



California Legislature  
Senate Select Committee on  
**CALIFORNIA'S HORSE RACING INDUSTRY**



SENATOR EDWARD VINCENT, CHAIRMAN  
**HORSE RACING IN  
CALIFORNIA**

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# California Legislature

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## SENATE SELECT COMMITTEE ON CALIFORNIA'S HORSE RACING INDUSTRY

**EDWARD VINCENT**  
CHAIRMAN



March 14, 2005

This booklet is intended to provide the members of the Legislature with a better understanding of California horse racing, an industry which has contributed literally billions of dollars to the state's economy since the early 1900's.

Horse racing, the *Sport of Kings*, is one of the state's oldest and most important industries generating well over \$4 billion each year for the agribusiness, tourism and entertainment economies. The sport's economic impact is nearly triple that of any other professional sport in California.

Not surprisingly, significant human and physical resources support California's horse racing industry. More than 52,500 Californians are employed – directly or indirectly – by the racing industry including jobs for veterinarians, horseshoers, jockeys, agents, feed and farm implement dealers, equine insurance firms, accounting and legal firms, sales, food service firms and transport and shipping businesses to name just a few.

California is an agricultural juggernaut, leading the nation in farm production and farm income. The breeding, training and racing of thoroughbred, quarter and standardbred racehorses helps preserve more than 154,000 acres of agricultural land in California. In addition, horseracing contributes to the quality of life for Californians by providing millions of dollars each year to support state and county fairs, fund equine research programs, assist the wildlife restoration fund and support local charities in every region of the state.

In closing, I would like to acknowledge and thank the Senate Office of Research for helping compile a great deal of the information contained in this booklet.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Vincent", written over a vertical line that extends from the signature down to the printed name below.

Edward Vincent



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# *California Horse Racing*

## *A Policies and Procedures Primer*

California voters at the urging of the Legislature approved a state constitutional amendment in 1933 to create the pari-mutuel wagering system that supports horse racing as we know it today.

The 1933 measure established the California Horse Racing Board (CHRB) to oversee the industry with the goal of protecting the public from fraud, promoting California agriculture and quality racehorse breeding, and encouraging expansion of the racing industry to maximize tax revenues in the public interest.

The CHRB – whose seven members are appointed by the governor and confirmed by the Senate – licenses racing associations such as the Los Angeles Turf Club. It licenses all simulcast wagering facilities and all persons (other than members of the public) who participate in racing with pari-mutuel wagering.

### *Wagering, Winnings and Revenues*

Wagers on racehorses may be placed at 34 sites across the state, including California's 14 licensed racetracks and 20 off-track locations, known as simulcast facilities. On-track wagers make up less than 22 percent of the wagering in California. Off-track betting at the various simulcast facilities in the state accounts for nearly 40 percent. The remainder comes from out-of-state wagers placed on California races.

Total wagers were \$3.95 billion in 1999-00. By comparison, the California State Lottery grossed \$2.6 billion that year.

Eighty percent of the money bet by the fans of California horse racing is returned to winning ticket-holders. Twenty percent is used as “takeout” for supporting purposes such as the purses for winning owners and jockeys, racetrack commissions, off-track betting operations and taxes.

The state's horse-racing revenue comes primarily from license fees, which are based on percentages of pari-mutuel wagers. The state received \$44 million from wagering in 1999-00, including \$7.5 million that went to the state's General Fund. The remainder went to the Fair and Exposition Fund for specific uses, such as funding the CHRB and for support of the county fairs and district agricultural associations. In addition, sales taxes of \$3.9 million were paid on horse sales and another \$7.9 million went to local governments in track fees that year.

By law, each racing association must conduct a portion of its races for the benefit of charities, including racing-related charities, that are approved by the CHRB. Donations to these totaled more than \$1 million in 1999-00.

***California-Bred Horses***

Because promoting agriculture and high-quality racehorses in California was a central theme of the 1933 horse-racing measure, there are incentives for breeding California horses that win races.

Bonuses total approximately \$15 million each year to breeders, stallion owners and owners of racehorses. By law, associations of horse owners and breeders make these awards as a percentage of the annual amount earned by California-bred or California-conceived horses in qualifying races.

The Breeder Award was nearly 16 percent of the eligible purse earned in 2000, and the Stallion Award was 12 percent.

The Owners Award pays a 30 percent bonus for California-breds that finish 1st through 5th in specific types of races. A 20 percent bonus goes to the owners of horses that win certain claiming races. (See "Types of Races.")

The Horse Racing Law also requires that at least one race per racing day be restricted to California-breds. Further, racing associations are required to allocate at least 10 percent of their total stakes dollars to stakes that are limited only to California-bred horses. Roughly \$15 million is offered annually in restricted race purses.

State	1998	1999
Kentucky	9,488	9,817
Florida	3,894	4,341
California	3,209	3,250
Texas	2,251	1,933
New York	1,340	1,351

Source: CHRB

***Stewards***

Three stewards appointed by the CHRB oversee operations at each racetrack, in effect serving as judges in determining legal violations. (The CHRB assigns licensed

law enforcement personal to be investigators at all operating racetracks.) Stewards can levy fines, suspend licenses, bar individuals from the track and suspend horses from racing. They determine the official results of races, and can order the redistribution of purses. Their enforcement decisions may be appealed to the CHRB.

### *Purses*

A portion of each dollar wagered on California races goes toward purses, which are the prizes distributed to winning horse owners, trainers, and jockeys. Purses in 1999-00 totaled \$164.5 million, ranking California in the top echelon of North American horse racing.

Portions of the purses also go to organizations that represent horsemen, such as the Thoroughbred Owners of California. This group, for instance, negotiates contracts with each thoroughbred racetrack on behalf of approximately 9,000 owners who race horses in California.

Purses are determined by rate schedules or by agreements with racing associations.

### *Drivers' and Jockeys' Fees*

Harness-racing drivers, in the absence of a contract, must receive fees of \$20 or 5 percent of the purse earned, whichever is greater. Winning jockeys earn 10 percent of the purse – and 5 percent for finishing second or third. Additionally, jockeys receive flat fees ranging from \$16 to \$100 for riding horses that finish further back.

### *Horse Injuries and Deaths*

About 7,500 races each year occur at all of the racetracks in the state each year, reports the CHRB. These include harness racing and meets for thoroughbreds, quarter horses, Arabians and others. Typically eight or nine horses race, for a total of perhaps 66,000 racing starts a year, estimates the CHRB. A horse may run in several California races throughout the year. But the total number of racehorses in the state isn't known because horses aren't licensed.

Fatalities among racehorses totaled 259 in 1999-00. There were 568 reported racing injuries to horses.

<b>Year</b>	<b>Injuries</b>	<b>Fatalities</b>
1999-00	568	259
1998-99	639	228
1997-98	584	242

Source: CHRB

The average career of a racehorse is 1.5 years, according to the Thoroughbred Owners of California, which observes that “these are fragile animals.”

An 11-year-old postmortem program created by the CHRB to analyze and prevent racehorse injuries has determined that horseshoes with toe grabs to promote traction are posing an increased risk of fatal injuries to horses. The CHRB is encouraging owners and trainers to weigh the risks of toe grabs with the benefits and to make decisions based on what is best for their horses.

### ***Horse Racing and UC Davis***

The California horse-racing industry reports working ties to the University of California, Davis, home of both a Center for Equine Health and Performance and the state's only public School of Veterinary Medicine. The campus and equine center have received significant monetary contributions from racing organizations and enthusiasts. Oak Tree Racing Association, for instance, reports it has donated more than \$3 million to UCD.

A portion of the pari-mutuel tax goes to UCD for horse-related research and testing. This funding, \$2.4 million in 1999-00, goes to the equine center to support research and to UCD's equine analytical chemistry laboratory, which carries out testing programs for the CHRB to ensure racehorses are free of prohibited drugs.

The laboratory is researching more precise drug-testing methods, and carries out clinical pharmacology studies aimed at improving the health and welfare of racing and performance horses.

### ***Economic Impacts of Horse Racing in California***

Direct impacts of horse racing on the California economy exceed the \$44 million or more in license fees generated yearly from racetrack handle. The CHRB reports that one industry-commissioned study estimated state and local governments receive more than \$40 million each year in non-racing fees and taxes, including sales, property and business taxes. Another industry study suggested California horse racing pays out more than \$800 million annually for salaries, goods and services.

Racing accounts for approximately 10 percent of State Fair and local fair revenues, according to another report, while providing nearly 25 percent of the fees and taxes paid by the fair industry.

The CHRB licenses nearly 14,000 trainers, jockeys, harness-racing drivers, grooms, officials, pari-mutuel clerks and others in racing. It reports that industry-sponsored studies find the number of jobs increases by tens of thousands when related workers

are considered, including horse shippers, equine insurers and others not directly licensed by the CHRB.<sup>1</sup>

Racehorses, for instance, are bred on more than 1,000 farms in California. These, in turn, are supported by more traditional farms, equipment and supply industries.

### *Types of Races\**

**Claiming race** – A race, with conditions governing the types of horses entered, in which every horse is available for the price stated in the program.

**Allowance race** – A race with conditions, but without a claiming price. The conditions keep the field even.

**Starter** – An allowance race in which the basic condition is that the horse has raced within a given time in the past in a claiming race with a stated price of “x” dollars or less.

**Closed race** – A race restricted to non-winners of certain races; in other words, no winner of an allowance race is eligible for a closed race.

**Stakes race** – A race in which the owners of the entered horses contribute to the purse (usually through a nominating fee and an entry fee).

**Added** – If this word appears after a purse amount, it means that the racing association at the track is adding that sum to the owners’ entry fees. The added amount will go to the winners in addition to the race’s purses.

**Handicap races** – The racing secretary sets conditions and, with a committee, assigns weights to each horse individually based on past money won, and whether the horse is an allowance- or stakes-class runner.

**Graded stake** – Top-of-the-line, internationally recognized races. Grade III is the lowest and Grade I is the peak.

**Invitational stakes race** – The racing association invites individual horses to compete in a promoted race, without requiring owners to contribute to the purse.

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<sup>1</sup> Sources of studies cited in this section: Thalheimer Research Associates report of January 1994, prepared for the California Horsemen’s Benevolent and Protective Association; Barents Group LLC report of January 1996, prepared for the American Horse Council Foundation; and Russell S. Gould report of July 1, 1996, prepared for the California Thoroughbred Breeders Association, the Federation of California Racetracks, and the Thoroughbred Owners of California.

\* From the Thoroughbred Owners of California *Owners’ Handbook*.

**Match race** – A special “duel” race put on by a track between two “star” horses.

**Substitute race** – A race that will be placed on the official racing card if any of the scheduled races fail to fill.

## ***Glossary of Racing Terms\****

*“The language of racing can be intimidating even to experienced owners.”*

*–Thoroughbred Owners of California, Owners’ Handbook*

- ❑ **Agent** – A person who transacts business for a stable owner or jockey, or who buys and sells horses for an owner or breeder.
- ❑ **Airing** – Indicates a horse didn’t run at its best speed in a race.
- ❑ **All-age race** – A race for 2-year-olds and up.
- ❑ **Also eligible** – A horse officially entered but not permitted to start unless the field is reduced by scratches.
- ❑ **Apprentice** – Rider who has not ridden a certain number of winners in a specified period.
- ❑ **Baby race** – A race as short as two furlongs for 2-year-olds.
- ❑ **Backside** – Refers to the stable area and the dorms, track kitchen and recreation area for stable employees. Also known as the backstretch.
- ❑ **Badge horse** – Single horse in a stable entitling owner to free admission to the track.
- ❑ **Bandage** – Used on a horse’s legs for support against injury.
- ❑ **Bar shoes** – An addition to the normal C-shaped shoe, this shoe has a bar attached across the horse’s heel, making the shoe resemble a D. This is done to minimize expansion and contraction of the hoof during running to relieve an already-existing pain or bruising in the horse’s heel.
- ❑ **Bat** – Jargon for a jockey’s whip. The whip may not be used on the horse’s head or in other ways considered abusive.

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\* Adapted from “Racehorse Owner’s Handbook,” California Horse Racing Board, Sacramento, CA, and from the *Handbook for Thoroughbred Owners of California* and *The Newsroom Guide to Thoroughbred Racing*.

- **Bay** – A horse color that varies from tan to bright auburn, always characterized by a black mane and tail.
- **Bearing in (or out)** – Deviating from a straight course. May be due to weariness, infirmity, inexperience or the rider overusing the whip or reins to make a horse alter its course.
- **Bell** – Signal sounded when the starter opens the gates or, at some tracks, to mark the close of betting.
- **Bleeder** – A horse that bleeds from the lungs when small capillaries surrounding the air sacs in the lungs rupture during or after a workout or race. Medical treatments are available.
- **Blinkers** – A piece of equipment, usually a hood, with eye-cups that obstruct part of a horse's view to prevent distractions during a race. Their use is monitored and reported.
- **Blow out** – A short final workout of up to half a mile, usually a day or two before a race, to sharpen a horse's speed.
- **Bobble** – A bad step out of the starting gate, often evidenced by a horse going to its knees.
- **Book** – The group of mares being bred to a stallion in a given year.
- **Breakage** – The odd amounts of pennies that are not paid to winning ticket-holders, which can accumulate to about \$12 million each year. This is divided among the state's coffers, the tracks and purses.
- **Breeders' Cup** – Thoroughbred racing's year-end championship. It consists of seven races conducted on one day at a different racetrack each year with purses and awards totaling \$10 million.
- **Breeze** – Working a horse at a moderate speed (less effort than handily).
- **Broodmare** – A mare that has been bred and is used to produce foals.
- **Chalk** – The most heavily bet horse.
- **Check/Steady/Take Up** – While racing in close quarters, the act of pulling up a horse momentarily (check) or sharply (take up), or taking the horse in hand (steady).

- ❑ **Colors** – The racing silks worn by riders to denote ownership of a horse.
- ❑ **Colt** – An ungelded (not castrated) male horse 4 years old or younger.
- ❑ **Condition book or condition sheet** – Information issued by racing secretaries detailing conditions of races to be run. Conditions include the horses' racing records, sex, age and sometimes even color.
- ❑ **Coupling** – Two or more horses may be coupeld as a single wagering interest and entry when owned by the same person or persons. **Entry** – Two or more horses owned wholly or in part by the same stable and/or trainer and thus running as a single betting unit.
- ❑ **Dam** – The female parent of a foal.
- ❑ **Dead heat** – Two or more horses finishing in a tie.
- ❑ **Derby** – A stakes event for 3-year-olds.
- ❑ **Distaff race** – A race for female horses.
- ❑ **Draw** – A drawing of lots in which every horse's post position is determined.
- ❑ **Driving** – In Thoroughbred racing, this indicates that a horse is all-out to win and under strong urging from its jockey.
- ❑ **Entry fee** – Money paid by an owner to enter a horse in a stakes race.
- ❑ **Exacta (or perfecta)** – A wager in which the first two finishers in a race must be picked in exact order of finish.
- ❑ **Exotic (wager)** – Any wager other than win, place or show.
- ❑ **Extended** – Running at top speed.
- ❑ **Farrier** – A horseshoer.
- ❑ **Fees** – The amount paid to riders and drivers, or the cost of nominating, entering or starting a horse in a stakes race.
- ❑ **Field** – The term has two meanings. The more common designates the group of starters in a race. The other refers to a group of horses running as a single betting unit because there are more horses running than the pari-mutuel

equipment can handle (the limit is 12). In this case, the unit is called a pari-mutuel field.

- ❑ **Filly** – Female horse 4 years old or younger.
- ❑ **Furlong** – An eighth of a mile, or 220 yards. A six-furlong race equals three-fourths of a mile.
- ❑ **Gelding** – A male horse of any age that has been neutered by having the testicles removed (gelded).
- ❑ **Graduate** – Winning for the first time, either horse or rider, or a horse that has moved up to allowance, stakes or handicap racing.
- ❑ **Groom** – A licensed handler who gives the racehorse its daily care.
- ❑ **Half brother or half sister** – Horses out of the same dam but by different sires.
- ❑ **Hand** – Four inches, the traditional unit of measure for a horse's height, taken from the hoof to the withers.
- ❑ **Handily** – Working or racing with moderate effort, but more effort than breezing and less effort than all out.
- ❑ **Handle** – The amount of pari-mutuel wagers made on a race.
- ❑ **Homebred** – A horse bred by the owner.
- ❑ **Inquiry** – Stewards review of a race for possible infractions, sometimes leading to a revised order of finish (disqualification).
- ❑ **In the Money** – First, second or third.
- ❑ **Juvenile** – Two-year-old horse.
- ❑ **Length** – Referring to a horse from head to tail, the common term for distances between horses in a race.
- ❑ **Maiden** – A horse who has not won a race. Term also applied to non-winning riders. Break maiden refers to winning a race for the first time.
- ❑ **Mare** – Female horse 5 years old or older.

- ❑ **Morning line** – Probably odds on each horse in a race, as determined by a mathematical formula used by the track handicapper, gauging both the ability of the horse and the likely final odds as determined by the bettors.
- ❑ **Mutuel pool** – Short for pari-mutuel pool. This is the sum of the wagers on a race.
- ❑ **Near side** – Left side of a horse, from which it is mounted.
- ❑ **Nose** – Smallest advantage a horse can win by.
- ❑ **Oaks** – A stakes event for 3-year-old fillies.
- ❑ **Objection** – A claim of foul lodged with the clerk of scales by the owner, jockey or trainer before the race is declared official. If lodged by an official, it is called an inquiry.
- ❑ **Odds-on** – Odds of less than even money.
- ❑ **On the board** – First, second, third or fourth.
- ❑ **On the nose** – Betting a horse to win only.
- ❑ **Overnight** – A sheet published by the racing secretary's office listing the entries for an upcoming racing card.
- ❑ **Overnight race** – A race in which entries close a specific number of hours before running, such as 48 hours, as opposed to a stakes race for which nominations close weeks and sometimes months in advance.
- ❑ **Overweight** – Surplus weight carried by a horse when the rider cannot make the required weight.
- ❑ **Pacer/trotter** – In harness racing, pacers move their right legs and left legs in unison while trotters use alternate leg movement.
- ❑ **Pick (number)** – A type of multi-race wager in which the winners of all the included races must be selected. Pick Three, sometimes called the Daily Triple, as well as Pick Six and Pick Nine are common.
- ❑ **Pills** – Numbered balls drawn randomly to decide posts (starting positions).

- ❑ **Poles** – Markers at measured distances around the track designating the distance from the finish. The quarter pole, for instance, is a quarter of a mile from the finish, not from the start.
- ❑ **Pony** – Any horse or pony that leads the parade of the field from paddock to starting gate. Also, a horse or pony that accompanies a starter to the starting gate.
- ❑ **Post parade** – Horses going from paddock to starting gate past the stands.
- ❑ **Racing secretary** – Official who drafts conditions of races and assigns weights for handicap events.
- ❑ **Receiving barn** – Structure at which horses entered are isolated for a certain period of time before they race.
- ❑ **Ridden out** – A horse that finishes a race under mild urging, not as severe as driving.
- ❑ **Roan** – A horse color in which the majority of the coat is a mixture of red and white hairs or brown and white hairs.
- ❑ **Safety vest** – Similar to jackets worn by football quarterbacks, the jockey's flak jacket protects the ribs, kidneys and back.
- ❑ **Schooling** – Accustoming a horse to the starting gate and other routines.
- ❑ **Scratch** – Remove a horse from a race before it starts.
- ❑ **Sheets** – A handicapping tool assigning a numerical value to each race run by a horse to enable different horses running at different racetracks to be objectively compared.
- ❑ **Show bet** – Wager on a horse to finish in the money; third or better. (Coming in first is to win, second is to place, third is to show.)
- ❑ **Sprint** – A short race of less than a mile.
- ❑ **Stakes** – Races for which owners must pay fees to run their horses, except some invitational stakes. The fees can be for nominating, maintaining eligibility, entering and starting, to which the track adds more money to make up the total purse.
- ❑ **Stallion** – A male horse used for breeding.

