

House Energy and Commerce Committee
Subcommittee on Oversight and Investigations Hearing:
“Thoroughbred Horse Racing Jockeys and Workers: Examining On-Track Injury Insurance and Other Health and Welfare Issues”
October 18, 2005

Testimony Submitted by Ms. Tomey Jean Swan

Hello,

My name is Tomey Jean Swan. I was fortunate enough to have grown up in a family that revolved around horse racing. My father was one of the leading Quarter Horse trainers in the nation and taught me a love and respect for this incredible specimen of speed, the racehorse. He used me as his jockey from an early age, but of course, only on backcountry roads or bush tracks against friends and neighbors, as it was against the law for a woman to be a professional jockey. I would get his horses ready to go to the real races, the pari-mutuels and then a male counterpart would take over the reins. It wasn't until my senior year in high school in 1969 that this archaic law was changed and I began my official career in California. I was the first woman to win at every QH meet in the state and did lots of promotional horse racing spots with the then-governor, Ronald Reagan. Since that time, I have been the leading female QH jockey in the nation for most of those 35 years. I joined the Jockeys' Guild around 1975 and have been an active member ever since. I was a Guild representative at the various tracks at which I rode and was the first female delegate for the Guild. I then was voted the Vice Chairman, beating out Kent Desormeaux, becoming the first female on the board. In 2001, I was voted the Chairman of the Board of the Jockeys' Guild and became the first female and more importantly to me, the first Quarter Horse jockey to hold this highest of honors. In 2004, I was named Co-Vice Chairman of the Board with John Velasquez and currently hold that position.

Upon receiving your invitation, I was very disappointed, if not surprised, to see this hearing titled, "Thoroughbred Horse Racing Jockeys.....". Just as a point of fact in 2004,

- a. there were 8799 Quarter Horse races run in 25 states
- b. QH purse money was almost \$94 million
- c. pari-mutuel handle for QH races was over \$324 million
- d. 950 jockeys rode Quarter Horses, there were 5530 QH breeders and 7395 owners of QH

As you can see, Quarter Horse racing is a vital part of the overall racing industry.

Allow me to take this opportunity to explain to you the unbelievable risks involved in this sport. Time magazine did an article on athletes years ago, that listed being a jockey as the #1 most dangerous athletic profession. Speaking personally, I have had 14 knee surgeries and now a total knee replacement, a punctured and collapsed lung, broken ribs, toes, wrist, femur, knee and shoulder, hospitalized for eye injuries from rocks busting through my goggles and uncountable concussions and I have been one of the lucky ones, because I am not paralyzed or dead. The old adage around the jock's room is, "it's not if you are going to hurt, it is how badly are you going to be hurt". With today's rising hospital costs, it is unconscionable that the racetracks only offer \$100,000 accident insurance for their jockey participants. And keep in mind that during all the injuries we suffer, we are out of work while we are healing. Only a few states offer us any kind of workman's comp.

You would assume, that over the years, things would get better for the jockeys; but that is not the case. The only light we have seen, has been since Dr. G and The Matrix team have taken over the reins of our organization. Before the "G" era, we had dwindled down to a paltry 500 or 600 jockeys and practically no respect from the racetracks at which we participated. We lost our health insurance for ourselves and our families and saw our staff members receiving good pensions and the jockeys receiving nothing. As soon as we made the change to the "G Team" we immediately regained our health insurance and steadily have regained our members and have reached an all time

high. We now have at our disposal, a wonderful and talented staff of experts. I have used them myself to help intercede at tracks that were being discriminatory against us. Pro bono attorneys hopped on a plane and were there the next day to set things right. We are finally realizing that even though we are locked in a jock's room, we still have the constitutional rights of any other American citizen. Respecting jockey's constitutional rights, has never been the intention of ANY racetrack in this country. And the sooner this committee realizes that, the sooner you will realize the plight of the American jockey. Dr. G has given us a long term negotiating plan that will enable us to be a respected and protected American athlete. All jockeys are working toward this goal and that is why I believe Churchill Downs is so afraid of Dr. G and what he can accomplish for jockeys nationwide. They want to retain the foot on our throats that they have had since the beginning of racing. Would you expect any pro athlete, such as Peyton Manning or Brett Favre to set food on the field and be told that their insurance would have to come from their player's union dues or out of their own pockets? I can assure you, there would be no Super Bowl.

Our problem does not lie with our organization, our problem lies with the racetracks, and we need your help to make them step up to the plate and protect their athletes.

Thank you for your time and consideration,

Tomey Jean Swan