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# At Yonkers, Anger and Shrugs Over Trainer's Suspension

By HUNTER ATKINS

YONKERS — Vin removed his glasses from the collar of his sleeveless shirt and placed them on to see his horse lose the seventh race at Yonkers Raceway on Tuesday night. “Just trying to lose some money,” said Vin, who offered no last name. “Which is easy to do here.”

Bert Man from the Bronx — not, perhaps, his given name — was out to lose some money, too. To that end, he focused on the drivers and trainers, not the horses or their numbers or how they looked trotting around the nearly 113-year-old track. “I don’t have to look too deep with these animals,” Bert Man said. “I bet the humans.”

New York State last week took aim at an all-too-human element of harness racing: the urge to cheat. The state accused the trainer Luis Pena of illegally drugging horses in 675 harness races over a 28-month period. He was suspended, pending a hearing expected in June, and is facing fines that could bankrupt him.

Asked about Pena, those at Yonkers on Tuesday offered shrugs, cynicism, passionate assertions of Pena’s innocence and anger at state officials. Racing insiders said the New York State Racing and Wagering Board is aggressively making an example out of the sport’s best trainer, relying on an arbitrary rule not used in other states about when, exactly, he gave some medications to his horses.

Mostly, though, there was an air of familiarity and fatalism at the track. While harness racing is not as glamorous or popular as thoroughbred racing, it comes with comparable purses and the similar stain of doping and fixing scandals. Pena’s guilt or innocence, then, was mused about with a mix of defensiveness and dispassion among the bettors in the grandstand.

“It’s kind of like Al Capone,” said Matt Rose, who works, as well as bets, at the raceway, and who edits a racing publication. “When they couldn’t catch him on murder, they got him on tax evasion.”

He continued about Pena: “They got him on some ticky-tack thing. I think if he has a good lawyer, he’ll be fine.”

Pena grew up watching his father groom for trainers on the California circuit, and he eventually established his own reputation as a precocious but controversial trainer in that state. He came east several

years ago, shortly after the Empire City Casino opened at Yonkers, rejuvenating the track and fattening race purses.

For Pena, both success and controversy continued.

Yonkers barred Pena from the track last August. Asked why, Yonkers officials this week declined to say. But Pena was readmitted for the 2012 racing season. And until he was charged with the drug violations — more than 1,700 in all — Pena had consistently posted winning percentages of around 30 percent. This year he has 20 more first-place finishes than any other trainer.

Brian McNamara, a veterinarian at Yonkers who treats many of the racehorses, insisted Pena had been singled out for prosecution. He suggested that state racing officials — embarrassed by a spike in breakdowns at Aqueduct Racetrack this spring and the growing chorus of calls for reforming the use of drugs in the sport — were now looking to seem vigilant.

“He’s a newcomer to the scene, he comes from California, he does very well and a lot of people are very jealous,” McNamara said of Pena.

George Brennan, the leading driver at Yonkers, who had been the driver on almost all of Pena’s horses this year, agreed.

“I just know his horses look really good, and they race for a long time,” Brennan said. “They’re throwing this guy to the wolves when the primary objective in this game is to win races. Obviously, someone is out to get him.”

On Tuesday night, without Pena, Brennan won 5 of the 11 races on the card, driving for nine different trainers.

“I love Brennan, but he should have said something,” a horseplayer named Tony said of Brennan and his relationship with Pena. “If there’s cheating, how can I get back my money that I lost? Who can I sue?”

Tony tossed the remains of a Cheyenne cigarette and lit another before conceding that his frustrations are pointless.

“It’s been going on a long time in the game,” he said. “It still bothers me, but we play anyway.”

Even the insiders, who might know better, continue to play. And lose.

Although Matt Rose had Tuesday night off from working as a chart caller at Yonkers, clear skies and a pristine track drew him in for an evening of harness racing.

By the eighth race, a storm had hit, and his losses were mounting. He paced the grandstand, squeezed a program, peered beneath the brim of his baseball cap across the sodden track and prayed for Activator or Artic Stretch to finish first. Neither horse did.

The investigation will play out. Races will go on. It seems unlikely that anything will affect the mood at Yonkers.

“I don’t come here,” Rose said, offering a widely held view at the track, “with the expectation to win.”