- ❑ **Stayer** – A horse that can run long distances.
- ❑ **Stud** – Male horse used for breeding.
- ❑ **Suckling** – A foal in its first year of life, while still nursing.
- ❑ **Tack** – Rider's racing equipment. Also stable gear. As a verb, refers to a jockey and his equipment as in, "He tacks 112 pounds."
- ❑ **Tote board** – The electronic display in the infield that reflects up-to-the-minute odds. It may also show the amounts wagered in each mutuel pool as well as information such as jockey changes.
- ❑ **Urinalysis** – Testing urine of horses for drugs or medication.
- ❑ **Weight-for-age** – Fixed scale of weights carried by horses according to age, sex, distance of race and season of year.

**Resources**

*California Horse Racing Board (CHRB), 916-263-6000, [www.chrb.ca.gov](http://www.chrb.ca.gov)*

*Annual Report, 1999-2000, CHRB*

*Racehorse Owner's Handbook, CHRB*

*Thoroughbred Owners of California, 626-574-6620*

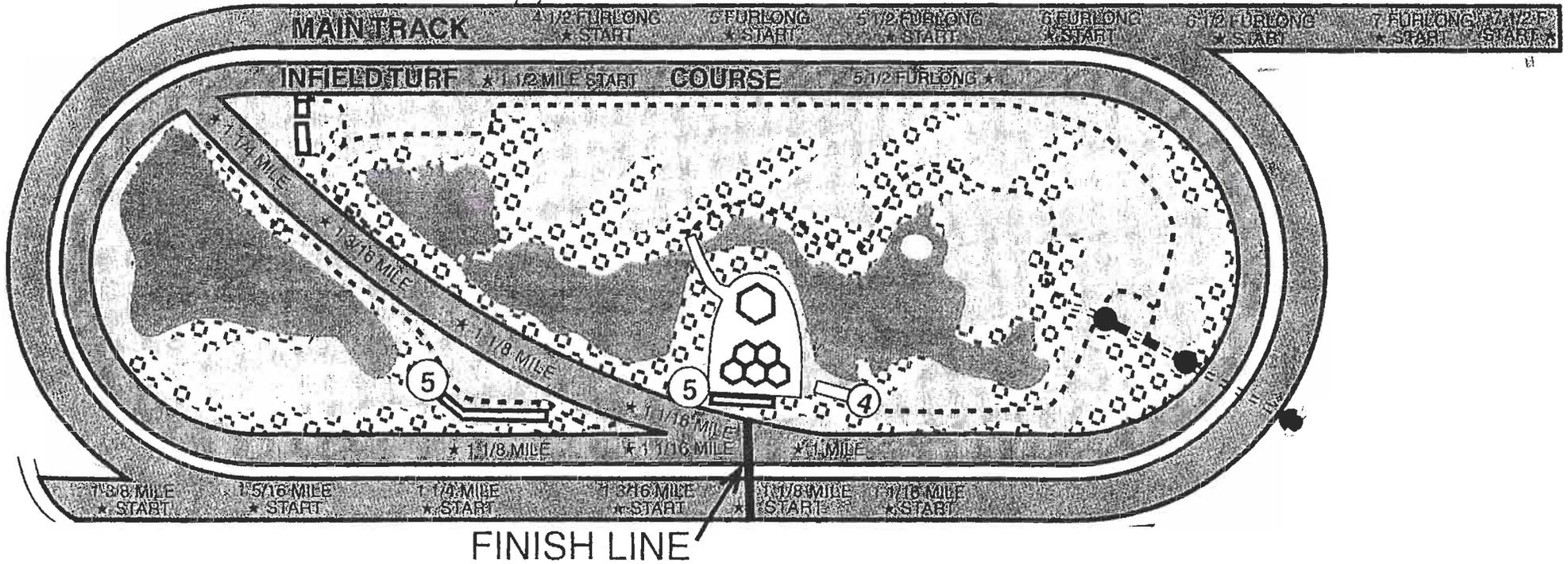
Horse Racing World Records  
And California Racing Tracks

## THOROUGHBRED HORSE RACING WORLD RECORDS

The official records are kept by the Daily Racing Form, and are kept without regard to surface. *Please note, 9 out of the 12 records were set on California tracks.*

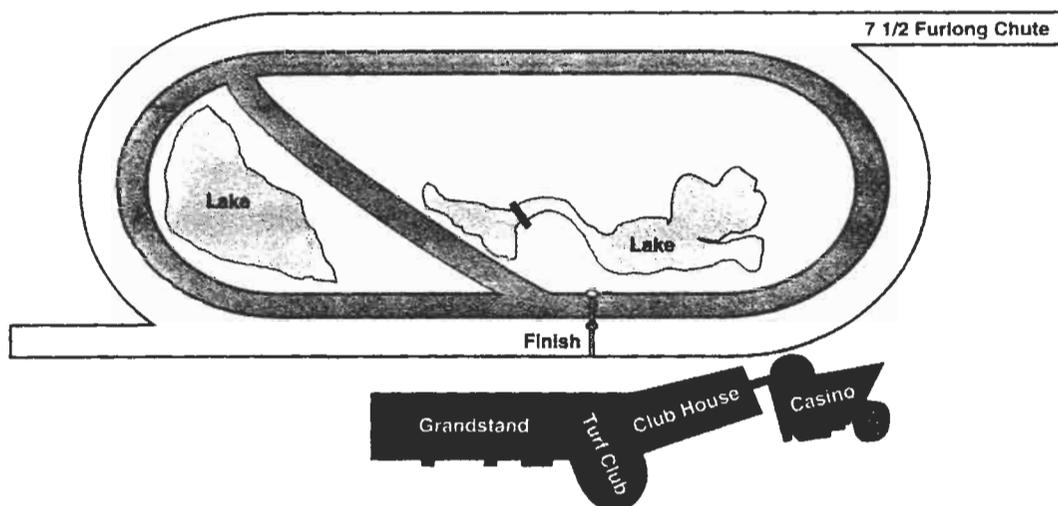
<u>Distance</u>	<u>Surface</u>	<u>Horse</u>	<u>Age</u>	<u>Track &amp; Date</u>	<u>Time</u>
5 Furlongs	Turf	Klassy Briefcase	6	Monmouth, June 1991	:54 4/5
	Turf	Tsunami Spangler	5	Monmouth, June 1993	:54 4/5
5 ½ Furlongs	Turf	Pembroke	5	Hollywood Park, July 1995	1:00 2/5
6 Furlongs	Dirt	G Malleah	4	Turf Paradise, April 1995	1:06 3/5
6 ½ Furlongs	Dirt	Lucky Forever	6	Hollywood Park, May 1995	1:13 1/5
7 Furlongs	Dirt	Rich Cream	5	Hollywood Park, May 1980	1:19 2/5
		Time To Explode	3	Hollywood Park, June 1982	1:19 2/5
7 ½ Furlongs	Dirt	Awesome Daze	5	Hollywood Park, Nov. 1997	1:26.00
1 Mile	Dirt	Elusive Quality	5	Belmont, July 1998	1:31 3/5
1 1/16 Mile	Turf	Told	4	Penn National, Sept. 1980	1:38.00
1 1/8 Mile	Turf	Kostroma	5	Santa Anita, Oct. 1991	1:43 4/5
1 3/16 Mile	Turf	Toonerville	5	Hialeah Park, Feb. 1976	1:51 2/5
1 ¼ Mile	Turf	Double Discount	4	Santa Anita, Oct. 1977	1:57 2/5
		Bequest	5	Santa Anita, March 1991	1:57 2/5
1 ½ Mile	Turf	Hawkster	3	Santa Anita, Oct. 1989	2:22 4/5

# Track Marker Poles



# HOLLYWOOD PARK

1050 S. Prairie Ave, Inglewood, CA 90301-0369  
310-419-1500 Fax: 310-671-4460  
Web site: [www.hollywoodpark.com](http://www.hollywoodpark.com)



Track data: 1 1/8-mile oval, with one-mile chute. Distance from last turn to finish 1,321 feet. Width of stretch 90 1/2 feet, backstretch 80 1/2 feet. Turf course: One mile and 145 feet, with diagonal straightaway. Stable accommodations for 2,008; Seating capacity 35,000; Parking for 10,000.

Opened June 19, 1938. Had been owned and managed by R.D.Hubbard throughout the 1990's until bought out by Churchill Downs in 1999. Hosted the first Breeders' Cup in 1984 when a new 1 1/8-mile racing strip was unveiled and hosted the BC again in 1987. Conducts two meets, spring-summer and the late fall. Has card club casino on the grounds with seating capacity for 10,000.

# HOLLYWOOD PARK

## TRACK RECORDS

4-1/2 Furs.	Bridge of Royalty	2	117	:50-2/5	May 4, 1995	1-1/16 m	Power Forward	4	115	1:40	Dec. 19, 1987
5 Furs.	Magical Mile	2	117	:56-2/5	May 18, 1989	1-1/8 m	Gentlemen	4	121	1:45-1/5	Dec. 22, 1996
5-1/2 Furs.	Track Gal	6	118	1:02	July 16, 1997	1-3/16 m	Shorten Sail	4	112	1:55-1/5	June 7, 1998
6 Furs.	Apalachee Ridge	3	114	1:07-2/5	Dec. 12, 1997	1-1/4 m	Greinton	4	120	1:58-2/5	June 23, 1985
6-1/2 Furs.	Lucky Forever	6	118	1:13-1/5	May 20, 1995	1-3/8 m	Lovely One	7	115	2:14-2/5	May 7, 1994
7 Furs.	Mazel Trick	4	115	1:19-4/5	June 27, 1999	1-1/2 m	Rivila	5	117	2:24-1/5	June 14, 1987
7-1/2 Furs.	Awesome Daze	5	119	1:26-1/5	Nov. 23, 1997	1-5/8 m	Ol' Henry	5	115	2:42-2/5	June 27, 1997
1 Mile	Greinton	4	119	1:32-3/5	June 9, 1985	1-3/4 m	Roman Cuzzin	4	113	2:56-3/5	July 21, 1997

## Turf Course

5-1/2 Furs.	Pembroke	5	120	1:00-2/5	July 15, 1995	1-1/8 m	Fastness	5	120	1:44-3/5	Nov. 25, 1995
6 Furs.	Answer Do	4	115	1:07	Dec. 15, 1990	1-3/16 m	Algenib-Ar	5	122	1:52-3/5	May 16, 1992
1 Mile	Megan's Intero	5	119	1:32-3/5	May 22, 1994	1-1/4 m	Bien Bien	4	119	1:57-3/5	May 31, 1993
1-1/16 m	Fantastic Fellow	4	118	1:38-3/5	Apr. 26, 1998	1-1/2 m	Talloires	6	116	2:23-2/5	July 21, 1996
Abt 1/8 m	Zoffany	5	116	1:44-4/5	Nov. 16, 1985	Abt 1-3/4 m	Big Warning	4	117	2:50-2/5	Dec. 22, 1990

Leading Jockey in 1999 Spring-Summer meet: Laffit Pincay Jr.

Leading trainer in 1999: Bob Baffert

Leading jockey in 1999 Fall meet: Alex Solis

Leading trainer in 1999 Fall meet: Ronald McAnally

**Record attendance: 80,340, May 4, 1980. Record handle: \$14,352,515, Nov 8, 1987 (Breeders' Cup Day), \$73,897,276, Nov. 8, 1997 (Breeders' Cup Day, all sources).**

# SANTA ANITA PARK

Los Angeles Turf Club, Inc.

Street Address: 285 W. Huntington Dr.  
Arcadia, California 91007

P.O. Box 60014, Arcadia, California 91066-6014  
(626) 574-7223; Telex: 675580

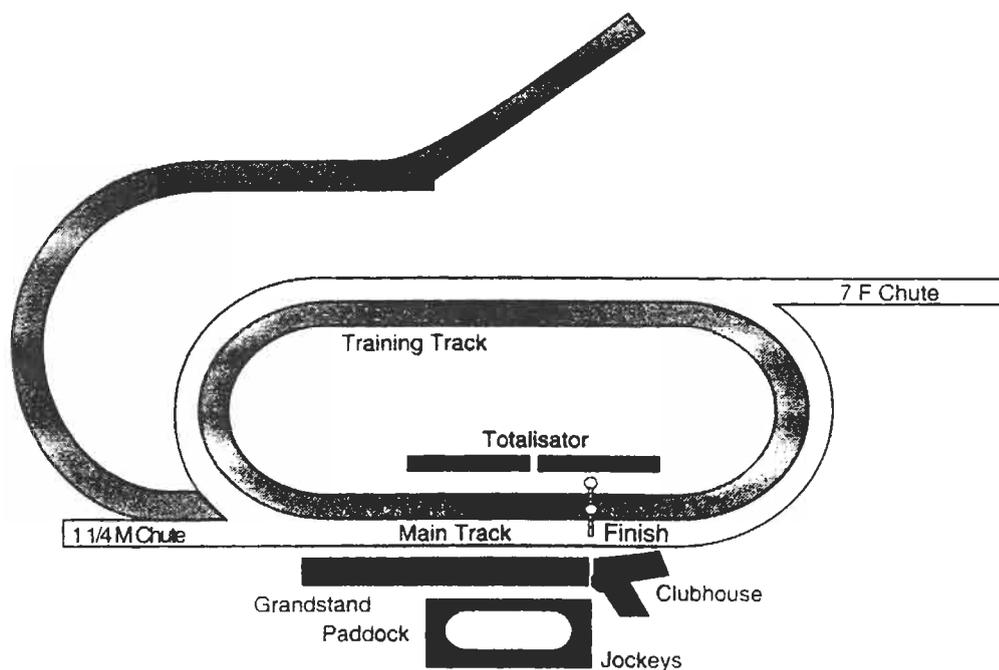
Fax: (626) 821-1514; Publicity, (626) 574-6682

E-mail: [sainfo@santaanita.com](mailto:sainfo@santaanita.com); Web Site: [www.santaanita.com](http://www.santaanita.com)

Nearest Airports: Hollywood-Burbank, 15 miles. Private planes may land at nearby El Monte Airport.

## Oak Tree Racing Association.

Same mailing, street address and Internet site. (626) 574-7223; Fax: (626) 446,9565; Marketing/ Publicity: (626) 574-5074; Executive Vice President: Sherwood Chillingworth; Racing Secretary: Mike Harlow, (626) 574-6472; Director of Publicity: Stuart A. Zanville, (626) 574-6416.



Track Data: One-mile dirt track with seven-furlong and 1 1/4-mile chutes. Distance from last turn to finish, 900 feet; width 85 feet. Turf course: 7 furlongs, plus the downhill chute, 1,408.45 yards from top of the hill to the finish. Stable accommodations for 2,000. Seating Capacity: 19,200. Total capacity with infield 85,000. Parking for 22,000 cars.

Opened December 25, 1934, by Charles H. Strub, after races had been conducted on the same site on a public one-mile course opened in 1907. Twice hosted Breeders' Cup Days during the fall dates leased by the Oak Tree Racing Association and is the spring home of the \$1 million Santa Anita Handicap, the nation's oldest, continuously run \$100,000 race. Features a European-style, hillside turf course and was the site for 1984 Olympic Equestrian events. In December 1998, Santa Anita was purchased by Frank Stronach's Magna International, which put \$20 million in renovations for 1999. Morning Program: Public is invited to watch workouts daily during racing seasons, 7:30 to 9:30 a.m. at "Clockers' Corner." Tram Tours of stable area on weekends.

# SANTA ANITA PARK

## TRACK RECORDS

2 Furs.	Beautiful Moment	2	118	:21	Apr. 3, 1996	7 Furs.	Spectacular Bid	4	126	1:20	Jan. 5, 1980
4-1/2 Furs.	Willy Float	2	118	:51-2/5	Mar. 23, 1972	1 Mile	Ruhlmann	4	118	1:33-2/5	Mar. 5, 1989
5 Furs.	Zero Henry	2	120	:57-3/5	Oct. 23, 1996	1-1/16 m	Efervescente	5	118	1:39	Jan. 6, 1993
5-1/2 Furs.	Kona Gold	5	119	1:01-4/5	Jan. 3, 1999	1-1/8 m	Star Spangled	5	117	1:45-4/5	Mar. 24, 1979
6 Furs.	Sunny Blossom	4	115	1:07-1/5	Dec. 30, 1989	1-1/4 m	Spectacular Bid	4	126	1:57-4/5	Feb. 3, 1980
6-1/2 Furs.	Son Of A Pistol	6	114	1:13-3/5	Apr. 4, 1998	1-1/2 m	Queen's Hustler	4	112	2:27-1/5	Feb. 19, 1973

## Turf Course

Abt.6-1/2 f	Comininalittlehot	5	117	1:11-2/5	Oct. 27, 1996	1-1/2 m	Hawkster	3	121	2:22-4/5	Oct. 14, 1989
1 Mile	Atticus	5	117	1:31-4/5	Mar. 1, 1997	Abt.1-1/2 m	Practicante	6	118	2:26-2/5	Feb. 21, 1972
1-1/16 m	Kostroma-Ir	5	117	1:43-4/5	Oct. 20, 1991	Abt.1-3/4 m	Marlin	4	119	2:44-2/5	Apr. 20, 1997
1-1/4 m	Double Discount	4	116	1:57-2/5	Oct. 9, 1977						

1999 Oak Tree and Santa Anita meet:

Leading Jockey: David R. Flores

Leading Trainer: Bob Baffert

**Record handle: \$15,410,409, Nov. 1, 1986 (Breeders' Cup Day); \$36,264,799, all sources (Breeders' Cup Day)**

# DEL MAR THOROUGHBRED CLUB

## Del Mar Thoroughbred Club

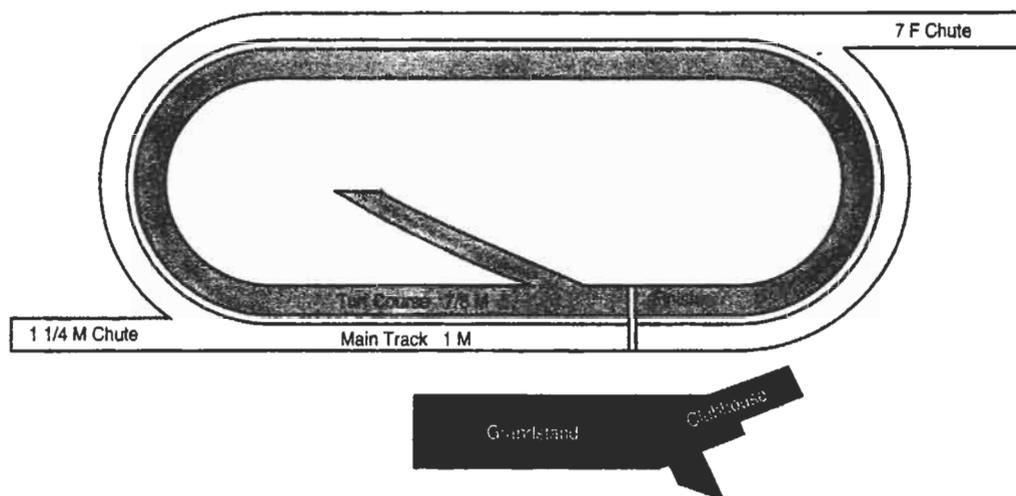
Street Address: Via De La Valle & Jimmy Durante Blvd.

Nearest Airports: Lindbergh Field, 18 miles south of the track in San Diego. Private planes and helicopters may land at Palomar Airport, 12 miles to the north

P.O. Box 700, Del Mar, California 92014  
(858) 755-1141; Fax: (858) 792-1477

Web Site: [www.dmtc.com](http://www.dmtc.com); E-mail: [dan@dmtc.com](mailto:dan@dmtc.com)

Track Data: One-mile oval with seven-furlong and 1 1/4-mile chutes. Distance from last turn to finish, 919 feet. Jimmy Durante Turf



Course, 7 1/2-furlong oval, with one-eighth-mile diagonal chute. Stable accommodations: 2,100. Seating capacity 14,304; Parking for 10,000 cars.

