals (PETA) to respectfully urge the Texas Animal Health Commission (“Commission”) to investigate race participants at the nearly 50 unregulated Quarter Horse tracks (“bush tracks”) in the state¹ for the apparent illegal importation of horses from other states without the required testing and documentation, in violation of the Commission’s regulations.²

PETA’s investigation into bush tracks in the United States has revealed that out-of-state race teams commonly, if not exclusively, import horses without required documentation or equine infectious anemia (EIA) testing. PETA’s research has confirmed that this dangerous conduct apparently extends to bush tracks across Texas.

All animals entering Texas must comply with all applicable health requirements set by the Commission.³ In light of equines’ potential to spread incurable contagious disease, all entering Texas “shall have a certificate of veterinary inspection and proof of a negative EIA test within the previous 12 months prior to entering Texas, along with unique and permanent forms of identification.”⁴ CVIs must contain the health status of each animal being imported into the state.⁵ The negative test results, together with the name of the laboratory conducting the test, must be shown on the CVI.⁶ Alternatively, a completed VS Form 10-11 (EIA Laboratory Test) may be attached to the CVI.⁷ Only test results from USDA-approved laboratories are acceptable.⁸ If an equine receives a positive EIA test, the animal may not enter Texas without written permission from the Executive Director of the Commission.⁹ Importation of equines without the required CVI and negative test result documentation is a misdemeanor.¹⁰

¹ A list of all Texas tracks PETA has identified to date is attached as Exhibit 1.

² 4 Tex. Admin. Code §§ 51.13, 51.2, 49.1.

³ 4 Tex. Admin. Code § 51.2(a)(1).

⁴ *Id.* § 51.13(a). Additionally, all equines at facilities or locations where they commingle must also have a negative EIA test within one year prior to assembly—regardless of whether they have been imported to the state for the event. 4 Tex. Admin. Code § 49.1(o).

⁵ *Id.* § 51.2(b).

⁶ *Id.* § 51.13(a).

⁷ *Id.*

⁸ *Id.*

⁹ *Id.* § 51.5(b)(2).

¹⁰ Tex. Agric. Code § 161.143.

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

Washington
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

PETA FOUNDATION IS AN OPERATING
NAME OF THE FOUNDATION TO
SUPPORT ANIMAL PROTECTION.

ENTITIES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

Despite numerous race teams bringing in horses from out-of-state, a public records request to the Commission reveals that **no CVIs appear to have been submitted to the agency** for any horse imported for unlicensed racing in January and February 2024.

For example, looking to only two of the most active bush track facilities in Texas, 3 Amigos Race Track in Odessa and Carril Santa Teresa in Amarillo—which consistently hold regular events that assemble up to dozens of race teams each—participating race teams from out-of-state in this two-month period include, but are not limited to, the following:

Race Team	State of Origin
Cuadra Sierra Brava	Oklahoma
Cuadra Chihuahua	Oklahoma
Cuadra Ballezano	Colorado
Cuadra Solis	Colorado
Cuadra Flecha Boyz	Colorado
Cuadra Chalanés	Colorado
Cuadra Lema	Arizona

More specifically, there is evidence suggesting that at least five horses likely entered Texas from other states in the days before a [February 3, 2024, event at Carril Santa Teresa](#), without accompanying CVIs—El Turco from Arizona-based Cuadra Lema;¹¹ at least two horses, including El Manchas, from Colorado-based Cuadra Chalanés;¹² and at least two horses, including El León Rasurado, from Colorado-based Cuadra Solis.¹³

EIA is a highly infectious and potentially fatal blood-borne virus for equine species, with no vaccine or treatment currently available.¹⁴ “Since 2017, a new high-risk population for EIA infection has emerged: current or former Quarter Horse racehorses, many with ties to unsanctioned (bush track) racing.”¹⁵ In Texas, the importation of out-of-state horses for bush track racing has apparently caused or contributed to EIA outbreaks. At least seven Quarter Horses in Ector County, the county in which the 3 Amigos racing facility is located, were confirmed to have been infected with EIA between July and September 2023.¹⁶

¹¹ Cuadra Lema posted a Facebook [photo](#) on January 30, 2024, of El Turco (registered name “TURCOTTE”) during his last workout “before going to represent Arizona at the Godfather race.” (translated from Spanish). A subsequent [video](#) posted on January 31 shows El Turco being led into a trailer, “heading to Amarillo,” (translated from Spanish) indicating that he was being transported from Arizona. Cuadra Lema’s Facebook shows a “Check-in” at Carril Santa Teresa on February 1.

