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BOOK REVIEWS

HEADLESS HORSEMEN: A TALE OF CHEMICAL COLTS, SUBPRIME SALES AGENTS, AND THE LAST KENTUCKY DERBY ON STEROIDS

Jim Squires

[New York, New York: Holt, 2009]

249 pages

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Normally horse racing gets only the publicity in the mainstream media that it can afford to purchase. But having unfolded on network television on the one day the whole world was watching, the story of Eight Belles had all the elements necessary for a modern media melodrama: a female victimized by a cruel and villainous industry and ultimately ridden to her death by greedy, callous, and glory-seeking male tormentors.¹

The American thoroughbred racing industry is plagued with numerous regulatory problems; however, it took a 2008 tragedy to bring any of these issues to light. As the 133rd running of the Kentucky Derby concluded, second-place finisher Eight Belles suffered compound fractures in both of her front ankles, requiring her immediate euthanization. News of the animal's death flooded nationally syndicated newspapers and airwaves; the story tugging at the heartstrings of the general public. If any good could be extracted from this catastrophe, it was the dialogue that was generated. Suddenly, everyone had an opinion on the proper care of race horses—particularly involving trainers' use of anabolic steroids.²

Author Jim Squires prolongs the conversation in his new book: *Headless Horsemen*. A successful horse breeder—Squires and his wife bred 2001 Kentucky Derby winner Monarchos—and journalist—he was an editor for the Chicago Tribune throughout the 1980s—Squires is the perfect candidate for ambassador of horse racing reform. Utilizing historical and anecdotal accounts, *Headless Horsemen* highlights all that is wrong with the horse racing industry. Most importantly, its fluid delivery creates an appeal with the ability to transcend the sport's generally niche audience.

1. JIM SQUIRES, *HEADLESS HORSEMEN* 39 (2009).

2. Results from Eight Belles' autopsy revealed no traces of steroids in the horse.

Squires' various gripes with the industry could be placed in one of two categories. The first is an issue that has recently plagued other American sports – performance enhancing drugs (PEDs). In 2004, the University of Pennsylvania Toxicology and Research Laboratory performed drug tests on 988 race horses. The results found traces of at least one steroid in 61.7% of the test subjects and two or more steroids in 18% of the test subjects.³ More recently, PEDs have pervaded the sport's biggest stages. In 2008, Kentucky Derby and Preakness winner Big Brown test positive for steroids. It was later found out that 2007 and 2008 American Horse of the Year, Curlin, had also raced on steroids.

Currently, PED regulations are left up to the states. The result is an assortment of questionable approaches. As of 2008, Delaware, for example, instituted a zero-tolerance policy, whereby horses testing positive for steroids would face an automatic two-week suspension and their owners an automatic \$5,000 fine.⁴ Other jurisdictions are not so intolerant however. In California, it is only a violation of steroid regulations if a horse tests positive five days before a race.⁵ In Louisiana, the window of culpability is only twenty-four hours before a race.⁶

Further complicating the problem is the speed at which technology operates. When the California state legislature promulgated rules against anabolic steroids in 2005, horse trainers simply moved to the next advancement in PEDs. It has been estimated that 95% of the race horses in California are trained and raced on clenbuterol, a lung medication with performance enhancing effects.⁷

The few progressives within the industry believe that federal government intervention is the only way to adequately clean up the industry. Arthur Hancock III, a leading thoroughbred horse breeder, has lobbied before the House of Representatives for an amendment to the Interstate Horse Racing Act of 1978, the only federal law regulating horse racing. Hancock would like to see a uniform policy with stiff penalties. One of his ideas is to penalize entire jurisdictions for PED violations. For instance, a jurisdiction that is unable to enforce the uniform regulations will lose the ability to conduct pari-mutuel betting over the internet.⁸

3. SQUIRES, *supra* note 1, at 120.

4. *Id.* at 154.

5. *Id.*

6. *Id.*

7. *Id.* at 29.