Opened July 3, 1937 with Bing Crosby collecting tickets at the booth. Crosby was among Del Mar's original investors. The inaugural meeting also featured the first photo-finish camera, (invented by Lorenzo del Riccio, an optical engineer at Paramount Pictures.) In 1999, Del Mar's daily average attendance was 30,045, highest in North America for the ninth consecutive year. Daily average purses were \$524,316, also among the highest in the nation. Public is invited to view morning workouts, 7:00-10:00 a.m. Live racing six days per week (Tuesdays dark), with year-round simulcasting. Day care facilities on-site through Camp Del Mar.

Leading Jockey in 1999: David R. Flores

# DEL MAR THOROUGHBRED CLUB

## TRACK RECORDS

5 Furs.	Soldier Girl	3	116	:56-2/5	Aug. 13, 1964	1-1/16 m	Windy Sands	5	122	1:40	Aug. 4, 1962
5-1/2 Furs.	Ack Ack	4	124	1:02-1/5	Sep. 12, 1970	1-1/8 m	Latin Touch	4	109	1:46	Sep. 1, 1979
6 Furs.	King Of Cricket	6	115	1:07-3/5	Aug. 22, 1973	Abt 1-3/16m	Ancient Title	7	123	1:55-2/5	Sep. 5, 1977
6-1/2 Furs.	Native Paster	4	117	1:13-3/5	Sep. 4, 1988	1-1/4 m	Bertrando	4	124	1:59-2/5	Aug. 21, 1993
7 Furs.	Solar Launch	3	122	1:20	Aug. 10, 1990	1-1/2 m	Spring Boy	5	116	2:29-2/5	Aug. 16, 1958
1 Mile	Precisionist	7	114	1:33-1/5	Aug. 1, 1988						

## Turf Course

5 Furs.	Soviet Problem	4	116	:56-2/5	Aug. 21, 1994	1 1/2 Miles	Ice Hot	6	117	1:40	Aug. 13, 1986
Abt 7 1/2 Furs.	Buck Price	4	116	1:27-2/5	Sep. 8, 1975	1 1/2 Miles	Al Mamoon	5	121	1:46-3/5	Aug. 10, 1986
7 1/2 Furs.	Syncopate	6	115	1:27-4/5	Aug. 24, 1981	1 1/2 Miles	Navarone	4	116	2:12-2/5	Aug. 14, 1992
1 Mile	Crystal Hearted	5	114	1:33	July 30, 1999						

Leading Trainer in 1999: Bob Baffert

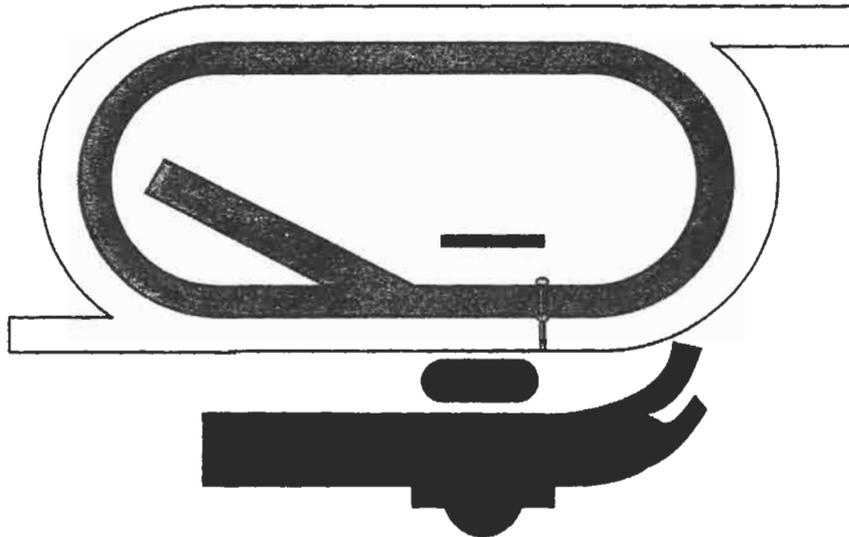
Record Attendance: 44, 181 56,943, August 10, 1996. Record Handle: \$5,657, 840 August 15, 1987. \$22,857, 782 August 15, 1998 (all sources)

# GOLDEN GATE FIELDS

**Pacific Racing Association**

25 miles Northwest of San Francisco Airport

PO Box 6027, Albany, CA 94706-0027  
510-559-7300 Fax: 510-559-7460  
Scratch and results line: (510) 559-7419  
Web Site: [www.ggfields.com](http://www.ggfields.com)



Track data: One-mile oval, with 3/4- and 1 1/4-mile chutes. Distance from last turn to finish 1,000 feet; width of stretch 78 feet, back-stretch 75 feet. Turf course: Seven furlongs and 132 feet. Stable accommodations 1,425; Seating capacity 15,000, parking for 5,000 cars.

Opened February 1, 1941. Bought by Frank Stronach's Magna Entertainment Inc. in 1999. Traditionally operates a spring and fall meets in alternating fashion with Bay Meadows two meets. Racing dates for 1999 meetings. Spring: March 31 to June 20. Fall/Winter meeting: Nov. 17, 1999 to Jan. 17, 2000. Year-round simulcasting.

# GOLDEN GATE FIELDS

## TRACK RECORDS

2 Furs.	The Money Doctor	2	118	:21-4/5	Feb. 21, 1975	1 Mile	Caros Love	4	117	1:33	Feb. 13, 1988
4-1/2 Furs.	Victory Found	2	117	:50-1/5	Apr. 30, 1992	1-1/16 m	Restless Con	4	118	1:39-2/5	June 24, 1991
5 Furs.	Valley Land	5	119	:56-2/5	Apr. 8, 1990	1-1/8 m	Simply Majestic	4	114	1:45	Apr. 2, 1988
5-1/2 Furs.	Proudest Hour	4	114	1:02	May 30, 1986	1-1/4 m	Noor	5	127	1:58-1/5	June 24, 1950
6 Furs.	Ambessa	5	115	1:07-3/5	May 5, 1989	1-1/2 m	Bo Donna	5	120	2:29-2/5	June 8, 1979

## Turf Course

4-1/2 Furs.	Bonne Nuite	5	121	:50-2/5	May 22, 1994	1-1/8 m	Blues Traveller	4	112	1:47-3/5	May 14, 1994
5 Furs.	Black Tornado	5	119	:56	May 10, 1975	1-3/8 m	John Henry	9	125	2:13	May 6, 1984
	L'Natural	4	114	:56	May 28, 1977	1-1/2 m	Silveyville	6	121	2:27-2/5	June 10, 1984
	Neat Claim	4	113	:56	May 30, 1977		Kings Island	4	116	2:27-2/5	June 9, 1985
	Golden Gordian	4	115	:56	May 27, 1978		Val's Danseur	6	119	2:27-2/5	June 8, 1986
7-1/2 Furs.	Struttin' George	5	122	1:28	May 5, 1979	1-7/8 m	Paired And Painted	4	114	3:12-1/5	June 28, 1987
1 Mile	Don Alberto	5	114	1:33-2/5	Mar. 22, 1980	2 Miles	Never-Rust	8	114	3:25-3/5	June 26, 1988
1-1/16 m	Announcer	5	115	1:40-2/5	Apr. 16, 1977	Abt 2 Miles	Situada	7	115	4:10-4/5	June 25, 1990

# BAY MEADOWS and SAN MATEO COUNTY FAIR

**Bay Meadows Operating Company, LLC.**

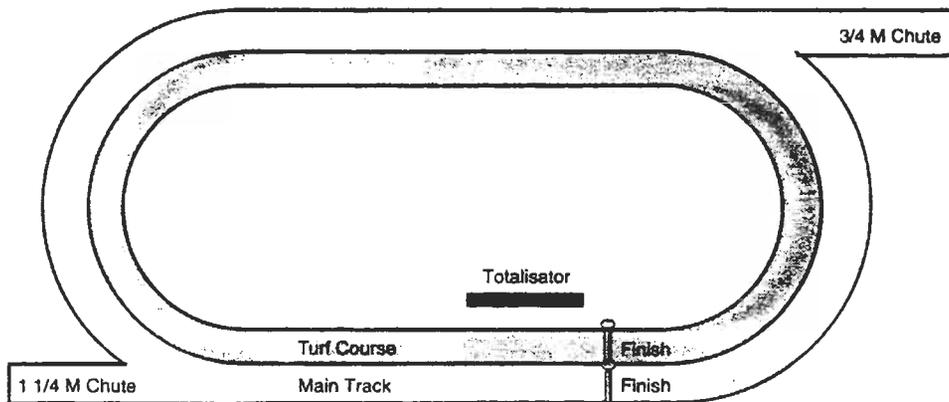
Street Address: 2600 South Delaware Street  
San Mateo, California 94403.  
Nearest Airports: San Francisco International Airport,  
7 miles; San Carlos (private), 5 miles.

P.O. Box 5050, San Mateo, California 94402  
(650)574-7223; Fax: 573-4671, Publicity 573-4678  
E-Mail Address: [webmaster@baymeadows.com](mailto:webmaster@baymeadows.com)  
Web Site: [www.baymeadows.com](http://www.baymeadows.com)

## **San Mateo County Fair**

2600 South Delaware Street  
San Mateo, California 94403  
(650) 573-4671

One-mile dirt track with six-furlong and 1 1/4-mile chutes. Length of stretch, 990 feet. Seven-furlong turf course with 1 1/8-mile chute. Five-furlong training track. Stable accommodations, 1,500 horses. Seating 20,000. Children's recreational areas in Grandstand and Infield



Park. Parking for 12,000 cars.

Opened November 3, 1934. Introduced the totalizator and photo finish camera to United States racing at inaugural meet in 1934. The Bay Meadows Handicap, run since the first Bay Meadows' season, is the oldest continuously run stakes in California. Two Thoroughbred meets in 1999, Jan. 21-Mar. 28 and Sept. 3-Nov. 14 plus the mixed breed, San Mateo County Fair dates Aug 11-Aug 23. year-round simulcasting.

Leading jockey Russell Baze, both meets

Leading trainer Jerry Hollendorfer, both meets

## BAY MEADOWS and SAN MATEO COUNTY FAIR

### TRACK RECORDS

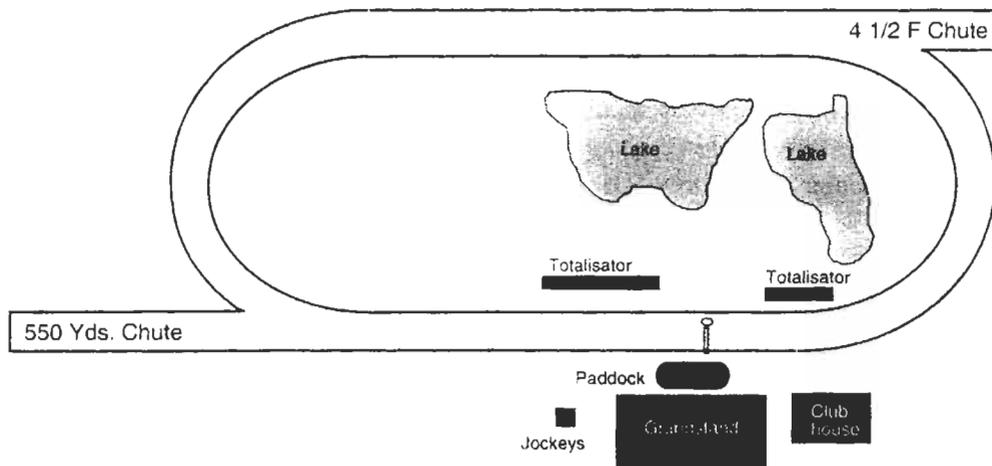
3-1/2 Furs.	Harrogate	2	115	:40-4/5	Mar. 16, 1935	1 M 70 Yds	Redress	4	105	1:41-3/5	Dec. 10, 1934
4 Furs.	Ima Dear	2	112	:46-2/5	Apr. 2, 1935	1-1/16 m	Hoedown's Day	5	119	1:38-2/5	Oct. 23, 1983
4-1/2 Furs.	Bailarin	6	120	:50-4/5	Jan. 16, 1993	1-1/8 m	Super Moment	3	116	1:46-1/5	Dec. 13, 1980
5 Furs.	Rathsallah	7	116	:56-3/5	Mar. 23, 1995	1-3/16 m	Force of Reason	5	117	1:52-4/5	Nov. 5, 1983
5-1/2 Furs.	Arches Of Gold	5	123	1:013	Nov. 23, 1994	11/4 m	Ask Father	7	112	2:00-2/5	Sep. 28, 1968
6 Furs.	BlkJackRoad	6	116	1:07-1/5	Oct. 28, 1990	1-1/2m	Cattle Creek	3	114	2:27-3/5	Dec. 12, 1979
7-1/2 Furs.	Lookabout	3	107	1:30-2/5	Nov. 26, 1936	1-5/8 m	Rag King	4	115	2:43-1/5	Dec. 15, 1990
1 Mile	Aristocratical	6	113	1:33-3/5	Sep. 10, 1983	1-3/4 m	Tornillo	3	108	2:57-3/5	Nov. 21, 1936

**Record attendance: 29, 300, April 17, 1948; Record handle: \$8,660, 396, Nov 6, 1999**

# LOS ALAMITOS RACE COURSE

## Los Alamitos

4961 Katella Ave. Los Alamitos, CA 90720  
714-236-4400 Fax: 714-236-4534 Free Scratches and Results 714-995-2222  
E-Mail Address: jt@losalamitos.com; Web Address: www.losalamitos.com



Track data: Five-eighths mile oval, with 4 1/2-furlong and 550-yard straight course. Distance from last turn to finish 558 feet. Width 100 feet in stretch, 90 feet in backstretch and on turns; 6.9 feet banking on turns. Stable accommodations for 1,438. Seating capacity 7,500.

Opened, December 4, 1951. Mixed-breed racing most of the year, with year-round simulcasting. Mostly runs Quarter Horse races, but features 4 1/2-furlong races on most cards. Extensive simulcasting.

### THOROUGHBRED TRACK RECORDS

4-1/2 Furs. Valiant Pete 5 111 :49-1/5 Aug. 11, 1990

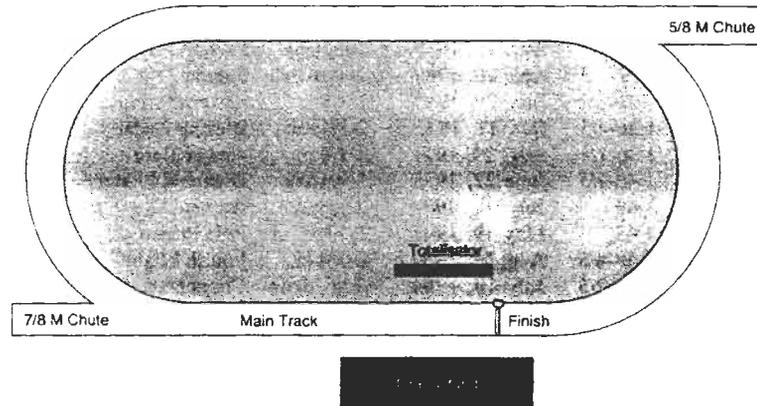
Leading Thoroughbred Jockey in 1999: Adolfo Rodriguez; Leading Thoroughbred Trainer in 1999: Charles Trece  
**All time single day attendance 19,970 May 6, 1983. All time single day handle \$2,127,758 June 30, 1995**

# FERNDALE

**Humboldt County Fair Racing Association**

P.O.Box 637  
Ferndale, California, 95536  
(707)-786-9511

One-half-mile oval with two chutes, five furlongs and 7 furlongs. Distance from last turn to finish 530 feet. Width of track 50 feet.



Opened in the 1950's and has run short meets in August in a true county fair setting in the redwood forest region of Northern California, near the Oregon border.

**Record attendance: 7, 142, July 28, 1979. Record handle: \$287,548, Aug. 17, 1985**

# FERNDALE

## TRACK RECORDS

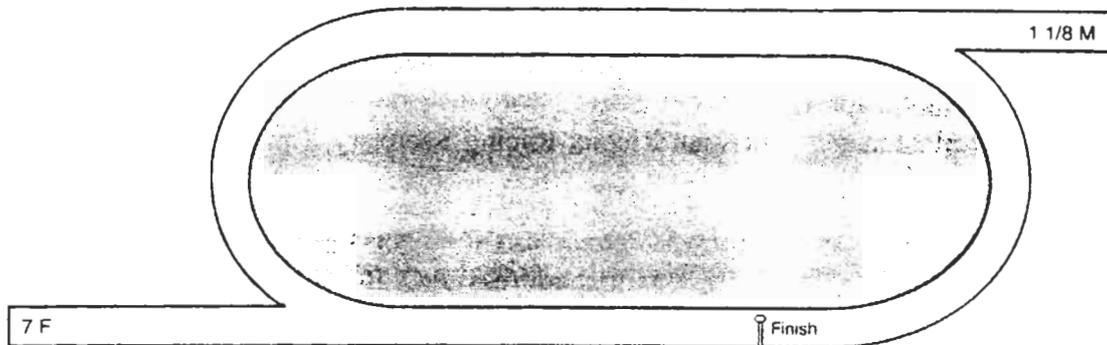
5 Furl	Shining Prince	4	116	:57-2/5	Aug. 22, 1992	1-1/8 m	Daytime Bargain	3	120	1:53-1/5	Aug. 22, 1987
6-1/2 Furl	Rumbita's Lad	5	116	1:19-2/5	Aug. 20, 1992	1-3/8 m	Timnocea	6	119	2:23	Aug. 20, 1960
7 Furl	Never Miss T.V.	8	116	1:24-1/5	Aug. 14, 1992	1-5/8 m	Prince Aglo	4	122	2:44-3/5	Aug. 21, 1994
1-1/16 m	Skipper Sam,	6	115	1:43-2/5	Aug. 4, 1969						

# FAIRPLEX PARK

Los Angeles County Fair Association

PO Box 2250, Pomona, CA 91769  
909-865-4093 Fax: 909-622-5652  
E-Mail Address: [info@fairplex.com](mailto:info@fairplex.com)  
Web Site: [www.fairplex.com](http://www.fairplex.com)

Track data: five-furlong oval with 1/4-mile and 1 1/8-mile chutes. Distance from last turn to finish 757. width 70 feet. Stable accommoda-



tions 850. Seating capacity 10,000, parking for 30,000 cars on county fairgrounds.

Opened September 1933. Opens after Del Mar and is part of the California County Fair system that features numerous short meets throughout the state. year-round simulcast pavillon.

Leading jockey in 1999: Martin Pedroza

Leading trainer in 1999: Mel Stute and Paul Aguirre (tie)

# FAIRPLEX PARK

## TRACK RECORDS

6 Furs.	Drouilly's Boy	4	116	1:09-1/5	Sep. 19, 1989	Abt 1-1/8 m	Dachi's Folly	3	114	1:48-2/5	Sep. 29, 1990
6-1/2 Furs.	Bundle Of Iron	4	116	1:15-1/5	Sep. 23, 1986	1-3/8 m	Mummy's Pleasure	7	120	2:15	Sep. 28, 1986
1-1/16 m	Monte Parnes-Ar	5	121	1:41-3/5	Sep. 29, 1990						

**Record attendance: 28,300 Sept. 25, 1948. Record Handle: \$9,455,278 Sept. 19, 1998**

# SACRAMENTO

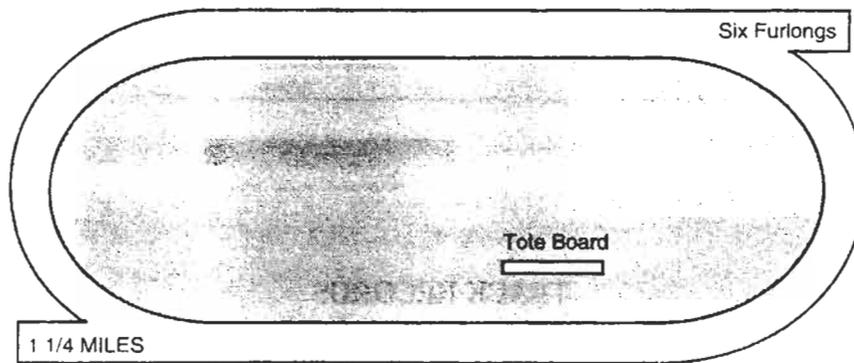
## California Exposition & State Fair

1600 Exposition Blvd. Sacramento, CA 95815  
916-263-3283 Fax: 916-263-3198

E-Mail Address: [delliott@caexpo.com](mailto:delliott@caexpo.com); Web Site: [www.bigfun.com](http://www.bigfun.com)

One mile oval, two chutes, six furlongs and 1-1/4 miles. Distance from last turn to finish 990 feet. Width of stretch 80 feet. Seating capacity 6,000; Parking for 12,000 cars on county fair grounds.

