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## **Group says W.Va. officials have delayed greyhound report**

by Billy Wolfe, Daily Mail staff

CHARLESTON, W.Va. -- Nearly two years after an anti-greyhound racing group first sought records relating to dog injuries at the racetrack in Nitro, the group says that the state Racing Commission has yet to honor its request.

Grey2K USA, a Massachusetts-based nonprofit dedicated to outlawing greyhound racing nationwide, first requested copies of injury reports and other documents at Mardi Gras Casino and Resort, formerly known as Tri-State Racetrack and Gaming Center, in early 2009.

Since that time, the group's representatives say they have filed seven additional records requests with the racing commission - the agency that regulates dog racing in West Virginia - to no avail.

But the group, which has helped spearhead investigations into racetracks across the nation, has consistently received copies of injury reports from the racetrack in Wheeling, as well as other documents relating to the track at Mardi Gras.

"There appears to be an orchestrated effort between the track and the racing commission to prevent public disclosure of greyhound injury reports at one track in the state," said Carey Theil, Grey2K executive director.

"The fact that they are disclosing the injury data for one track, but not the other, is mystifying."

Jon Amores is the new executive secretary of the racing commission. He called Theil's allegation that the racing commission has tried to keep records secret "total fiction."

"There was simply a delay at the least and a miscommunication at the worst," Amores said. "And we are working to correct it.

"Any conclusion other than that would be incorrect."

Amores said that the delay is partly due to significant staff turnover in the racing commission's Charleston offices.

Over the past year, five of the six office staffers have been replaced. Amores, a former House Judiciary chairman and most recently deputy commerce secretary, has only been on the job as the executive secretary for little more than a month, he said.

"People are measuring their experience here in terms of months, not years," he said. "It is literally almost a completely new staff."

The racing commission is actively working on fulfilling the group's records request. Last week, the Daily Mail filed its own request for injury reports for the past five years.

Amores confirmed receipt of the Daily Mail's request and said the records are being compiled.

Grey2K representatives said they first asked for the records in March 2009.

In the first request, dated March 4, 2009, Christine Dorchak, the group's attorney, asked for "any and all disposition records produced by the greyhound racetrack of West Virginia from January 1, 2008 to present," as well as all injury reports for the same time period.

Theil admitted there was a crucial typo in the first few letters.

Dorchak mistakenly wrote "track," instead of "tracks," leaving some confusion as to which track's records the group was seeking. There are two in West Virginia that race greyhounds.

But the error was clarified in a new letter dated April 23, 2009. That letter - the group's fourth request - clarified that Grey2K was interested in records "produced by the greyhound tracks of West Virginia from January 1, 2008 to present."

Nearly five months passed from the date of that letter with the group's request remaining unfulfilled.

During that time, state officials were in ongoing talks with the group regarding the request, said Kimberly Osborne, spokeswoman for the racing commission.

In September, the request was partially fulfilled; the group received computer-generated spreadsheets showing some details about dog injuries, but not copies of the actual reports.

In early September, Dorchak informed the racing commission in yet another letter that she had a telephone conversation with Dan Adkins, president of Hartman Tyner, owner of the track. She said that Adkins told her in that conversation that records are kept by tracks in West Virginia.

Her letter to the racing commission was returned by Adkins himself, which Theil said he questioned.

In that letter, dated Sept. 6, Adkins said the track does not keep such records.

"I am responding to the request from you to the West Virginia Racing Commission referenced above as my name was mentioned in such request," Adkins wrote. "There are no injury records maintained by our facility that are submitted to the state."

Adkins went on to say in that letter that track officials monitor dog injuries "on a daily basis," and that the track crew closely examines the racing surface to determine whether the track itself is the cause of the injuries.

"There is no permanent record of this activity maintained or submitted to the state. I hope this answers your questions," he wrote.

Amores said that Adkins' comments were technically correct. While the track itself does not compile such reports, the state-appointed veterinarian at the track does, he said.

When reached for comment, Adkins reiterated that the track and the racing commission are not trying to keep any documents hidden from the public.

He questioned the motives of Grey2K and said that the group is "exploiting" the racing industry for its own gain.

"We take nothing more seriously than the health and welfare of those animals when they are on our property," he said. "I think that I have the best track man in the country."

In response to a series of other requests under the Freedom of Information Act, the group recently received what Theil described as "the largest deposit of public records from West Virginia we have ever received."

Included in those reports are accounts of weight violations, disciplinary actions against staff at both tracks and other documents.

The injury and disposition reports from Mardi Gras were not included.

Theil said he is encouraged by the disclosure of the other documents, but that a problem persists.

"Things do seem to be improving and to have this recent disclosure of documents is encouraging," he said. "But the problem is not completely solved."

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