¹² According to the event flyer, Cuadra Chalanés had at least one other horse racing on February 3, in addition to El Manchas. A February 2 Facebook [video](#) shows El Manchas being unloaded from a trailer, presumably at Carril Santa Teresa. It was [reposted](#) by Cuadra Chalanés on the same day. In the video, a second horse can be seen in the trailer, and another horse being walked.

¹³ According to the event flyer, Cuadra Solis had at least one other horse racing on February 3, in addition to El León Rasurado (registered name “KB APOLLITICAL TRUMP”), who was seen racing at the event in a February 3 Facebook [reel](#).

¹⁴ Tim Cordes, DVM & Charles Issel, DVM, Ph.D., Equine Infectious Anemia, Am. Ass’n of Equine Practitioners (2020), <https://aaep.org/horsehealth/equine-infectious-anemia>; *see also* Equine Infectious Anemia (EIA), APHIS (Sep. 2006), https://www.aphis.usda.gov/sites/default/files/eia_info_sheet.pdf.

¹⁵ Equine Infectious Anemia in Current or Former Quarter Horse Racehorses, APHIS (Feb. 2023), <https://www.aphis.usda.gov/aphis/newsroom/stakeholder-info/stakeholder-messages/animal-health-news/eia-quarter-horses>.

¹⁶ Public records received from the Commission indicate that the initial five confirmed horses were tested and confirmed in July, while the remaining two were tested and confirmed infected on a previously reported Ector County premises in September.

PETA’s research uncovered that at least five of these Quarter Horses were bred in the U.S. before being relocated to Mexico to race for Cuadra Esperanza, based in Chihuahua.¹⁷ According to records received from the Commission, all five of these horses were euthanized in Texas on July 17.

In addition to those noted above, at least seven Quarter Horses in Midland County, Texas were confirmed infected with EIA in February 2023.¹⁸ Similarly, three horses in Southern California tested positive and were euthanized between January and March 2024, with the EIA exposure attributed to unsanctioned racing.¹⁹ In 2023, twenty horses in North Carolina tested positive for EIA across nine different counties.²⁰ The majority of these cases are reported to be associated with unlicensed horse racing.²¹ In 2022, five horses tested positive for equine infectious anemia in South Carolina.²² “All five cases stem[med] from a bush track horse racing training facility,” and all were euthanized.²³ In 2022, the last year for which USDA’s Annual Testing & Case Summary Report has been released, the agency reported 96 positive equine infectious anemia cases on 45 premises.²⁴ Eighty-four of these confirmed cases were “in either current or former Quarter Horse racehorses” and spread “through unhygienic practices” including “re-using needles, syringes, and IV sets.”²⁵ The USDA asserts that “EIA-positive cases in this emerging high-risk population are frequently found in clusters, indicating a horse trainer or owner repeatedly used unhygienic practices that caused the disease to spread to multiple horses.”²⁶ Indeed, PETA documented horses on tracks in Georgia being injected with controlled substances including cocaine and methamphetamine, and online videos show Texas race participants with syringes in their hands and pockets. The Texas Racing Commission recently acknowledged these tracks are “largely ungoverned spaces” where horses “are more likely to be injected with prohibited and dangerous substances, subjected to other mistreatment, unscrupulous practices, and may be more susceptible to infectious diseases that can