Opened September 2, 1935. Conducts Standardbred and Thoroughbred race meets as part of the California Fair circuit. Thoroughbred dates traditionally in late August through early September.



# SACRAMENTO

## TRACK RECORDS

4-1/2 Furs.	Julietas Bolger	3	111	:50	Aug. 30, 1999	1-1/18 m	Make Him Famous	4	112	1:46-1/5	Sep. 6, 1982
5 Furs.	Maui Lypheor D	6	116	:554	Sep. 3, 1990	1-1/4 m	Schuss II	7	121	2:01	Sep. 23, 1987
5-1/2 Furs.	Super Donna	4	116	1:01-2/5	Aug. 26, 1990	1-1/2 m	Classy Dame	4	107	2:31-4/5	Sep. 7, 1971
6 Furs.	Passing Game	8	121	1:07-3/5	Sep. 4, 1993		Nordic Chief	8	113	2:31-4/5	Sep. 4, 1979
1 Mile	Makaleha	4	116	1:33-3/5	Aug. 23, 1991	1-3/4 m	Money Buck	5	108	2:56	Aug. 30, 1987
1-1/16 m	Stan's Lad	3	122	1:40-2/5	Aug. 26, 1990						

Leading Jockey in 1999: Chance Rollins

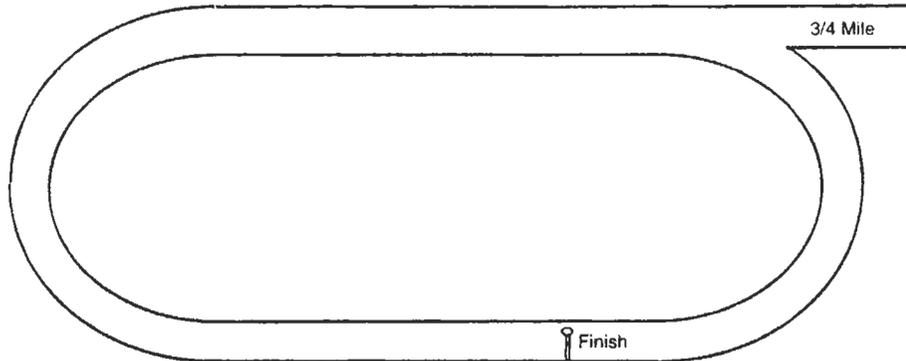
Leading Trainer in 1999: Dennis Hopkins

**Record attendance 18,722—Sept. 1, 1975. Record handle \$1,257, 787, Sept. 7, 1981.**

# SOLANO (Vallejo)

**Solano County Fair Association**

900 Fairgrounds Drive, Vallejo, CA 94589  
Phone: 707-644-4401 Fax: 707-642-9224  
E-Mail Address: [sricks@scfair.org](mailto:sricks@scfair.org)  
Web Address: [www.scfair.org](http://www.scfair.org)



Track data: Seven-eighths mile oval, with six-furlong chute. Distance from last turn to finish, 1,085 feet. Stable accommodations for 1,004. Seating capacity, 6,500. Parking for 10,000 cars on the fairgrounds.

Opened June 16, 1951, annually runs a two-week meet during the summer as part of the Northern California fair circuit. Year-round simulcasting.

# SOLANO (Vallejo)

## TRACK RECORDS

4-1/2 Furs.	Another Falstaff	5	117	:51-1/5	July 11, 1995	1-1/16 m	Hoedown's Day	5	113	1:39-4/5	July 24, 1983
5 Furs.	Inez Marie	3	105	:57-1/5	June 10, 1980	1-1/8 m	Baffi's Eagle	7	114	1:48-2/5	July 17, 1981
5-1/2 Furs.	Ridgewood High	5	119	1:02-1/5	July 18, 1982	1-1/4 m	Super Sonet	5	113	2:03-2/5	June 20, 1974
6 Furs.	Salta's Pride	6	116	1:07-4/5	July 13, 1996	1-3/8 m	Rain Storm	6	119	2:15-4/5	June 22, 1973
1 Mile	Kamalii King	6	107	1:34-4/5	July 18, 1982	1-1/2 m	Always King	5	113	2:32-3/5	June 24, 1978

**Record attendance 18, 127, June 14, 1980.**

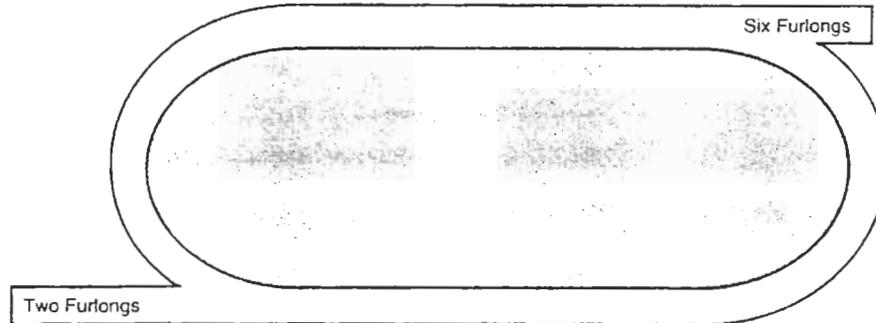
# PLEASANTON

**Alameda County Fair Agricultural Association**

4501 Pleasanton Ave., Pleasanton, CA 94566  
925-426-7600 Fax: 925-426-7621

E-Mail Address: [jeanne@alcofairgrounds.com](mailto:jeanne@alcofairgrounds.com); Web Site: [www.alcofairgrounds.com](http://www.alcofairgrounds.com)

Track data: One-mile oval with two chutes, two furlongs and six furlongs. Distance from last turn to finish, 1085 feet, width 60 feet.



Stable accommodations 700; seating capacity 6,808; Parking for 15,000 cars on county fair grounds.

Opened August 10, 1939. Part of the northern California County Fair circuit. Runs a two-week mixed-breed meet every summer.

# PLEASANTON

## TRACK RECORDS

4-1/2 Furs.	French Invader	3	115	:51-1/5.	June 27, 1996	6 Furs.	Black Jack Road	8	118	1:08-1/5	July 10, 1991
5 Furs.	Czarina	2	116	:56-3/5.	July 2, 1997	1m-70yds	Majestic Nasr	6	117	1:38-1/5	July 11,
5-1/2 Furs.	Boundary Ridge	4	117	1:02	June 29, 1993	1-1/16 m	John's Ruffie	3	109	1:40-4/5	July 7, 1994

Leading Jockey in 1999: Russell Baze; Leading Trainer in 1999: Jerry Hollendorfer

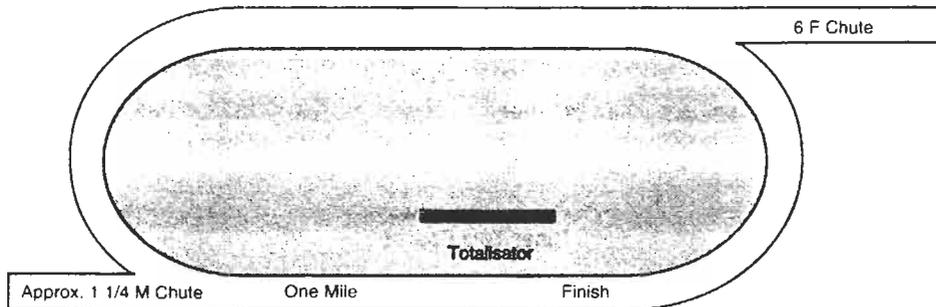
**Record attendance: 21, 334--July 4, 1989; Record handle: \$3,464, 612 July 9, 1989 (includes Quarter Horse racing.)**

# SANTA ROSA

Sonoma County Fair and Exposition, Inc.

PO Box 1536, Santa Rosa, CA 95402  
707-545-4200 Fax: 707-573-9342

E-Mail Address: [jim@sonomacountyfair.com](mailto:jim@sonomacountyfair.com); Web Site: [www.sonomacountyfair.com](http://www.sonomacountyfair.com)



Track data: About one-mile oval (132.6 feet short of one mile), with two chutes, 6 furlongs and 1 1/4 miles, which also is used for two-furlong straightaway races for Quarter Horses. Distance from last turn to finish 1,145.8 feet, width 80 feet, except for first turn, 60 feet. Stable accommodations 1,022. Seating capacity 8,181. Parking for 12,000 cars on the fairgrounds.

Opened October 8, 1936. Runs a two-week meeting in the heart of northern California wine country during the summer as part of the Northern California fair circuit. year-round simulcasting.

# SANTA ROSA

## TRACK RECORDS

4-1/2 Furs. Country Gabe	5	117	:50.40	Aug. 3, 1995	1 Mile	Magaki	3	113	1:34.40	July 26, 1984
5 Furs. Shame On Tally	5	117	:57.20	Aug. 4, 1993	1-1/16 m	Castle Tweed	4	114	1:39.80	Aug. 2, 1986
5-1/2 Furs. Truely Rude	6	114	1:02.20	Aug. 8, 1982	1-1/8 m	Diplomat Ruler	5	113	1:47.40	July 27, 1985
6 Furs. Debby Kay	4	114	1:08.00	July 26, 1988	Abt 1-1/4 m	River Lad	6	113	1:58.00	July 24, 1976

Leading Jockey in 1999: Chance Rollins

Leading Trainer in 1999: Steven Specht

**Record attendance: 19,208, July 28, 1990. Record handle: \$1,056,543, Aug 8, 1987; \$3,967,973, Aug. 7, 1999, all sources.**

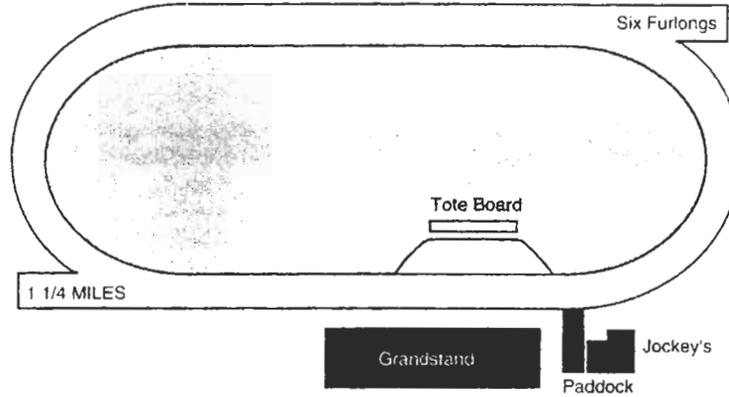
# STOCKTON

**San Joaquin County Fair  
2nd District Agricultural Association**

1658 S. Airport Way, Stockton, CA 95206

Phone: 209-466-5041 Fax: 209-466-5739

Track data: One-mile oval, with two chutes, 6 furlongs and 1 1/4 miles. Distance from last turn to finish 1,003 feet, width 80 feet. Stable



accommodations for 756; Seating capacity 5,660.

Opened in the 1880's, but the first pari-mutuel meet was in August 1934. Runs a two-week meet in early summer to start off the Northern California fair season. Year-round simulcasting.

# STOCKTON

## TRACK RECORDS

5 Furs.	Shining Prince	6	121	:55-4/5	June 26, 1994	1-1/16 m	Athenia Green-Ein	6	118	1:40-2/5	June 28, 1992
5-1/2 Furs.	Sandy's Era	3	117	1:02-1/5	June 14, 1997	1-1/8 m	Episodic	4	118	1:49-1/5	June 27, 1993
6 Furs.	Lynn's Notebook	4	117	1:07-4/5	June 25, 1995	1-1/4 m	Ali Kato	7	112	2:01-3/5	Aug. 17, 1986
1 Mile	Flying Cuantal	6	117	1:33-2/5	June 15, 1997						

Leading jockey in 1999: Chance Rollins; Leading Trainer in 1999: Chuck Peery

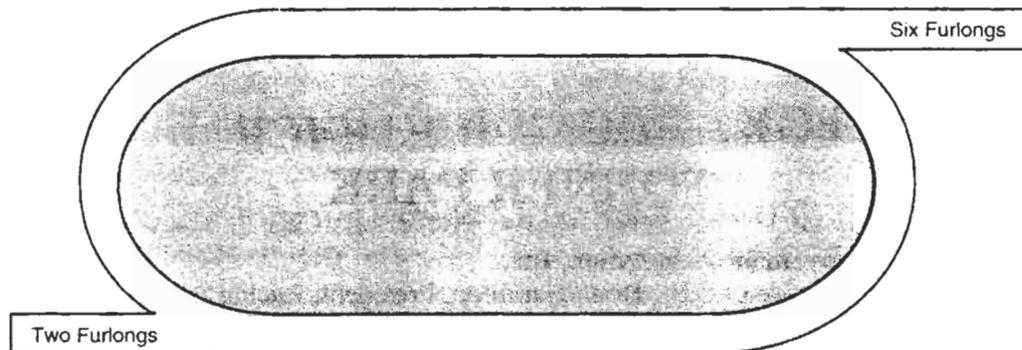
# FRESNO FAIR

## Big Fresno Fair

1121 S. Chance Avenue, Fresno, CA 93702  
559-650-3247 Fax: 559-650-3226

E-Mail Address: [fairpr@fresnofair.com](mailto:fairpr@fresnofair.com); Web Site: [www.fresnofair.com](http://www.fresnofair.com)

Track data: One-mile oval with 2-furlong and 6-furlong chutes. Distance from last turn to finish 979 feet. Stable accommodations 900; Seating capacity 6,000, parking for 10,000 cars on county fairgrounds.



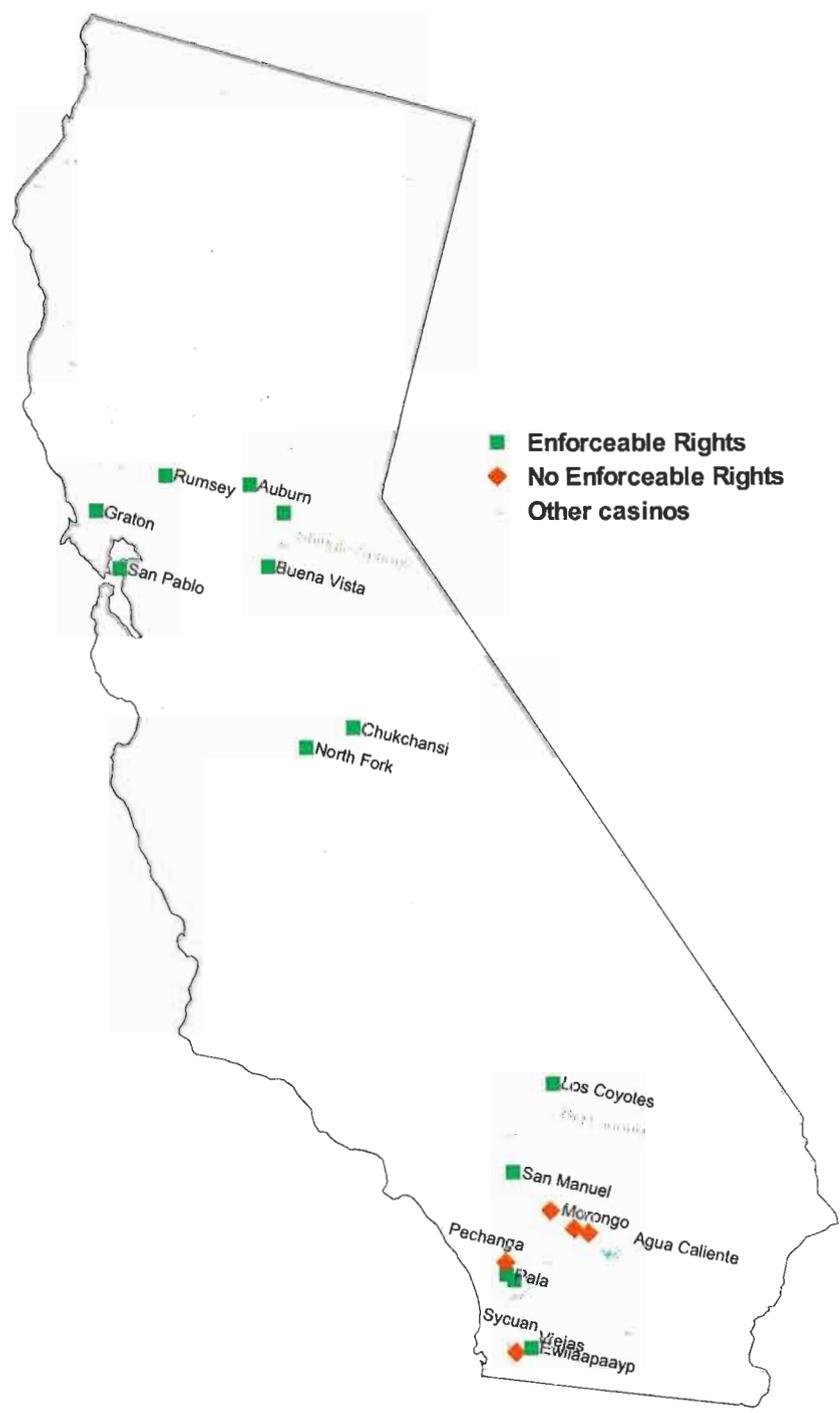
Opened September 25, 1935. Runs a two-week meet in October as part of Northern California Fair circuit. Year-round simulcasting.

