

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

December 10, 2024

Via e-mail and USPS

Jennifer Schorn
District Attorney
Office of the District Attorney
Bucks County Justice Center
100 N. Main St. Doylestown,
PA 18901
[REDACTED]

Nikki Thompson
Chief Humane Society Police Officer
Bucks County SPCA
[REDACTED]

Washington
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Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
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Norfolk
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Norfolk, VA 23510
757-622-PETA

Dear Ms. Schorn and Chief Thompson:

I hope this finds you well. I am writing on behalf of People for the Ethical Treatment of Animals (PETA) and its more than 9 million members and supporters worldwide, more than 243,000 of whom are in Pennsylvania, to respectfully request that you investigate a recent act of apparent cruelty to animals by jockey Paco Lopez at Parx, a racino in Bensalem, and pursue all appropriate charges.

On December 3, 2024, jockey Paco Lopez rode a two-year-old Thoroughbred named National Law in the day's fifth race. This was only the third race for the young, inexperienced colt, and he drifted toward the outside of the track yet still won the race. A full 20 seconds after crossing the finish line, Lopez viciously struck the horse across the upper neck, and, according to some descriptions, the face, with his whip. Please see video of the incident¹ and of the entire race.² Paco's whipping of National Law is not merely industry practice—though that designation would not exempt the conduct from criminal prosecution. On the contrary, disapproval within the industry was swift. Lopez was

¹ <https://www.petapreview.com/parx-racing-race-5-paco-lopez-post-race-hit/>.

² <https://www.petapreview.com/parx-racing-race-5-paco-lopez-hitting-incident-full-race/>.

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

ENTITIES:

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

widely criticized by members of the industry³ and in publications such as The Paulick Report,⁴ which stated:

After the race[,] Lopez had the colt nearly pulled up near an outrider when the jockey took his riding crop in his right hand and brutally hit the 2-year-old across the upper neck.

The Horseracing Integrity and Safety Authority (HISA), which oversees safety rules for U.S. Thoroughbred horseracing, suspended Lopez from all racing in its jurisdiction.⁵

While such motivation would not justify an act of cruelty, Lopez did not whip National Law to win the race. The video plainly shows he struck the horse long after coming in first and well after the horse had stopped drifting towards the rail during the race. Rather, the only conclusion is that Lopez's actions in striking National Law were punitive and vindictive.

This is supported by Lopez's record of "reckless riding" going back to 2010, including five lengthy suspensions just since 2019.⁶ Lopez has repeatedly endangered horses and other jockeys, yet has returned to racing time after time without changing his practices.

Lopez's whipping of National Law is the very type of conduct that Pennsylvania's cruelty to animals statute prohibits. As you know, "[a] person commits an offense [of cruelty to animal] if the person intentionally, knowingly or recklessly illtreats, overloads, beats, abandons or abuses an animal."⁷ To "illtreat" an animal is "to treat [the animal] cruelly or improperly."⁸ Even individuals within the industry—both connected to National Law and not connected to the horse—have strongly condemned Lopez's conduct for just this reason.

While PETA agrees with HISA that Lopez's conduct merited disciplinary action, we implore you not to let the penalty that body imposed take the place of meaningful prosecution under Pennsylvania's cruelty to animals law, which exists for the protection of animals within the Commonwealth and to penalize offenses against them.

³ See, e.g., Bill Finley, *HISA Provisionally Suspends Paco Lopez After Incident at Parx*, Thoroughbred Daily News, Dec. 4, 2024, <https://www.thoroughbreddailynews.com/hisa-provisionally-suspends-paco-lopez-after-incident-at-parx/> (quoting, among other criticism from within the industry, management at National Law's stable as stating "Lopez struck a horse of ours across the neck/mouth, after the race had finished. We do not agree with the action he took . . . It is truly one of the most unwarranted actions I have seen lately.").

⁴ *HISA: Paco Lopez Suspended, Effective Immediately, Over Crop Incident*, Paulick Report, Dec. 4, 2024, <https://paulickreport.com/news/the-biz/hisa-paco-lopez-suspended-effective-immediately-over-crop-incident>.

⁵ Finley, *supra* note 3.

⁶ *I Have Decided To Take Time Away From Racing': Paco Lopez Issues Public Apology*, Paulick Report, Dec. 6, 2024, <https://paulickreport.com/news/people/i-have-decided-to-take-time-away-from-racing-paco-lopez-issues-public-apology>.

⁷ 18 Pa.C.S. § 5533(a).

⁸ "Ill-treat," <https://www.merriam-webster.com/dictionary/ill-treat> (last visited Dec. 9, 2024).

Thank you in advance for your prompt attention to this matter. Please do not hesitate to contact me with any questions at [REDACTED] or [REDACTED]. I look forward to hearing from you.

Sincerely,

A handwritten signature in cursive script that reads "Elisabeth Custalow". The signature is written in black ink and is positioned above the typed name and title.

Elisabeth Custalow
Deputy General Counsel