¹⁷ Somos Carrereros, Facebook (Aug. 24, 2022), <https://www.facebook.com/somoscarrereros/posts/pfbid0t93UPF7LHJ2vjATCAkTYLCWd8HK3mnzYGPYquZj9NF8ci1cBhkWDKTsc7PZkqbu3l>; Carreras del Oeste, Facebook (May 16, 2023), <https://www.facebook.com/CarrerasDelOeste/posts/pfbid02FbvqYDhCvgyiVL76qLrcRwADbb4sAttZJwB3GTqD23e1PoP8QeK5d4oxucC4rxNnl>; Seguimos Corriendo En Cuba y USA, Facebook (Nov. 19, 2022), <https://www.facebook.com/cubanoscarrereros/posts/pfbid02pUJPMzM6YZm4rqBpHMEbtk8PHhFjGAHijNd898CPjuyLMkShM8fagBVgLnAoCdxil>; Caballos D Carreras, Facebook (Nov. 8, 2022), <https://www.facebook.com/cubanoscarrereros/posts/pfbid02pUJPMzM6YZm4rqBpHMEbtk8PHhFjGAHijNd898CPjuyLMkShM8fagBVgLnAoCdxil>; Somos Carrereros, Facebook (Jun. 21, 2022), <https://www.facebook.com/cubanoscarrereros/posts/pfbid02pUJPMzM6YZm4rqBpHMEbtk8PHhFjGAHijNd898CPjuyLMkShM8fagBVgLnAoCdxil>; Cuadra La Esperanza, Facebook (Jul. 18, 2023), <https://www.facebook.com/esperanzaracing/posts/pfbid02BWug2y2gnzn3xy2JzmXT14CfodvYULCeFMV76YCswj7jLNGkKk5SAk9kgnxpfKQKI>.

¹⁸ See Seven Horses Positive for EIA in Texas, *The Horse* (Feb. 13, 2023), <https://thehorse.com/1120530/seven-horses-positive-for-eia-in-texas/>.

¹⁹ 3 California Horses Positive for EIA, *EquiManagement* (Apr. 1, 2024), <https://equimanagement.com/news/edcc-health-watch/3-california-horses-positive-for-eia/>.

²⁰ 20 Confirmed EIA Cases in North Carolina, *The Horse* (Feb. 3, 2023), <https://thehorse.com/1121360/20-confirmed-eia-cases-in-north-carolina/>.

²¹ Equine Infectious Anemia Found in 19 Horses in Nine Counties, *Morning AgClips* (Feb. 5, 2023), <https://www.morningagclips.com/equine-infectious-anemia-found-in-19-horses-in-nine-counties/>.

²² Tom Hallman, More SC Horses Found to Have Contracted Equine Infectious Anemia, *Clemson News* (Aug. 19, 2022), https://news.clemson.edu/more-sc-horses-found-to-have-contracted-equine-infectious-anemia/?utm_source=rss&utm_medium=rss&utm_campaign=more-sc-horses-found-to-have-contracted-equine-infectious-anemia.

²³ *Id.*

²⁴ 2022 Equine Infectious Anemia Cases in the United States, APHIS, 1 (Jun. 2023), https://www.aphis.usda.gov/animal_health/downloads/animal_diseases/2022-eia-report.pdf.

²⁵ *Id.* at 4.

²⁶ *Id.*

then be spread at legitimate tracks.”²⁷

As demonstrated, it appears that many horses the above-noted teams entered to race in early 2024 were likely imported into Texas in violation of state law, and the unlawful importation of horses for bush track racing in the state is a widespread issue beyond the small sample identified in this letter. Moreover, given the high risk for the rapid spread of EIA among Quarter Horse racing populations, these violations risk a contagious and infectious disease outbreak in the state.

Many unlicensed tracks advertise the racing teams that will participate in upcoming events, including out-of-state teams. For example, Carril Santa Teresa frequently boasts that teams from other states will take part in racing events, and specific races are often promoted as races between different states. In advertisements for Carril Santa Teresa’s April 6, 2024, event, one Facebook post highlights where the participating teams are from, including Oklahoma, Arizona, Colorado, and Kansas.²⁸ In a flyer for the same event, one race is advertised as “Colorado vs Midland.”²⁹ This bush track consistently exposes that several out-of-state teams travel to Amarillo to compete in races and will almost certainly continue to do so, potentially making it easier for the Commission to identify when and from where unlawful importation occurs and the individuals involved. Other tracks similarly identify racing teams whose home locations can be ascertained. Based on the total lack of required CVIs by racing teams in January and February, it is highly likely that future out-of-state teams will continue to contravene the Commission’s regulations.

PETA is prepared to assist the Commission in any way possible, including by providing additional evidence and guidance to assist your office in investigating participants at Texas bush tracks, including, but not limited to, 3 Amigos Race Track and Carril Santa Teresa, for apparent violations of Texas law.

Thank you for your attention to this important matter.