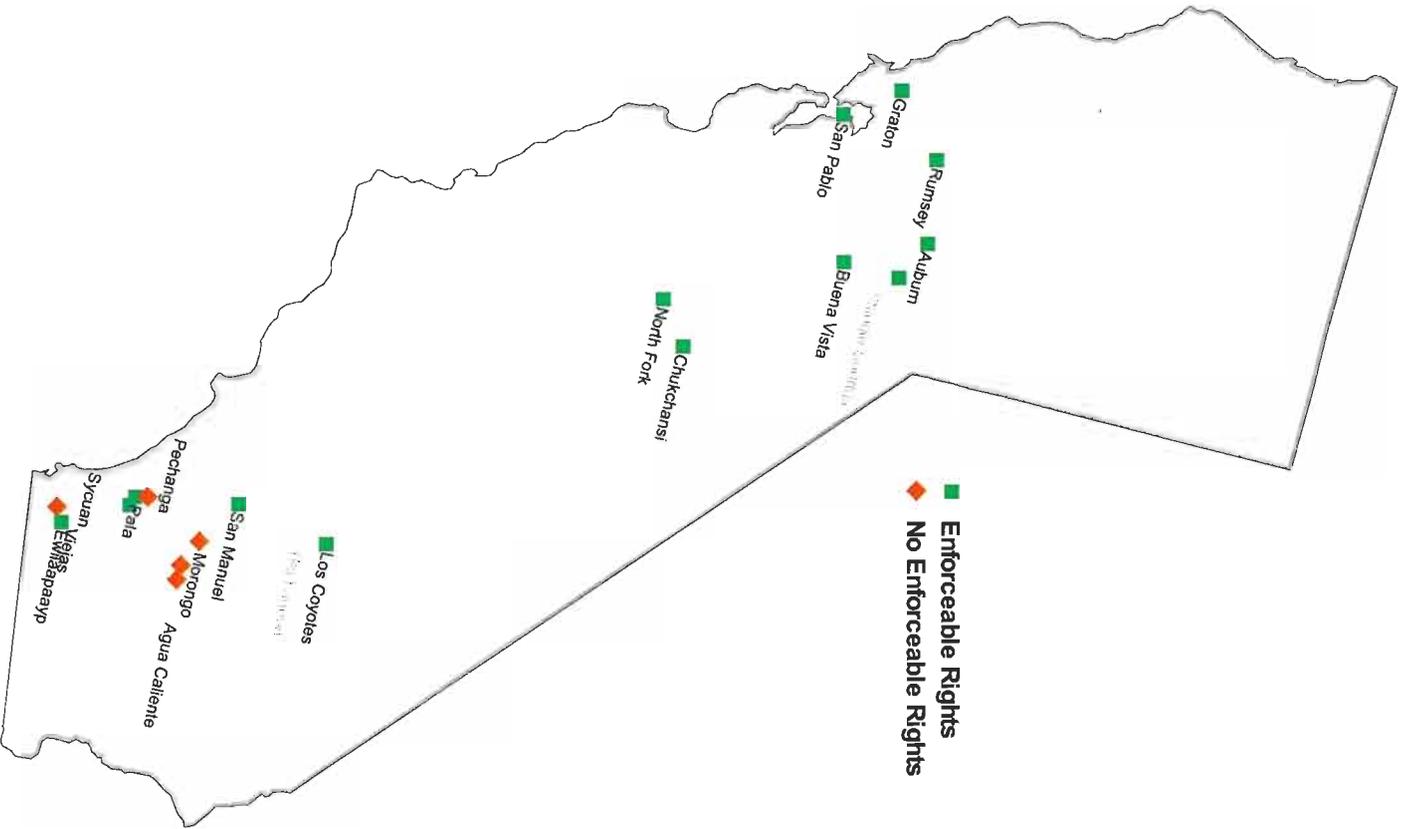
# FRESNO FAIR

## TRACK RECORDS

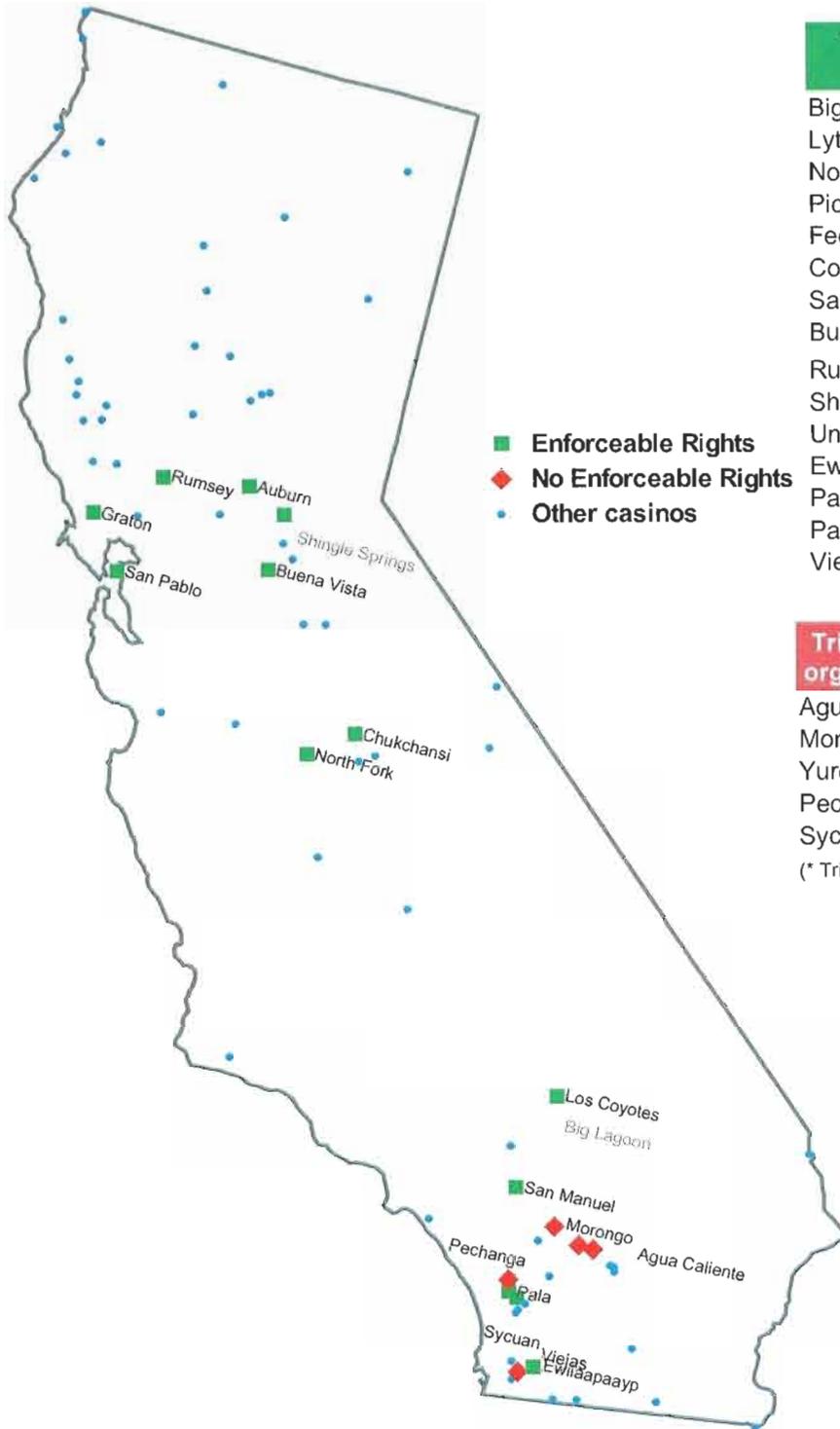
4 Furs	Nellie's Girl	3	127	:44-4/5	Oct. 7, 1978	1-1/16 m	Dimaggio	4	116	1:39-4/5	Oct. 16, 1976
4-1/2 Furs.	Rio Linda Flo	2	115	:52-4/5	May 14, 1981	1-1/8 m	Minutes Away	3	114	1:46-2/5	Nov. 20, 1985
5 Furs	Big Volume	4	120	:55-2/5	Nov. 15, 1977	1- 1/4 m	Capt. Quicksilver	6	114	1:59-4/5	Oct. 18, 1992
5-1/2 Furs	Knight In Savannah	3	113	1:01-2/5	Nov. 13, 1990	1-1/2 m	El Maduro	5	111	2:30-2/5	Sep. 17, 1980
Abt. 6 Furs	Tia Ping	5	113	1:10-1/5	Oct. 11, 1963	1-11/16 m	Bull Patch	4	111	2:56	Oct. 5, 1954
6 Furs,	Tolemeo	4	122	1:07-2/5	Nov. 12, 1997	2 Miles	Nina's Flag	4	120	3:29-2/5	Oct. 9, 1954
1 Mile	The Ayes Have It	5	113	1:33-4/5	Nov. 11, 1986						

**Record attendance 15, 596, Oct. 6, 1979.**





■ Enforceable Rights  
◆ No Enforceable Rights



- Enforceable Rights
- ◆ No Enforceable Rights
- Other casinos

**Tribes that have agreed to enforceable organizing rights and/ or have a union contract**

- Big Lagoon & Los Coyotes +
- Lytton Band of Pomo Indians
- North Fork Rancheria +
- Picayune Rancheria of Chukchansi Indians
- Federated Indians of Graton Rancheria +
- Coyote Valley Band of Pomo Indians
- San Manuel Band of Mission Indians
- Buena Vista Rancheria of Me-Wuk Indians +
- Rumsey Band of Wintun Indians
- Shingle Springs Rancheria +
- United Auburn
- Ewilaapaayp +
- Pala Band of Mission Indians
- Pauma Band of Mission Indians
- Viejas Band of Kumeyaay Indians
- Barstow
- Bay Area
- Fresno
- Fresno
- Marin County
- Mendocino County
- Riverside County
- Sacramento
- Sacramento
- Sacramento
- Sacramento
- San Diego
- San Diego
- San Diego
- San Diego

**Tribes that have not agreed to enforceable workers' rights to organize in recently renegotiated compacts with the Governor**

- Agua Caliente Band of Cahuilla Indians
- Morongo Band of Mission Indians
- Yurok Tribe\*
- Pechanga Band of Luiseño Mission Indians
- Sycuan Band of the Kumeyaay Nation
- Coachella Valley
- Coachella Valley
- Del Norte county
- San Diego
- San Diego

(\* Tribe exempted from TLRO due to small size of operation.)

**+ Tribes that do not yet have operating casinos**

- Chemehuevi, El Cajon, Enterprise, Gabrielino, Greenville, Guideville, Ione, Jamul, Karuk, La Posta, Lower Lake, Manzanira, Mechoopda, Muwekema Ohlones, Potter Valley, Rohnerville, Scotts Valley, Timbisha Shoshone, Torrez-Martinez, Upper Lake

**Tribes with casinos that have not announced new compacts for more than 2,000 slots**

- Barona
- Cabazon
- Dry Creek
- Jackson
- Quechan
- Rincon
- San Pasqual
- Santa Rosa
- Santa Ynez
- Soboba
- Table Mountain
- Tule River
- Twenty-Nine Palms

**Less than 1,000 Slots:**

- Mooretown
- Redding
- Tuolumne
- Berry Creek
- Hopland
- Colusa
- Paskenta
- Campo
- Augustine
- Blue Lake
- Big Valley
- Robinson
- Middletown
- Trinidad
- Big Sandy
- Bishop
- Elk Valley
- Smith River
- Cahuilla
- Chicken Ranch
- Chemehuevi
- Susanville
- Sherwood Valley
- Alturas
- Pit River
- Hoop Valley
- Cahto
- La Jolla

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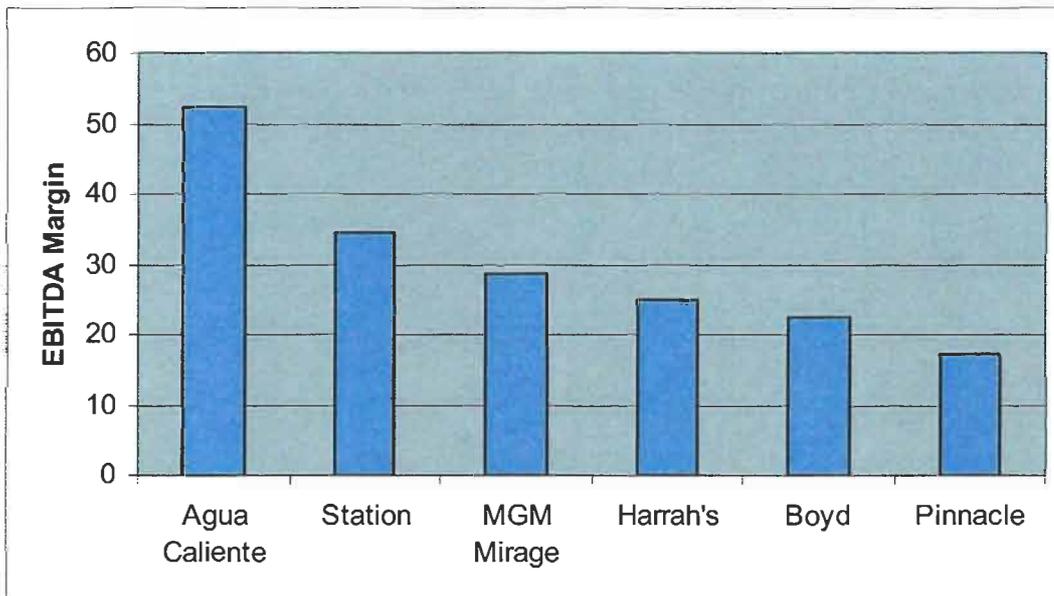
## Faster growth makes CA top gaming market

Market	Revenue (Ms)	2005 growth rate	Union density
California Tribal	\$7,000	17%	12%
Las Vegas Strip	\$6,031	10%	93%
Atlantic City	\$5,018	4%	100%
Chicagoland	\$2,441	4%	50%
Connecticut tribal	\$2,000	4%	0%
Detroit	\$1,229	3%	100%

- CA tribal casinos grow at 3 times the national rate

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## CA Tribal Casinos are exceptionally profitable



## CA Industry motto: “Crawl, Walk, Run”

Step 1: Get slots into operation as quickly as possible.



Step 2: Expand gaming facility to increase customer base.

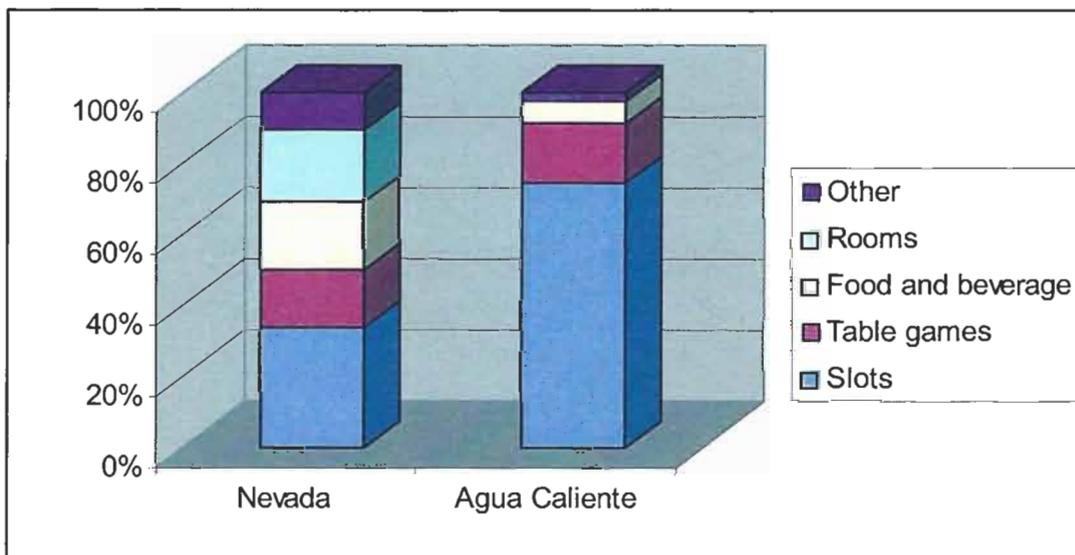


Step 3: Create multi-million dollar resort destinations.



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In CA it's all about the slots...



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## Industry Market Areas

<b>Market Area</b>	<b>Casinos</b>	<b>Current Slots</b>	<b>Union Density by Slots</b>
Sacramento	5	8,396	27%
San Francisco	1	805	100%
Fresno	3	3,909	46%
LA Riverside	10	14,962	0%
North San Diego	6	8,060	25%
South San Diego	3	6,237	0%

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# Los Angeles Times

On The Internet: [WWW.LA-TIMES.COM](http://WWW.LA-TIMES.COM)

WEDNESDAY, APRIL 2, 2003

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## Casino Workers Describe Hardships

Assembly hearing focuses on health care, but members seek to avoid interfering with talks on compacts.

By GREGG JONES  
Times Staff Writer

SACRAMENTO — Shifting their campaign against one of the state's most prosperous Indian tribes to the Capitol, workers at a casino operated by the Agua Caliente Band of Cabuilla Indians testified Tuesday that their employer is so tightfisted that it encourages them to use state medical programs for the poor rather than offer a more affordable company health plan.

Several Indian leaders responded angrily in testimony before the Assembly budget subcommittee on health and human services, accusing the Hotel Employees and Restaurant Employees International Union of misrepresenting casino working conditions to enlist the Legislature's support in their campaign for union contracts.

"They couldn't come in through the front door so they're trying to come in through the back door," said Anthony Miranda, a leader of the Pechanga Band of Luiseno Mission Indians. "And that is what is so alarming to some tribes."

The three hours of testimony brought the dispute between the union and fast-growing Indian casinos into the Capitol at a sensitive time for the tribes. Gov. Gray Davis wants Indian casinos to give the state a larger share of their revenues, and on Monday he formally began the process of trying to renegotiate the revenue-sharing portion of the gambling agreements held by 61 Native American tribes in California.

In February, Davis notified tribes that he wanted to revise



**DEFENDING CASINOS:** Eduardo G. Roy, left, attorney for the Coyote Valley Band of Pomo Indians; Priscilla Hunter, chairwoman of the band; and Anthony Miranda, second vice president of the Pechanga Band of Luiseno Mission Indians, testify at the hearing.

their 20-year gambling agreements to address the off-reservation environmental impact of Indian casinos. The agreements went into effect in 2000.

Indian leaders said the dispute with the union and the governor's desire to change the agreements are motivated by the same factor: money. Tribal casinos employ about 40,000 people and generate up to \$5 billion in annual revenues, the state estimates.

By federal law, tribes are considered sovereign nations and do not pay state or local taxes. They also are not bound by labor laws, although unions are supposed to be able to organize workers at tribal casinos under the existing agreements.

California's larger gambling tribes already share 7% to 13% of their casino revenues with the state under the agreements. Davis has said that he would be willing to expand the current limit of 2,000 slot machines per tribe in exchange for a larger share of casino revenue. Slots are typically a casino's most profitable game.

Any evidence that a large number of casino workers must rely on state programs for their health-care needs could strengthen the governor's hand in the negotiations

*'They couldn't come in through the front door so they're trying to come in through the back door.'*

Anthony Miranda, tribal leader

At Tuesday's hearing, four Agua Caliente casino workers told heart-rending stories of their struggles to obtain affordable health care for their families.

Leslie Stolar, a 42-year-old cocktail server at Agua Caliente's Spa Resort Casino in Riverside County, said she was forced to enroll her children in the state's Healthy Families program for the poor because she couldn't afford the casino's family health plan — an experience she described as "very humiliating for me."

Last month, the union released a UCLA survey of 199 cooks, bartenders, janitors and attendants at one of the Agua Caliente tribe's two Coachella Valley casinos that found that nearly half of the children of casino floor workers are enrolled in

the state's Medi-Cal or Healthy Families programs for the poor.

The report said the tribe saves about \$1 million a year by offering a family insurance plan that many employees said they could not afford.

Cal State San Bernardino economics professor Eric Nilsson, the study's lead author, defended the findings at Tuesday's hearing. Other witnesses testified that the tribe's policies cost the state millions of dollars a year.

Indian leaders, however, said the survey was biased and encouraged unfounded assumptions about other tribes. They testified that the union had failed to convince casino employees that they would benefit from union representation.

Tribal leaders described the medical coverage they provide their employees, 401(k) retirement plans and other benefits, and they presented workers to support their claims.

"I'm very happy with the casino and the benefits they've provided me with," said Mandie Ponce, 27, a bartender at the Rolling Hills Casino in the small Northern California town of Corning. "I don't think a union would make it a better place to work."

Co-worker Kim Weston, 36, a single mother with five children, said the casino was the first employer to offer her affordable health coverage.

Miranda said his tribe provides 2,900 jobs at its Riverside County casino and pays \$10 million a year for employee health care and other benefits.

"It's good business to have happy, healthy, productive employees, and that's what we do," he said.

Tribal leaders had unsuccessfully tried to broaden the scope of Tuesday's hearing to include other non-Indian employers. Still, the gentle questioning of legislators — or the lack of questioning — suggested that the Legislature might not be looking to confront the tribes, the state's largest campaign contributors.

Assemblywoman Bonnie Garcia (R-Cathedral City) questioned whether the Legislature should even be examining the dispute while negotiations between the governor and the tribes are getting underway. She said tribal casinos provide better benefits to its workers than the state of California.

"Certainly if we're looking at the tribes, we should be looking at the state of California," she said.