8. Pari-mutuel betting is a system in which all bets of a particular type are pooled together and shared amongst the winning bet makers. Pari-mutuel betting is exempt from federal anti-gambling

Unfortunately for the progressive few, with which Squires aligns, “[n]o other industry other than perhaps big oil is more traditionally Republican and more opposed to government regulation than the thoroughbred hierarchy.”⁹ The ties between the horse racing industry and Washington D.C. are strong. In 2008, when Hancock appeared before the House Committee, he stood before Republican Representative Ed Whitfield of Kentucky, one of the three most influential horse racing jurisdictions. Although Whitfield empathized with Hancock’s cause, he viewed the problems as self-correctable.

This leads to Squires’ second contention, which does not plague other American sports – a lack of leadership. Again, before the House Committee, Hancock described the industry as “a rudderless ship.”¹⁰ The industry is made up of a number of organizations, including thirty-eight state commissions. Of these organizations, the four most powerful are (1) the Breeders’ Cup; (2) the National Thoroughbred Racing Association (NTRA); (3) the Thoroughbred Owners and Breeders Association (TOBA); and (4) the New York Racing Association. Following the death of Eight Belles, no one from any of these organizations faced the impending media storm. The few industry insiders who would speak were the progressives, including Hancock and Squires, who took the opportunity to make a case for horse racing reform. In response, the NTRA hired a “first-rate ‘public relations’ official” to field media questions.¹¹

During the 1990s, thoroughbred breeder and Breeders’ Cup founder, John R. Gaines, proposed the formations of the NTRA. His intention was to create a national organization headed by a commissioner, mirroring the structure of the four major sports leagues in the United States. The project was hijacked, however, by an exclusive group of billionaires—known informally as the “Dinnies”—who have ruled the industry for decades. These men are the faceless leaders of the horse racing industry. They are generally stoutly Republican and intransigent to change. Needless to say, the NTRA never existed in its intended form, instead coming into existence as an ineffective marketing and lobbying tool.

In 2002, industry newcomer Gary Biszantz attempted to revive Gaines’ idea. However, when Biszantz pushed for uniform drug regulations, the Dinnies opposed him, effectively killing the proposal. Again, in 2003, newcomer Robert McNair, owner of the Houston Texans football team, attempted to effectuate change. He was chosen by TOBA to oversee a project with the working title of the “Thoroughbred Championship Tour.” The idea

laws.

9. SQUIRES, *supra* note 1, at 46.

10. *Id.*

11. *Id.* at 59.

was to create a playoff-like format that would lead up to the Breeders' Cup. After two years of fundraising and planning, the final proposal was turned over to the executive committee of the Breeders' Cup, which is led by two of the most powerful Dinnies. The proposal was rejected immediately.

Meanwhile, as the Dinnies use their power and influence to maintain the status quo, the industry is falling apart right under their noses. For instance, the individuals that make up the Dinnies have become obsessed with purchasing the perfect race horse – young, muscular, and with fast 1/8 mile times. This demand has led to the supply of overvalued horses, raised on steroids and other drugs. This phenomenon has perpetuated the use of PEDs, while financially punishing those who do not. Further, while aesthetically promising, these horses rarely find success on the race track. This demonstrates that, while one group may be in charge of horse racing, no one is really controlling it.

Headless Horsemen would be a great book for any sports fan or avid reader. Squires' writing style is fluid and personal, making for an exceptionally light and enjoyable reading experience. If Squires' goal was to create an entertaining read for the masses, then he most definitely succeeded; however, if his goal was to instill concern and effectuate change, it likely comes up short. For any industry insider or hardcore horse racing fan, this book reveals few unknowns. Where it succeeds is in educating the majority of readers who pay attention to horse racing once or twice a year, if at all. With that in mind, horse racing is a very nice sport, and the issues outlined in this book do not hit close enough to home for the intended audience. While the death of Eight Belles generated a sincere public outcry, it soon became yesterday's news. It's only reasonable to believe that *Headless Horsemen* will too.

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