Respectfully,

Mary Maerz
Counsel, PETA Foundation
marym@petaf.org | (417) 619-4829

cc: Penny Maley, Attorney, Legal & Compliance, penny.maley@tahc.texas.gov

²⁷ See *Legislative Appropriations Request (2024-25)*, Texas Racing Commission, 22 (2022), https://static1.squarespace.com/static/61f1f682f08bd15f1e6a2d9f/t/635703991c6c1d267b282e87/1666646940520/2022_10_24_TXRC_LAR+%28FY2024-25%29%28Updated%29.pdf; see also, Natalie Voss, ‘*They’re Going To Take Down All Of Racing’: Here’s Why Legitimate Tracks Should Be Concerned About The Bush Circuit*, Paulick Report (Mar. 21, 2023), <https://paulickreport.com/news/the-biz/theyre-going-to-take-down-all-of-racing-heres-why-legitimate-tracks-should-be-concerned-about-the-bush-circuit>.

²⁸ Carril Santa Teresa, Facebook (Mar. 31, 2024), https://www.facebook.com/permalink.php?story_fbid=pfbid0RNjNdkwtGoikAcMeeiEV1AtRRCLYNtRF8FvrCXiQB5TKM1EHHfQt9R5sGAD2vq8vl&id=100076357321291. Another Facebook [post](#) by a person who films bush track races wishes good luck to three Colorado teams ahead of the April 6 event at Carril Santa Teresa in Amarillo.

²⁹ OJO De AGUA, Facebook (Apr. 3, 2024), <https://www.facebook.com/photo/?fbid=843198531173706&set=a.460874066072823>. Prior Carril Santa Teresa events promote similar races. For example, a [flyer](#) for the February 3, 2024, event includes two “Colorado vs Texas” races and another race that identifies the two teams as being from Colorado and Texas.

Exhibit 2

	Unlicensed Track Name	Location
1.	359 Training Center, aka Los Compadres Training Center	Laredo Ranchettes
2.	Amaros Training Facility	Overton
3.	Arriaga Training Center	Bellville
4.	Big Spring Downs	Big Spring
5.	Caballos Ligeros De Houston	Houston
6.	Carril Acosta	Hereford
7.	Carril Cuarto De Milla Oficial	Clint
8.	Carril Cuatro Vientos/4 Vientos	Quemado
9.	Carril De Cleveland	Cleveland
10.	Carril El Coyote	Cleveland
11.	Carril El Grande/El Grande Horse Training Facility	Dallas
12.	Carril El Mezquite	Corsicana
13.	Carril El Nuevo Coyote	Conroe
14.	Carril El Ranchito Training Center	Tolar
15.	Carril El Rodeo Downs	Perryton
16.	Carril JCs Odessa Playground aka 3 Amigos Racetrack	Odessa
17.	Carril La Herradura	Lubbock
18.	Carril Los Dos Potrillos Training Center	Austin
19.	Carril Los Pinos/Los Pinos Training Track	Farmersville
20.	Carril Los Reyes	Muleshoe
21.	Carril Mochomos	Levelland
22.	Carril Murchison Downs	Murchison
23.	Carril Ojo De Agua	Tyler
24.	Carril Santa Teresa aka Carril San Carlos	Amarillo
25.	Carril Tres Potrillos	Plainview
26.	Carril Tres R	Ennis
27.	CJ's Training Center	Atascosa
28.	Darrington Park Training Facility	El Paso
29.	El Arrimado Race Park	Monte Alto

30.	El Chuky Race Track	Rio Hondo
31.	El Mezquite Training Center	Laredo
32.	Herrerias Training Center	Crosby
33.	JR Race Track	Fort Stockton
34.	Karril El 4	Cleburne
35.	La Herradura Horse Training Center	Hamshire
36.	La Victoria Training Center	Cedar Creek
37.	My Texas Ranch Horse Training Center	Canton
38.	Perrett Training Center	Waller
39.	Plaza Waco	Waco
40.	Rancho 7 Leguas	Somerville
41.	Rancho El Texano	Princeton
42.	Rancho Los Pinos	Palestine
43.	Rancho M4	Muleshoe
44.	Silver Downs Training Center	Corpus Christi
45.	West Texas Race Track	Odessa
46.	Zarzamora Ranch	San Antonio

Exhibit 3



Photograph of man holding syringe on the track at Rancho Los Pinos on 1/28/24, next to a horse used for racing by Cuadra Guadalupe.

Exhibit 4



Gray horse with blood on his/her neck at the usual injection site on the track at a race on 9/10/23 at Carril El Coyote in Cleveland, TX.