# Los Angeles Times

TUESDAY, MARCH 18, 2003

## Taxes Fund Health Care of Casino Staff Families

By LOUIS SAHAGUN  
Times Staff Writer

Many of the children of low-paid casino workers employed by a prosperous and politically active Riverside County Indian tribe are insured in government-subsidized health-care programs because the tribe does not offer coverage the workers can afford, according to a UCLA survey.

Researchers surveyed 199 workers out of a group of 470 low-paid cooks, bartenders, janitors, and attendants at the Rancho Mirage casino of the Agua Caliente Band of Cahuilla Indians. Based on the survey, they concluded that about 46% of the children of low-wage workers at the casino enrolled their children in Medi-Cal or the state Healthy Families program between October 2002 and January 2003.

The researchers gained access to the workers with help from a union seeking to organize workers at the casino.

"The number of casino employees' children in Healthy Families is greater than that of many towns in Riverside County," said Cal State San Bernardino economics professor Eric Nilsson, lead author of the [See *UCLA Study*, Page B10]



**COMPLAINT:** Casino restaurant waiter Hector Lon, shown with wife and daughter at Cathedral City home, earns \$8.25 an hour. On the job 10 years, he says: "We just want respect and decent wages."

GINA FRANKI Los Angeles Times

# Taxes Fund Care for Casino Staffs' Families

(UCLA Study, from Page B1)  
survey prepared for UCLA's Institute of Industrial Relations.

The report provides a rare glimpse of the working conditions on the wealthy gambling reservation, where casino workers are not protected by U.S. labor law and the tribe is not obligated to pay local or state taxes. The study is believed to be the first of its kind to provide data on the jobs created within California's surging Indian gambling industry.

It comes at a time when the Agua Caliente Band of Cahuilla Indians is negotiating with the state to increase the number of slot machines it may operate and as the hotel and restaurant workers union is trying to organize casino employees.

The tribe and others successfully pressured Assemblywoman Judy Chu (D-Monterey Park) to delay hearings on the health-care issue, saying they need more time to respond to the survey's findings.

A hearing initially set for today was postponed until April 1 after a tense meeting last week between Chu and eight Native Americans and four lobbyists representing several tribes, including the Agua Caliente. "I am very sympathetic to the issue of tribal sovereignty," Chu said. "But I also think it is important to have fair working conditions at these casinos."

In a letter to Chu, who heads the Assembly health and human services subcommittee, Brenda Soulliere, chairwoman of the California Nations Indian Gaming Assn., said she was "deeply disappointed" the hearing had not been postponed indefinitely, given that the tribes are in the midst of compact talks.

## Insurance Unaffordable

While the tribe fully insures its casino workers and offers its own family insurance plans, most of the predominantly Latino and white employees cannot afford them, the survey found. The casino's family insurance plan costs its workers \$2,880, which compares with the California average for such a plan of \$1,806.

The average hourly wage of the workers is \$8.93, excluding tips — lower than the amount needed to sustain a modest standard of living, according to the California Budget Project, a nonprofit research agency. A single adult without children would have to earn \$9.79 per hour to reach the level the agency recommends.

"The casino... tells its workers to go to the government for health care," Nilsson said. "On the one hand, that's thoughtful. On the other, the casino has intentionally created conditions, such as high employee health-care premiums, that make sure that employees do not buy family health-care insurance through

*'The casinos leave state taxpayers to pick up the tab for the health-care needs of their employees.'*

**Eric Nilsson**, Cal State San Bernardino economics professor and lead author of UCLA survey

the casino... The casinos leave state taxpayers to pick up the tab for the health-care needs of their employees," Nilsson said.

Agua Caliente financial officer Max Ross acknowledged that the tribe provides its employees with information about state health-care programs. However, he said, "we do not encourage them to get on those programs... Some employees choose Healthy Families over our programs because they have to pay only \$9 a month per kid," Ross said. "And why not? There's no plan in the country that can compete with that."

Healthy Families covers children between birth and age 19 whose families earn no more than 250% of the federal poverty level, or about \$45,000 a year for a family of four.

Ross questioned the survey's estimate of the casino worker's average pay and the percentage of employees' children covered by state or federal insurance programs. He declined to provide the tribe's figures.

"We'll be reviewing the survey carefully," Ross said. "In the near future, we will comment on the accuracy of its numbers and conclusions."

The Indian gambling industry has experienced stunning growth over the past decade, pulling many tribes out of poverty and creating an estimated 35,000 jobs statewide. Few tribes, however, have fared as well as the Agua Caliente, the only one in California with two casinos. The tribe plans to expand its operations by building, among other things, a \$400-million complex in downtown Palm Springs.

Nilsson figures the Rancho Mirage casino profits by as much as \$1 million a year by not insuring employees' dependents. To insure every one of its workers, children and spouses would cost a few million dollars, Nilsson said.

Over the last five years, the Agua Caliente have donated more than \$8 million to political campaigns. UCLA selected the Agua Caliente tribe to examine because it was the first to build a casino after the state Constitution was amended three years ago to allow Indian gaming, and it was granted access to the workers by the union.

The union contends casino workers deserve better wages,

benefits and job security. Tribal authorities say their employees are treated generously.

"The dance has begun," said a hotel and restaurant labor organizer, Jack Gribbon. "The tribe wants more slot machines, and we want more workers' rights and better health-care benefits."

"If the gaming tribes such as the Agua Caliente were smart, they'd want to be able to say their enterprises provide a benefit to the state," Gribbon said. "But they can't say that when nearly half the children of their employees are getting health care from taxpayer-funded programs."

Only a few tribal casinos in California are unionized. One of them, the Cache Creek Indian Bingo & Casino west of Sacramento, which the Rumsey Band of Wintun Indians operates, recently agreed to a three-year contract that hikes wages 12% and provides affordable family health care.

In the Coachella Valley, meanwhile, union leaders have turned to state politicians and clergy for support, much to the tribe's dismay.

An interfaith group of 55 area religious leaders recently sent a letter to Agua Caliente Chairman Richard Milanovich urging him to allow his employees to organize.

Among those signing the letter was the Rev. Jim Tom of the United Methodist Church of Palm Springs.

"It seems poignant — ironic maybe — that Native American tribes who have struggled so hard to be treated with respect and dignity have become wealthy large-scale employers of people who have to work two or three jobs to make ends meet," Tom said.

## Workplace Complaints

In interviews, a handful of Agua Caliente Casino workers offered a list of workplace complaints: frequent abrupt changes in workplace policy, arbitrary pay cuts, being forced to work while ill, meager raises, unaffordable health care.

Hector Lon, 41, who earns \$8.25 an hour as a food server at the Agua Caliente Casino Spa, complained about his meager income.

"I'm among the highest-paid workers in the casino restaurant," Lon said. "We just want respect and decent wages."

One Agua Caliente Casino slot attendant, who asked that her name not be used for fear of retaliation, complained that she makes about \$12 an hour after more than seven years on the job.

"I have two kids, both insured by Healthy Families," she added. "I learned about the program from a Healthy Families representative who came out to meet with us at the casino."

# The New York Times

September 2, 2006

## Governor's Push to Expand Indian Casinos Fails in California

By **RANDAL C. ARCHIBOLD**

LOS ANGELES, Sept. 1 — What would have been among the largest expansions of Indian gambling in recent years, a major goal of Gov. Arnold Schwarzenegger, was defeated by the California Legislature on Thursday after heavy lobbying by union groups frustrated by efforts to organize workers at the casinos.

It may be a temporary setback for the governor and tribal groups, who have promised to push again for the expansion next year. Legislative leaders, who have been generally supportive of Indian gambling, also suggested they would be open to similar plans down the road.

But for now, Mr. Schwarzenegger and the tribes, who had been negotiating for a couple of years, stand empty-handed.

One bill passed in one legislative chamber but failed in the other, and lawmakers declined to take up five bills ratifying six compacts the governor had signed that would have allowed for some 20,000 new slot machines on several reservations, in addition to the 60,000 already there.

The compacts are another sign of the explosive growth of the Indian gambling industry, whose revenues have grown nationwide to \$22.7 billion last year from \$5.5 billion a decade ago, enriching many tribes. The Indian casinos, many aping the flash and

entertainment of the Las Vegas Strip, typically serve the masses unable or unwilling to go to Las Vegas or casinos in other states.

California already leads the states in Indian gambling, with 57 sites that brought in more than \$7 billion in revenue last year, the vast majority from slot machines. The new deals could have added several billion dollars in revenue to the state treasury over the

multiyear life of the compacts, a departure from current agreements that send part of the revenue to poorer tribes and to the cities and counties where the casinos are.

The defeat, on the final day of the legislative session, broke a string of successful election-year negotiations between Mr. Schwarzenegger, a Republican seeking a full term after winning the 2003 recall election, and the Democratic-controlled Legislature.

Legislative leaders said they did not have enough time for a thorough review of the compacts, a few of which arrived a day or two before the session ended, and faced a crush of lobbying from unions and other groups, like racetrack owners, who were concerned about the tribes cutting

into their business. Tribal leaders quickly mounted a fierce countereffort.

Legislators found themselves torn among varying groups who donate heavily to their campaigns, particularly organized labor, which had flexed its muscle in helping to defeat a series of ballot initiatives Mr. Schwarzenegger sponsored in November.

"These compacts collectively represent a huge increase in gaming for California," said Assemblyman Fabian Núñez, a Los Angeles Democrat who is the Assembly speaker. "The intense lobbying from labor



Rick Pedroncelli/Associated Press

Assemblywoman Dornie Garcia on Thursday, as her bill failed.

and from racetrack owners and then by the tribes was the irritant which ultimately led to the compacts not being approved.”

“We are going to have several months,” Mr. Núñez added, “to take a look at these compacts and determine if any modifications would be beneficial.”

He said that 25 members of the Assembly were leaving because of term limits and that many of them wanted to leave the decision on compacts to the next generation.

Mr. Schwarzenegger’s aides said legislative leaders had had enough time to review the compacts and had been kept in the loop about them as they developed.

“These were compacts negotiated to provide additional benefits for the state as well as protect the local community, and it is unfortunate it did not pass,” said Margita Thompson, a spokeswoman for Mr. Schwarzenegger.

Jack Gribbon, the state political director for Unite Here, the union that fought hardest against the compacts, exulted. The union, which represents 5,000 of the 50,000 gambling industry workers in the state, had complained that provisions in the compacts would have made it difficult to organize more.

“What the result of this should be is a major heads-up to the very, very wealthy gaming tribes in California,” Mr. Gribbon said. “In order to further expand in this industry they have to keep two constituent groups in mind, the very poor nongaming tribes in California and the working poor who are the workers at their extra-lucrative casinos and who are the engine behind this industry.”

Nancy Conrad, a spokeswoman for the Agua Caliente Band of Cahuilla Indians, near Palm Springs, whose compact was approved in the Senate but defeated in the Assembly, said the unions had misled lawmakers about the compacts, which she called a “good deal for Californians.”

Ms. Conrad said the tribe’s workers received many health benefits and were paid, on average, \$11 an hour, higher than the state minimum of \$8 an hour the governor and legislators recently agreed on.

“I think union organizers would like very much to be part of casino paychecks, in terms of dues,” she said.

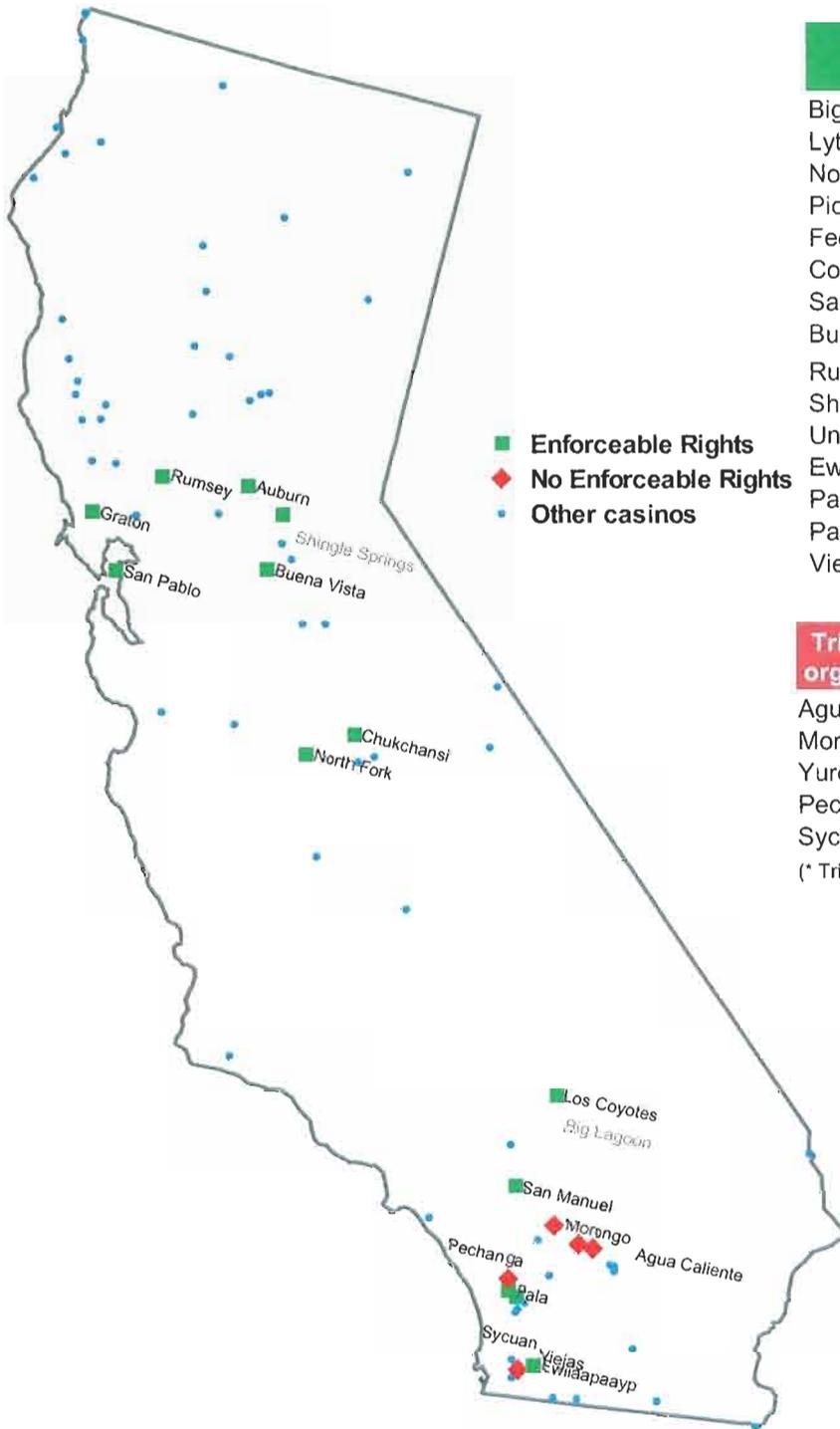
Indian gambling has boomed in California “partly by historic accident,” said I. Nelson Rose, a professor at

Whittier Law School in Costa Mesa, Calif., who studies the industry.

The state, as a legacy of the Western frontier, has the most federally recognized tribes on federally recognized land, two chief requirements for Indian gambling halls. In addition, California is the most populous state and an entrenched tourist draw, putting it on track to challenge Nevada as the nation’s gambling capital, Professor Rose said.

He predicted that the compacts would ultimately be approved.

“So much money is at stake, these compacts will eventually be ratified,” he said. “But they are going to have to work out some agreement with the unions.”



**Tribes that have agreed to enforceable organizing rights and/ or have a union contract**

- |   |                  |
|---|------------------|
| Big Lagoon & Los Coyotes +                | Barstow          |
| Lytton Band of Pomo Indians               | Bay Area         |
| North Fork Rancheria +                    | Fresno           |
| Picayune Rancheria of Chukchansi Indians  | Fresno           |
| Federated Indians of Graton Rancheria +   | Marin County     |
| Coyote Valley Band of Pomo Indians        | Mendocino County |
| San Manuel Band of Mission Indians        | Riverside County |
| Buena Vista Rancheria of Me-Wuk Indians + | Sacramento       |
| Rumsey Band of Wintun Indians             | Sacramento       |
| Shingle Springs Rancheria +               | Sacramento       |
| United Auburn                             | Sacramento       |
| Ewiiapaayp +                              | San Diego        |
| Pala Band of Mission Indians              | San Diego        |
| Pauma Band of Mission Indians             | San Diego        |
| Viejas Band of Kumeyaay Indians           | San Diego        |

**Tribes with casinos that have not announced new compacts for more than 2,000 slots**

- Barona
- Cabazon
- Dry Creek
- Jackson
- Quechan
- Rincon
- San Pasqual
- Santa Rosa
- Santa Ynez
- Soboba
- Table Mountain
- Tule River
- Twenty-Nine Palms

**Tribes that have not agreed to enforceable workers' rights to organize in recently renegotiated compacts with the Governor**

- |  |                  |
|--|------------------|
| Agua Caliente Band of Cahuilla Indians   | Coachella Valley |
| Morongo Band of Mission Indians          | Coachella Valley |
| Yurok Tribe*                             | Del Norte county |
| Pechanga Band of Luiseño Mission Indians | San Diego        |
| Sycuan Band of the Kumeyaay Nation       | San Diego        |

(\* Tribe exempted from TLRO due to small size of operation.)

**Less than 1,000 Slots:**

- Mooretown
- Redding
- Tuolumne
- Berry Creek
- Hopland
- Colusa
- Paskenta
- Campo
- Augustine
- Blue Lake
- Big Valley
- Robinson
- Middletown
- Trinidad
- Big Sandy
- Bishop
- Elk Valley
- Smith River
- Cahuilla
- Chicken Ranch
- Chemehuevi
- Susanville
- Sherwood Valley
- Alturas
- Pit River
- Hoop Valley
- Cahto
- La Jolla

**+ Tribes that do not yet have operating casinos**

- Chemehuevi, El Cajon, Enterprise, Gabrielino, Greenville, Guideville, Ione, Jamul, Karuk, La Posta, Lower Lake, Manzanita, Mechoopda, Muwekema Ohlones, Potter Valley, Rohnerville, Scotts Valley, Timbisha Shoshone, Torrez-Martinez, Upper Lake

# THE PRESS-ENTERPRISE

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## UNION, WORKERS PROTEST AT CASINO



RODRIGO PENA / THE PRESS-ENTERPRISE

Protesters for workers' rights block traffic Thursday at the Agua Caliente Spa Resort and Casino in Palm Springs.

## 25 arrested at Spa rally

**PALM SPRINGS:** Demonstrators make allegations that the Agua Caliente tribe denies.

BY DAVID HERMANN  
THE PRESS-ENTERPRISE

**PALM SPRINGS**—Twenty-five people were arrested Thursday during a protest for workers' rights outside the Spa Resort Casino in Palm Springs.

Alternating between chants of "Si se puede" (Yes we can) and choruses of "We Shall Overcome," protesters locked hands and sat in the middle of Calle Encelia in front of the new \$95 million casino.

Police ordered the group, which included farmworker civ-

il rights pioneer Dolores Huerta, to leave the street twice before officers moved in and started arresting people just after 12:30 p.m.