Exhibit 5



Screenshot from video of a race at El Mezquite Training Center in Laredo, Texas, on 9/9/23 of a man in a grey shirt holding a syringe to inject El Mexicano from C. Basurto Racing.

Exhibit 6



Screenshot from video of a race at El Mezquite Training Center in Laredo, Texas, on 9/9/23, showing a man in plaid (left) handling El Despreciado from C. Pichonsitos prior to racing while man in blue (right) holds a syringe.

Exhibit 7



Screenshot from video of a race at El Mezquite Training Center in Laredo, Texas, on 9/9/23, depicting man (right) holding syringes accompanying horse.

Exhibit 8



CALIFORNIA ANIMAL HEALTH & FOOD SAFETY
LABORATORY SYSTEM
P.O. BOX 1770
DAVIS, CALIFORNIA 95617

PHONE: (530) 752-8700
FAX: (530) 752-6253

September 14, 2021

██████████
501 Front St
Norfolk, VA 23510

SUBJECT: 210729_██████████

FINAL REPORT

Dear Ms. ██████████,

As requested, the submitted items were analyzed for prohibited substances. The items were received from the University of Florida Racing Chemistry Laboratory on 7/29/2021 via Fedex tracking #7743 7712 5820.

The items were sealed plastic bags containing the following confiscated materials.

- Bag 1 (6/19/21 collection)
 - a. Item 1: D158732-SSO 5 mL syringe
- Bag 2 (6/20/21 collection)
 - a. Item 1: D158733-SSO 12 ml syringe/needle red cap
 - b. Item 2: D158734-SSO 12 ml syringe/needle green
- Bag 3 cap (6/20/21 collection)
 - a. Item 1: D158735-SSO 12 syringe barrel
 - b. Item 2: D158736-SSO 12 ml syringe barrel
 - c. Item 3: D158737-SSO 12 ml syringe barrel
 - d. Item 4: D158738-SSO 6 ml syringe green barrel
 - e. Item 5: D158739-SSO needle white cap
 - f. Item 6: D158740-SSO needle pink cap
 - g. Item 7: D158741-SSO needle green cap
 - h. Item 8: D158742-SSO needle green cap

As requested, the contents were analyzed for the presence of prohibited substances. A portion of the contents was analyzed by Gas Chromatography - Mass Spectrometry (GC-MS), and Liquid Chromatography - Mass Spectrometry, and Liquid Chromatography - High Resolution Accurate Mass Spectrometry. The results of the analyses are shown below.

- Bag 1
 - a. Item 1: Cocaine and its byproduct benzoylecgonine were detected



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LABORATORY SYSTEM
P.O. BOX 1770
DAVIS, CALIFORNIA 95617

PHONE: (530) 752-8700
FAX: (530) 752-6253

- Bag 2
 - a. Item 1: Cocaine and its byproduct benzoylecgonine were detected
 - b. Item 2: Methylphenidate and its byproduct ritalinic acid were detected
- Bag 3
 - a. Item 1: No prohibited substances detected
 - b. Item 2: No prohibited substances detected
 - c. Item 3: Caffeine and Methylphenidate were detected
 - d. Item 4: Methamphetamine, cocaine and its byproduct benzoylecgonine were detected
 - e. Item 5: No prohibited substances detected
 - f. Item 6: No prohibited substances detected
 - g. Item 7: Methylphenidate and its byproduct ritalinic acid were detected
 - h. Item 8: No prohibited substances detected

Interpretations: The items in Bag 3 were intermixed with a significant amount of dirt and were packaged in the same bag with each other. The presence of external contamination and comingling of items allows for the possibility that the detected compounds may have been present in the environment (dirt) and not present within the submitted items. Additionally, the compounds detected may have been transferred from one item to another as they were comingled.

The submitted evidence will remain in storage at the Kenneth L. Maddy Equine Analytical Chemistry Laboratory for 60 days pending disposal.

Sincerely,

A handwritten signature in black ink, appearing to read "B Moeller", with a long horizontal line extending to the right.

Benjamin Moeller, Ph.D., D.A.B.T.
Assistant Professor
K.L. Maddy Equine Analytical Chemistry Laboratory

AMENDED REPORT

AMENDMENT DOES NOT
AFFECT ANALYTICAL RESULT