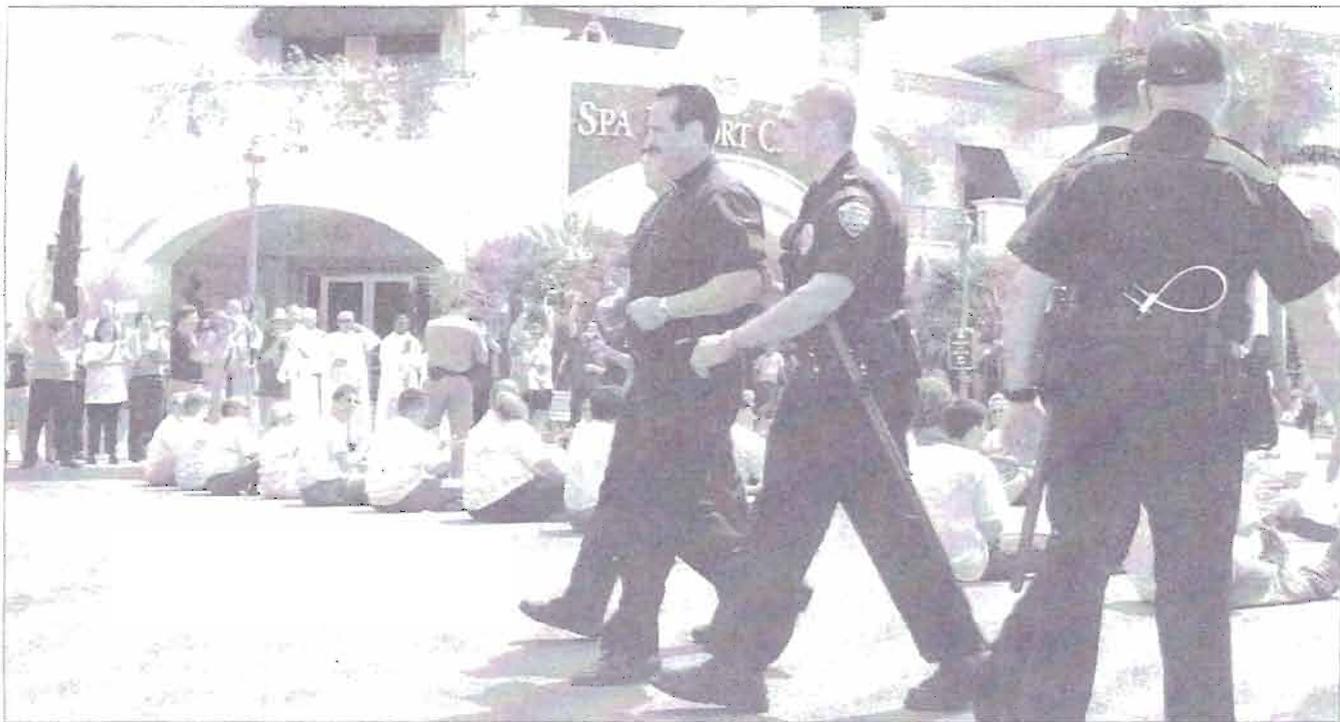
The rally, organized by the Hotel Employees and Restaurant Employees International union, was held to protest working conditions. Union organizers and some casino workers allege discrimination, harassment and intimidation by the Agua Caliente Band of Cahuilla Indians. The Palm Springs-based tribe owns and operates the Spa Resort Casino as well as the Agua Caliente Casino in nearby Rancho Mirage.

Ray Brown, an Agua Caliente spokesman, said the tribe would

PLEASE SEE PROTEST, B9



United Farm Workers co-founder Dolores Huerta is led away by police during the rally.



RODRIGO PENA / THE PRESS ENTERPRISE

Palm Springs police lead away Michael Ceja during the rally. Ceja said the Gospel demands civil disobedience when the cause is just.

## PROTEST

CONTINUED FROM B1

issue a statement today refuting the allegations in detail.

Huerta, who along with Cesar Chavez helped found the United Farm Workers, said she hopes that, during the negotiations, the governor will remember people who work in Indian casinos.

"We're hoping today our acts of peaceful civil disobedience will reach the hearts and minds not only of the Agua Caliente leaders, but also of Gov. Schwarzenegger," Huerta said before she and a crowd of nearly 200 protesters marched to the casino from Our Lady of Solitude Catholic Church.

Schwarzenegger has been meeting with leaders from California's gaming tribes to renegotiate the compacts that allow them to operate casinos in the state. Because the tribes are considered sovereign nations, they are not subject to oversight by state agencies that generally enforce workplace regulations.

Brown described the protest as disappointing to tribal leaders.

"It's a continuation of broad-based smear tactics against the casinos," he said. "The allegations being leveled are not specific and they are flat out false."

### Religious leaders join in

In addition to casino workers and union members from



Protesters gathering at Our Lady of Solitude Catholic Church in Palm Springs are anointed with oil.

across the state. Thursday's rally brought together religious leaders from half-a-dozen desert-area churches.

The Rev. Miguel Ceja of Our Lady of Solitude was one of those who were arrested. As he marched through downtown Palm Springs, the cleric said he was being arrested on behalf of the man walking beside him — Sajid Roman.

"I can't get arrested because I'd lose my gaming license," said Roman, 31, of Palm Springs, who works at the Spa Resort Casino.

Ceja said the Gospel demands civil disobedience when the cause is just.

"As a Christian, it is my duty to raise a voice for members of my community who are voiceless," he said.

### Discrimination complaints

Former casino workers at the march said management did not hear their voices when they complained about working conditions at the casinos.

For Sondra Goepfner, 63, a former cocktail server at the Agua Caliente Casino, frustration built as she watched new, younger women hired and given earlier, more convenient hours while she continued to work the graveyard shift for \$6.50 an hour.

Youth wasn't the only requirement for the prime hours, according to Goepfner, who said she was unwilling to put up with sexual harassment that she said some other female employees endured.

When she complained, Goepfner said she was told, "If

you don't like your job, you can go somewhere else."

Wally Leydelmeyer said he experienced age discrimination at the Agua Caliente Casino.

Hired in April 2001 as a slot technician trainee, the 61-year-old from Banning said he was soon training people who ended up being promoted over him.

"I complained and was given evasive answers, told no positions were open," Leydelmeyer said.

He said the casino paid health-care benefits for employees but shortchanged employees' families when it came to coverage.

"A lot of casino workers are single mothers, and they were steering them to MediCal."

Reach David Hermann at (760) 837-4475 or dhermann@pe.com

# THE PRESS-ENTERPRISE

## Mobile homeless' hidden plight

They have jobs, cars, but no place to live but streets

April 20, 2006

By GREGOR MCGAVIN

The rest area off westbound Interstate 10 near Whitewater is busier than a NASCAR pit crew most mornings.

Cars and trucks come and go constantly, motorists stopping for bathroom breaks or to walk the dog before hitting the road again.

But on a cold, windy morning last week, one car wasn't going anywhere.

The fogged-up windows and clothes and toiletries inside the blue, 1999 Chevy Cavalier were clues that Ricky Holley was not just passing through. Still, he straightened up in his reclined driver's seat whenever a stranger passed.

"It's embarrassing," said Holley, who waits tables at the Morongo Casino in Cabazon and has been living in his car for more than two months. "I'd rather be able to go home to a real home. But I don't really have anything besides the car and my clothes."

Homeless advocates say the 19-year-old Yucaipa native is among a growing number of people nationwide for whom home is wherever they park.

The Inland area has about 15,000 homeless, according to the most recent surveys done by both counties. One-third stay in shelters or other temporary housing -- the rest live under bridges, in empty lots or elsewhere on the streets.

The "mobile homeless" make up a largely unseen subsection of the homeless population.

They pull over at rest stops, in shopping plazas and on quiet city streets to sleep. No one knows just how numerous they are, because they keep such a low profile.

Social service providers say that's partly out of embarrassment and partly because they move regularly to avoid run-ins with the law and owners of businesses or homes.

But homeless advocates and providers say they are seeing more families and individuals who are living in their vehicles.

### Record Housing Costs

Record-high housing costs and low-paying jobs are the prime causes, experts say.



**"It's embarrassing," said Holley, who waits tables at the Morongo Casino in Cabazon and has been living in his car for more than two months. "I'd rather be able to go home to a real home. But I don't really have anything besides the car and my clothes."**

"These are people who I think have fallen across bad luck -- a job loss, an eviction, a health crisis," said Brad Paul, executive director of the National Policy and Advocacy Council on Homelessness. "They're not in shelters, so it's a harder number to get a handle on. But there's a really serious spike in homelessness, including those living in cars."

Often children of the mobile homeless go to school and the adults go to work, said Don Smith, homeless services coordinator for Riverside County.

"They lead a normal life except at night they wind up sleeping in their vehicle," he said.

Most communities nationwide limit the length of time motorists may park on public streets or at parks, and some cities have outlawed living in vehicles, including motor homes.

The city of Riverside banned living in any vehicle on city streets in 2003, after receiving a small number of complaints from residents about people camped out in front of their homes.

Violators can be charged with a misdemeanor punishable by up to six months in jail and a \$1,000 fine. But City Attorney Greg Priamos said it is far more likely they would be issued an administrative citation, which can include a fine of \$100 to \$500.

Only a handful of people have been cited over the past several years, he said.

"It doesn't come up much," Priamos said. "But it can have a real negative impact on a residential neighborhood."

San Bernardino is expected to adopt a similar law this year, said Glenn Baude, director of that city's code-enforcement division. Ordinances already prohibit parking on city streets for more than 72 hours or at city parks after dusk.

A sign at a rest stop off Interstate 10 tells travelers not to stay for extended periods. Such rules affect people living in their cars.

#### A Shift in Strategy

In light of local laws, the mobile homeless have to get creative.

They shower at truck stops or health clubs -- if they can afford a cheap membership -- or take bird-baths in bathrooms at parks or fast-food restaurants.

They scout out-of-the-way places to park and some use car covers to disguise the fact they're sleeping in their vehicles. Others, like Holley, keep their windows cracked to prevent their body heat from creating condensation, a well-known giveaway.

"But I'm afraid to keep it down -- there's a lot of weird people at rest stops," said Holley, a thin fellow with buzzed blond hair and a cotton blanket over his shirtless frame.

Holley, who works 11 p.m. to 7 a.m., said he grabs what rest he can there or at other spots in the area.

"Sometimes I'll go on the side of a housing complex or something and just crash. Sometimes I just drive around," he said.

Holley said his downward slide began when a fight with his wife at their Beaumont home led to his arrest for disturbing the peace in March 2005. For months, he stayed with friends, but that welcome wore out.

He visits his mother's house in Yucaipa to shower and do laundry. But his mom, who also waits tables at the casino, pays \$800 a month for a small one-bedroom house and there's not enough room or money to go around.

Holley said he's trying to save for an apartment. But there's little left of the \$600 or so a week he makes after court and lawyer fees and a \$225 car payment.

#### The Working Poor

Because they have transportation, the mobile homeless are more likely to be working than most people on the streets, social service officials say. But the income isn't enough to keep a roof over their heads.

"These people are the working poor," said Naomi Norman, who heads San Bernardino County's task force on homelessness. "They lost their house or apartment but still managed to keep their car and their job."

Record-high housing prices and rents mean that minimum-wage paychecks don't go far enough.

New-home prices are rising at an annual rate of 28 percent in San Bernardino County and 10 percent in Riverside County. Average apartment rents are expected to increase 5 percent this year, to just over \$1,000 per month.

With as many as 3 million people homeless nationwide and shelters and other temporary housing in short supply, social service officials say they have their work cut out for them trying to help.

Little if anything is being done to address the problem of mobile homelessness.

A program in Eugene, Ore., where officials set aside parking spaces on city lots and hired a social worker to check on people sleeping in their cars, is the only one of its kind nationwide, said Michael Stoops, director of the National Coalition for the Homeless in Washington, D.C.

Ron Stewart, interim head of Riverside County's homeless programs, questioned the wisdom of allowing car encampments.

"It just isn't an appropriate living space, for hygiene," he said.

#### Hurricane Refugees

On another recent morning at the Whitewater rest stop, Holley was again grabbing some sleep after work. So far, he said, most of his co-workers don't know he lives in his car.

Across busy I-10, Guy Rock and his family had spent the night at the rest area on the eastbound side in their ancient, sagging motor home.

Since Hurricane Katrina tore apart their hometown of Waveland, Miss., last year, the vehicle has been home for the Rock family -- Guy, his wife and sons, ages 4 and 2, and their purebred coonhound.

The motor home's shocks are shot and the paint long ago faded beyond recognition.

"It's falling apart right now, but it's still home," said Rock, a 51-year-old plumber who has been unable to work since undergoing double-bypass surgery shortly before Katrina struck.

"One morning we had a home and a boat and two trucks and everything, and the next morning we had nothing," said Rock, a bear of a man with a defeated air.

Rock said he has spent the past month and a half looking for a place to live. They came west because he had worked in the region before.

In Ventura, a landlord was asking \$2,000 a month for a studio, he said.

In Oxnard, security kicked them out of a department store parking lot. In Huntington Beach, police told them to move along after they parked on a city street.

Rock said he is trying to save as much as he can of the \$812 disability check he gets each month.

On this morning, he was heading out to an Arizona border town, where he'd heard about a campground that charges \$1 a night.

"It's a place to stay and wait until the next check comes in," he said.

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Online at:

[http://www.pe.com/localnews/inland/stories/PE\\_News\\_Local\\_D\\_mobile20.18466676.html](http://www.pe.com/localnews/inland/stories/PE_News_Local_D_mobile20.18466676.html)

# The Sacramento Bee

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## Too much, too late

### Lawmakers should reject gambling deals

Thursday, August 31, 2006

The new gambling deals Gov. Arnold Schwarzenegger has cut with powerful gambling tribes should alarm everyone. They give away too much to a handful of the richest, most powerful tribes in the state. The deals also expand gambling far beyond the "modest increase" voters were promised when they approved casino-style gambling in California in 1998.

The deals come as the tribes dump tens of thousand of dollars into the campaign coffers of key legislators who will be asked to ratify those compacts. One particularly unsavory example: Last week, the Pechanga tribe donated \$50,000 to a campaign fund controlled by Senate President Pro Tem Don Perata.

Why is the governor doing this now? These tribes are not desperate. They already operate wildly profitable gambling monopolies, the most profitable enterprises in the state. The new compacts will give them billions more in profits.

One thing is clear: None of these compacts includes protection for workers that earlier Schwarzenegger compacts called for. The Assembly rightly refused to ratify a deal with the Agua Caliente tribe earlier this week, in part because it shortchanged labor. Legislators should reject these newest deals for that reason and because they come too late in the session and give too much away.

On the other hand, some compacts that have been sitting in the Legislature for many months deserve approval. The Los Coyotes Big Lagoon Compact protects a pristine area of the North Coast while giving an impoverished tribe the right to build a casino near Barstow that local governments in that area have long supported. Another compact involving the tiny Yurok tribe in Del Norte and Humboldt counties has also gotten enmeshed in this ugly, last-minute maneuvering. It also deserves to reach the governor's desk.

The rest of these deals should die and future compacts that expand Indian gambling in California ought to go before the voters.

# Workers' Rights to Organize in Peril

Excerpts from *The Report of The Coachella Valley Commission on Workplace Fairness*

A forum for workers speaking out against employer violations of their human and legal rights to organize

June, 2003

**Rabbi Paul Citrin**  
Temple Sinai, Palm Desert

**George Frandsen**  
President, ACLU Desert  
Chapter

**Dolores Huerta**  
Co-Founder United Farm  
Workers of America

**State Assembly Member  
Fabian Nuñez**  
Assembly Majority Whip

**Pastor David Pelletier**  
Metropolitan Community  
Church, Palm Springs

**Prof. Victor Rios**  
College of the Desert

**Senator Gloria Romero**  
State Senate Democratic  
Caucus Chair

Organizations listed for  
identification purposes only.

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**For a copy of the complete  
report or to keep informed about  
the work of the Commission:**

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- Sign-up for occasional e-mail updates about the Commission's work: send an e-mail to:  
contactus@  
noonthenewcompact.com

[www.noonthenewcompact.com](http://www.noonthenewcompact.com)

## Recommendation

The Commission has found that the Tribe's intolerable interference with workers' rights to organize has so poisoned the atmosphere in the casinos that the Code of Conduct provides the only way for workers to freely organize. As a result, the Commission recommends that the Tribe immediately adopt CLUE's Code of Conduct. In fact, given the enormity of the

violations of the Code to date, the Commission believes that further measures to ensure workers' faith in a fair process are necessary. To that end, the Commission offers its services to meet with the workers after an enforceable Code of Conduct has been agreed to in order to allay any remaining worker fears pertaining to their right to organize.

## Summary

On February 19, 2003, Coachella Valley Clergy and Laity United for Economic Justice (CLUE) delivered a letter to the Agua Caliente Band of Cahuilla Indians signed by 63 clergy and community leaders asking the Tribe to agree to a Code of Conduct with regard to its workers choosing to organize. The letter was motivated by a desire to "honor and protect the rights and dignity of the men and women who work in the casinos."

The Code of Conduct affirms the right of workers to freely organize. Recognizing that the Tribe enjoys enormous power relative to its workers, the Code requires the Tribe to remain neutral as workers organize. The Code specifies that the Tribe may not interfere with workers' decision to organize, may not intimidate or discipline employees for organizing, and may not employ anti-union

professionals to conduct campaigns against workers' efforts to organize. The Code also allows for neutral parties to verify that the Code has not been violated as well as to verify that a majority of employees support the union in order to achieve certification.

The Commission supports tribal sovereignty. Adoption of the Code of Conduct would not interfere with tribal sovereignty. Tribes often enter into contracts that require limited waivers of sovereign immunity. For example, management consultants are often hired under contracts that can be enforced in state and federal courts. Tribes also enter into contracts with financial institutions that waive their sovereignty in order to raise capital for construction projects. Several tribes in California have adopted Codes of Conduct.

# Conclusions

☑ The Commission concludes that the Tribe enjoys tremendous power over its employees, most fundamentally by retaining the right to fire employees at any time and for any or no reason. Through the course of hearings and interviews, the Commission has found that the Tribe allegedly has further enhanced this advantage by engaging in coercion of workers that has interfered with their right to free expression.

☑ Through the course of hearings, interviews, and surveys, the Commission has found that the Tribe allegedly uses a variety of unacceptable tactics to interfere with and influence workers' decisions to organize. These tactics include surveillance, interrogation, threats of firing, threats of loss of benefits, making false and misleading statements about the union, discriminatory treatment of union supporters, and threats of closure. The Tribe utilizes these tactics in allegedly coercive settings where workers are not only required to listen to anti-union messages, but are often prevented from responding to false and/or misleading statements.

☑ Through the course of hearings and interviews, the Commission has found that the Tribe allegedly has discriminated against workers who publicly seek to exercise their right to organize. These workers report that their public support for the union has resulted in heightened surveillance, ostracism, intimidation, greater restrictions on scheduling, and lost income. This evidence is particularly disturbing given that it comes from workers who have openly attempted to exercise their right to organize.

☑ The Commission has determined that correspondence from the Tribe to workers and CLUE is inflammatory and further interferes with workers' rights to organize.

☑ As a result of the aforementioned Tribe activities, the Commission has determined that Agua Caliente employees exhibit an

***Through the course of hearings, interviews, and surveys, the Commission has found that the Tribe allegedly uses a variety of unacceptable tactics to interfere with and influence workers' decisions to organize. These tactics include surveillance, interrogation, threats of firing, threats of loss of benefits, making false and misleading statements about the union, discriminatory treatment of union supporters, and threats of closure. The Tribe utilizes these tactics in allegedly coercive settings where workers are not only required to listen to anti-union messages, but are often prevented from responding to false and/or misleading statements.***

alarmingly high degree of fear when it comes to exercising their right to organize. In hearings, interviews and surveys, workers consistently reported threats of job loss and other reprisals for supporting the union, whether privately or publicly, and in some cases are warned against even contacting the union.

☑ The Commission has found that workers have not been successful in addressing unfair treatment

through internal casino channels as alleged in hearings and interviews. The Commission has also found that the high level of fear resulting from the Tribe's interference with workers' rights to organize makes it unlikely that workers can successfully organize under the Tribal Labor Relations Ordinance. We believe that the TLRO allows the Tribe to continue to intimidate workers through an anti-union campaign and does not provide adequate protections for workers whose rights have been violated, which is of greatest concern.

☑ In reviewing the testimony, the Commission feels that early adoption of the Code of Conduct would have created a healthier environment for workers to choose to organize. The Code would have prevented the Tribe from creating the atmosphere of fear that pervades the workplace. The Commission also feels that the Tribe's adoption of the Code would have shown the genuine respect for workers' rights to organize that should be in the best interests of all parties.

☑ The Commission believes that the public -- and particularly its representatives in the California Legislature -- has the right to be informed and an obligation to be aware of the workers' situation. This is the case especially since the Agua Caliente Tribe called for public and legislative support for the original compacts which enabled the establishment of the casinos. As the State of California is presently considering the renewal and expansion of the compacts, careful scrutiny of casino workers' rights is particularly urgent and appropriate.

## About CLUE and the Commission

by Rabbi Paul J. Citrin

The Coachella Valley Clergy and Laity United for Economic Justice (CLUE) stands for fair treatment of the working poor. As people of conscience and religious commitment, we respond to the demand of the Biblical tradition that workers own their labor, be paid a living wage, and be treated with the dignity their humanity requires. Guided by Scriptural injunction, "Justice, justice shall you pursue," we have examined with intense concern the situation of the workers at the Agua Caliente Casino and the Spa Resort Hotel.

The clergy and lay leaders who formed CLUE are sensitive to and mindful of the history and right to sovereignty of Native American tribes in the Coachella Valley. We applaud the success of the Agua Caliente in seeking economic security for their people through operating the casinos and the hotel. At the same time, CLUE's hope that the leaders of the Agua Caliente Tribe would grant dignity to its employees and provide fair wages and adequate universal health care insurance has been disappointed.

The most egregious conduct of the Tribe's casino management has been its allegedly consistent use of intimidation to dissuade employees from organizing. The right to organize without having one's job security threatened by the employer is a basic right. CLUE, in support of the workers' right to organize, has repeatedly requested that the Agua Caliente Tribe sign a Code of Conduct committing its managers to take a neutral, non-intimidating position. The Tribe has curtly rebuffed and refused CLUE's call for neutrality.

The leadership of the Agua Caliente Tribe has claimed that workers have a means to redress complaints, and to organize under the Tribal Labor Relations Ordinance. This claim appeared to CLUE to be merely a smoke-screen to obscure

tactics of delay, intimidation and deflection by management. In order to understand clearly the situation of the casino workers, CLUE directed the establishment of the Coachella Valley Commission on Workplace Fairness. This is its mission statement:

*The Coachella Valley Commission on Workplace Fairness is a forum where workers can bring their complaints against employers for violating their human and legal rights to organize their workplaces. The Commission is comprised of a panel of distinguished individuals empanelled by Coachella Valley CLUE to bring to light situations that threaten workers' rights to organize.*

*The Commission will address issues in a variety of ways including: investigating worker complaints, meeting with workers and their employers, holding public hearings or press conferences, and participating in community events to raise awareness about workers' rights to organize. Issues that the Commission might address include:*

- *Employers' adherence to the Code of Conduct as endorsed by CLUE*
- *Patterns of arbitrary and unfair treatment by supervisors*
- *Firing of workers for union activity or for speaking up about abuses at work*
- *Support for workers for exercising their right to organize*
- *Verifying majority support for the union*

The Report of the Coachella Valley Commission on Workplace Fairness presents testimony of more than twenty employees of the Agua Caliente casinos. Their testimony has confirmed CLUE's perception of intimidation and discrimination in the casinos both with regard to the right to organize, and to the fair application of workplace rules and procedures.

CLUE fervently desired to work quietly and privately with the Agua Caliente leadership to provide employees with full rights and benefits. In light of the Tribe's refusal to cooperate, the Commission on Workplace Fairness and CLUE believe the public, as well as the California Legislature, has the right to be informed and an obligation to be aware of the workers' situation. This is the case especially since the Agua Caliente Tribe called for public and legislative support for the original compacts which enabled the establishment of the casinos. As the State of California is presently considering the renewal and expansion of the compacts, careful scrutiny of casino workers' rights is particularly urgent and appropriate.

The commitment of CLUE to justice includes empathy with native tribes for the injustices they have endured. We, therefore, continue to support tribal sovereignty, and commend their consequential efforts to raise their people from poverty to abundance, from degradation to dignity. We call upon the Agua Caliente Tribe and its leaders to remember their past suffering. We urge them to search their history and their hearts to find compassion for their employees. Such compassion can only lead the Tribe to understand that the workers' right to organize without intimidation is the path to dignity and equality. We ask them to be open-handed and open-hearted with the blessings of their wealth, so that their workers may live, rise above grinding poverty, and protect their families' health.

We, the Coachella Valley Commission on Workplace Fairness of CLUE, submit this report in the prayerful hope that the Agua Caliente Tribe and the people of California will heed the call to pursue justice.

## Code of Conduct

- Each tribe will remain neutral on the question of the unionization of its employees. The tribe will not engage in any activity, written or verbal, designed to interfere with or influence employees' free choice to join a union. Examples of employer interference include: requiring employees to attend anti-union meetings at work, making false or misleading statements designed to confuse or mislead employees regarding the union, surveillance of employees, or interrogating employees regarding union activity.
- Each tribe will allow its employees to express their opinions freely and openly without taking any action to discipline, harass, humiliate or fire any employee for his or her pro-union views or activities.
- Each tribe will honor the results of a Card Count Election in which a majority of employees has signed official union membership cards and the results are verified by a neutral party. Upon such verification, the tribe will immediately grant recognition to the union and begin negotiations for a union contract.
- Each tribe will grant neutral parties access to public and employee break areas in its casino(s) to verify that there have been no violations of this Code of Conduct.

## The Tribal Labor Relations Ordinance (TLRO)

The TLRO was approved by the California Legislature and signed by the Governor in 1999. The Ordinance applies to any tribe with 250 or more persons employed in a tribal casino. The TLRO allows eligible employees to organize. The TLRO is analyzed in the complete report. Briefly, the TLRO:

- defines unfair labor practices on the part of the tribe and the union
- allows both parties expression of any view
- grants the union access to employees in non-work areas during non-work time
- provides for secret ballot elections for union certification
- specifies a binding dispute resolution mechanism

## Coachella Valley Commission on Workplace Fairness

*A forum for workers speaking out against employer  
violations of their human and legal rights to organize*

559 South Palm Canyon Drive, Suite B101  
Palm Springs, CA 92262

# Protection of the Right to Organize under the Tribal Labor Relations Ordinance

John Logan, London School of Economics and Institute for Labor and Employment, UCLA

In the following pages, I will summarize the main shortcomings in the Tribal Labor Relations Ordinance (TLRO) concerning its failure to protect tribal casino workers' right to organize at Indian casinos in California. In general, I believe that the protections for workers' right to organize under the TLRO are very weak and thus workers who desire union representation are unlikely to get it as the TLRO currently stands. I will discuss the findings of recent academic scholarship on union recognition as they pertain to the provisions of the TLRO and compare its provisions to similar provisions in the National Labor Relations Act (NLRA), the principal United States federal law governing private sector labor-management relations.

## **Secret ballot elections vs. card check recognition:**

Section 10 of the TLRO lays out the process for certification for a union to represent casino employees. That process is a secret ballot election. Under the NLRA, employers and unions can use card check recognition, providing a majority of bargaining unit employees has signed authorization cards. While the TLRO does not require card checks, it should. In the past few years, unions throughout the country have turned to card check recognition as a means of circumventing employers' lengthy, aggressive, and frequently illegal anti-union campaigns. A growing body of academic literature argues that card check recognition is "more democratic" than elections because it is more likely to deliver union representation to those employees who want it (Eaton and Kriesky 2001). Card check recognition also avoids lengthy and bitter representation struggles that routinely poison employer-employee relations, regardless of the outcome of the representation process. Card check has become the predominant method of union recognition in the casino industry and both unions and employers appear to believe that the system functions relatively well (Waddoups 2002). Several prominent gaming companies — including MGM Mirage, Circus Circus, and Hilton/Park Place — have accepted card check recognition at most of their properties. Moreover, all available evidence suggests that the overwhelming majority of employees who

gain union representation through card check support the process (Hartley 2001).

Employers who oppose unionization frequently couch their objections to card certification in terms of the alleged danger that employees may be misled or coerced into signing union authorization cards. They contend that overzealous union organizers can trick or harass unwitting employees into signing cards, even when they are ambivalent about or opposed to unionization. Numerous academic studies have demonstrated that this issue is largely a red herring. Employees are extremely unlikely to sign authorization cards believing that they are "entering a raffle" or simply to get union organizers "off their backs." Employees are much more likely to be the victims of unlawful coercion during election campaigns than they are during card check certifications. Moreover, card check agreements frequently contain provisions stating that a neutral body will resolve allegations of employer or union misconduct during the certification campaign. Thus, rather than increase the opportunities for coercion, card check recognition significantly reduces the likelihood of unlawful coercion. Even during card campaigns, employees are significantly more likely to be harassed by managers or supervisors who oppose unionization than be harassed by union officials or employees who support unionization.

**The Importance of Neutrality Agreements and the use of anti-union consultants:** The TLRO does not require Employer neutrality during an organizing campaign. Agreements that require employers to remain neutral are essential to a fair and free certification process. In the absence of neutrality, employers routinely subject employees to intensive and coercive anti-union campaigns - often with the assistance of outside expertise. The TLRO does not limit or prohibit the use of anti-union consultants by the Employer. Anti-union consultants and law firms are now hired by approximately 80 percent of employers facing union organizing campaigns. I have studied dozens of consultant anti-union campaigns in California over the past year. Consultants orchestrate every aspect of the anti-

union campaign, including training of supervisors on how to persuade employees to vote against unionization, conducting captive audience meetings during working hours, and producing and distributing anti-union literature, videos and web sites. Unlike unions, employers (and their consultants) enjoy unlimited access to employees at the workplace and can require employees to attend anti-union meetings at the workplace during working time. The union, of course, enjoys no such access to employees. Professional anti-union campaigns typically involve several consultants, last for many months and cost hundreds of thousands of dollars. In recent years, consultant campaigns have become significantly more sophisticated and intensive. Recent technological innovations have had a particularly dramatic impact on anti-union activities. The Internet and digital video have enabled consultants to develop and implement sophisticated anti-union campaigns in a way that is dramatically different from how consultants have operated in previous decades.

The sole purpose of anti-union propaganda is to intimidate employees against exercising their legal right to organize. It has nothing to do with enabling employees to hear the “other side of the story.” Under the guise of exercising employers’ “free speech rights” (which the TLRO explicitly protects in section 7), consultants subject employees to endless captive group and one-on-one meetings, and screenings of anti-union videos. They also distribute anti-union literature to the employees at work and at home. This literature, which provides employers with a formidable anti-union weapon, repeats the same few themes: the precariousness of collective bargaining (i.e., that wages and benefits may fall as a result of the bargaining process); the deleterious impact of unionization on job security and workplace relations; the general futility of unionization (i.e., employers are not required to sign a contract and employer opposition would continue in the event of a union victory); the likelihood of strikes and the related danger of permanent replacement; and allegations of union corruption and mismanagement (several examples of which are contained in the April 24, 2003 letter of the Chairman of the Agua Caliente to religious leaders).

Anti-union consultants have orchestrated numerous counter-organizing campaigns in the casino industry. Many of these campaigns have

been tarnished by allegations of unfair management practices, including the recent anti-union campaign by Malibu-based Burke Group at the Monte Carlo casino in Las Vegas. At the end of an intensive anti-union campaign, an anonymous letter was circulated among the dealers claiming that they would be laid off en masse in the event of a union victory. Fearing for their jobs, Monte Carlo dealers voted to reject union representation after 86 percent had earlier signed authorization cards. The union and employees also accused casino management of committing several other unfair practices, including intimidating union supporters, preventing the distribution of union literature in non-work areas and holding captive audience meetings during the final 24-hour election period. Even when they avoid clearly illegal tactics, however, consultants are adept at operating in the “gray areas” of the law and exploiting its weaknesses to undermine support for unionization.

Given the vagueness of the TLRO and its weak protection of the right to organize, an anti-union consultant could frustrate an organizing campaign, even if an overwhelming majority of employees supported union representation. However, the deficiencies in the TLRO are so serious that aggressively anti-union employers could undermine organizing campaigns, even without the assistance of outside expertise.

**Weak Penalties for Employer Violations of the TLRO:** In Section 5 (Unfair Labor Practices), the TLRO states that employers cannot “interfere with, restrain or coerce” employees in the exercise of their right to organize under the TLRO. However, the TLRO does not include specific penalties for discriminatory dismissals (i.e. firing workers for union activism). In fact, it does not explicitly state that firing employees for union activity is an unfair labor practice. The problems of discriminatory dismissals and the failure of the law to provide adequate remedy for this practice are without question among the greatest obstacles in the path of workers attempting to exercise their right to organize under the NLRA (Compa 2000). The threat of firings would almost certainly be an even greater obstacle under the TLRO. Given the absence of any effective remedies in the TLRO, it is likely that discriminatory dismissals would pose a serious threat to employees’ right to organize.

**Inadequate Dispute Resolution Mechanism:** One major problem with the TLRO is its weak dispute resolution mechanism, which provides numerous opportunities for delay. Section 13 of the TLRO sets out the dispute resolution mechanism for deciding whether a Tribe has violated employees' and unions' rights under the TLRO. This dispute resolution mechanism has four steps:

1. The first step requires the union or employees to submit the dispute to a tribal forum, such as a tribal council, that is selected by the Tribe. The tribal forum has up to 30 days to make a decision.

2. The second step allows the union or employees to present the dispute to one of the members of a tribal labor panel, made up of neutral arbitrators. Unless there is mutual agreement on an arbitrator, a sometimes-lengthy selection process must take place, and even after that, there will be a wait until the selected arbitrator has a date available for a hearing.

3. The third step requires a union or employees to sue in tribal court, if there is one, to compel the Tribe to arbitrate a dispute or to enforce an arbitration award when the Tribe refuses to comply with it.

4. Only after exhausting all of these steps may a union or employees sue in federal court to compel arbitration or to enforce an award.

This dispute resolution mechanism is unlikely to provide effective relief to employees and unions whose rights are violated by a Tribe. A union or employees must follow all steps before going to court even if, for example, a Tribe refuses to arbitrate the dispute, fails to comply with the time limit required for the first step, or if there is a threat of imminent harm warranting an injunction. In such cases, the union or employees cannot go directly to court because an Indian Tribe is immune from suit in federal court unless the Tribe waives its immunity from suit. Under the TLRO, the Tribe waived its immunity from suit only after exhaustion of the prior steps, which are obviously very time-consuming. Multiple trips through the process, for instance to compel arbitration when a Tribe refuses and then to enforce the resulting arbitration award, could easily take years.

In the case of a collective bargaining impasse, the TLRO is even weaker. The union can submit this type of dispute to the first step only. The union cannot appeal the tribal forum's

decision to a neutral arbitrator or court. In other words if, after employees select a union to represent them, the Tribe refuses to agree to a fair contract, the union must ask the tribal forum, chosen by the Tribe, to resolve the issue. This is not a fair method of resolving disputes because the Tribe is the decision-maker even though the Tribe, as the employer, is also a party to the dispute. Striking is employees' only option if they don't accept the tribal forum's decision on what the contract should be. Even then, a strike cannot happen until the tribal forum gives its decision, which can be up to 60 days, and picketing or other strike-related activity cannot occur on Indian lands. The regular arbitration process, including the services of a neutral arbitrator, can be used if the union alleges bad-faith bargaining, but the TLRO does not expressly provide the arbitrator the right to remedy such an unfair labor practice by imposing any terms of a collective bargaining agreement, and thus may be limited to telling the Tribe that it must bargain in good faith, a particularly hollow remedy in light of the Tribe's control over the resolution of what the terms of the agreement will be, absent a strike.

**Problem of Delay:** The TLRO provides numerous opportunities for employers to undermine employees' right to organize through delaying tactics. A large volume of academic work has examined the impact of delay on the outcome of union elections. All of this literature reaches the same conclusion: the longer the organizing campaign continues, the less likely are employees who want union representation to get it (Compa 2000). Delaying tactics often deal a fatal blow to organizing campaigns, even if the overwhelming majority of employees desire union representation. Opportunities for delay include prolonging the hearings process prior to the election and the appeals process after the election. Delays of several years are not uncommon in union representation campaigns. One on-going campaign by the Newspapers Guild at the Chinese Daily News in Monterey Park, California provides a stark illustration the ability of employers to undermine the right to organize through delaying tactics. In October 2000, over 95 percent of the newspapers' employees signed cards requesting union representation. In March 2001, after an intensive six-month anti-union campaign costing hundreds of thousands of dollars, a significant majority of employees voted for union

representation. Two years later, the newspaper management is still contesting the result of the election and the employees are no closer to gaining union representation. As a result of employer opposition that continues after a union election victory, between one quarter and one third of unions fail to secure first contracts. The opportunities for delay under the TLRO are considerable and hostile employers would likely exploit these opportunities to undermine support for unionization. Indeed, the provision requiring the licensing of union organizers in order to gain access to tribal casinos to communicate with employees could enable hostile employers to use delaying tactics to undermine an organizing drive before it has even started (see box on Baronas case).

**Lack of Alternative Legal Protections:** There is one additional reason why it is essential that the TLRO provide strong and effective protection for tribal employees' right to organize. Most private-sector employees are protected not only by laws upholding their right to organize, but also by a whole range of other federal and state employment laws. However, as a consequence of tribal sovereignty, tribal employees do not enjoy the protections of most state and some federal employment laws. Even those few federal laws that do apply to tribal employees are in practice difficult to enforce through the courts. Because of sovereignty, Tribal casino employees do not have access to the nation's legal system to sue their employer for wrongful termination, race discrimination, sex discrimination, age discrimination, or workers compensation. As a result of their lack of alternative legal protections, employees at tribal casinos are even more vulnerable to employer coercion than are other employees. Thus, as tribal employers are fundamentally different from other private-sector employers, it is critical that the TLRO provide tribal employees with robust collective labor rights, in part to compensate for their lack of individual employment rights in other areas.

**Other weaknesses of the TLRO compared to the NLRA:** In addition, a number of other provisions of the TLRO are weak and compare unfavorably to the provisions of the NLRA:

- Exclusions from the TLRO. The limit of coverage to tribes with 250 or more persons employed in a tribal casino [Section 1(a)], and

exclusions of those responsible for technical repair, maintenance, and dealers [Section 2(a)]. There are no similar exclusions in the NLRA.

- Post-September 1999 casinos of over 250 employees may delay adoption of the TLRO for one year [Section 1(b)]. No similar proviso for delay exists under the NLRA.
- Protection for the Right to Strike: The TLRO does not explicitly assert the right to strike. Instead, it expressly limits the right to strike and picket [Section 6(2) and Section 11]. The right to strike is essential to the full exercise of employees' right to organize and bargain collectively, especially as the TLRO contains no provision for arbitration of contract disputes. The NLRA, in contrast, explicitly protects the right to strike.
- Non-interference with regulatory or security activities (Section 3) and limits on union access to eligible employees (Section 8). The TLRO's statement that the exercise of employee rights shall "in no way interfere with the tribal casino's surveillance/security systems" is vague and hostile employers could exploit this provision to undermine employee attempts to organize. Similarly, employers could use the potentially sweeping limitations on union access to eligible employees [Section 8(a-c)] to undermine organizing campaigns.

**Conclusion:** Due to its vagueness, opportunities for delay, and lack of adequate remedies for violations, the Tribal Labor Relations Ordinance provides employees with weak and limited protections for the right to organize. Most labor scholars believe that employers with sufficient funds and the stomach for the fight can win elections, even when an overwhelming majority of employees desire union representation (Brody 1997). As a result, there are between 35-40 million employees in the US who would like union representation, but who are unlikely to get it under the current system of elections (Freeman and Rogers 1999). The protection of workers' right to organize under the TLRO is even weaker than the inadequate protection of that right provided by the NLRA. Employers with the money and will to fight are even more likely to prevail and employees who desire union representation are even less likely to get it under the TLRO than are workers who fall under the jurisdiction of the NLRA. In short, the TLRO does not adequately protect employees' right to

organize and is extremely vulnerable to exploitation by employers hostile to unionization. I have no doubt that a Code of Conduct would offer significantly greater protection for the right to organize of tribal casino employees.

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