

October 13, 2022

The Honorable Marilyn Mosby  
State's Attorney for Baltimore City

Via e-mail: [mmosby@stattorney.org](mailto:mmosby@stattorney.org); [mail@stattorney.org](mailto:mail@stattorney.org)

Dear Ms. Mosby:

Thank you in advance for your time. I'm writing on behalf of People for the Ethical Treatment of Animals U.S.—PETA entities have more than 9 million members and supporters globally, more than 94,000 of whom live in Maryland and over 11,000 of whom live in Baltimore. **Based on the information presented below regarding apparent serious violations of Maryland Code, Crim. Law § 10-604(a)(3)-(4)—which are not exempt under § 10-603—resulting from the mistreatment of animals who were used in invasive laboratory experiments at Johns Hopkins University (JHU), we respectfully urge the Office of the State's Attorney for Baltimore City to prosecute all appropriate charges.**

According to records PETA obtained through the Freedom of Information Act, animals used in experiments led by Zhaoli Sun<sup>1</sup> weren't treated in accordance with the approved protocol of the university's Animal Care and Use Committee (ACUC).<sup>2</sup>

The rats used in this protocol were administered alcohol to induce liver toxicity for up to eight weeks, as opposed to the approved five-week timeline. Additionally, rats had been kept for up to two months beyond the ACUC-approved endpoints, when they were to be euthanized after enduring a surgical transplant procedure, possibly prolonging their suffering. Furthermore, some animals were found to be in poor health, exhibiting weight loss and incisional herniation, which likely caused them immense pain and suffering.<sup>3</sup>

In a letter from JHU to NIH's Office of Laboratory Animal Welfare (OLAW), dated June 29, JHU Vice Provost for Research Denis Wirtz admits to a "failure by the principal investigator to adhere to the approved protocol for use of rats in a liver transplant study funded by NIH."<sup>4</sup>

Maryland Code, Crim. Law § 10-603(2) exempts "research conducted in accordance with protocols approved by an animal care and use committee" from criminal prosecution. Given that the animals sued in this

<sup>1</sup>NIH. Project 4-Animal transplant models to characterize immune and regenerative effects of alcohol. Accessed September 19, 2022.

[https://reporter.nih.gov/search/OgGEx9hUSE6XRuKknU\\_H3A/projects](https://reporter.nih.gov/search/OgGEx9hUSE6XRuKknU_H3A/projects)

<sup>2</sup>Wirtz D, Wolff A. Correspondence between OLAW and JHU. Accessed September 19, 2022. <https://www.peta.org/wp-content/uploads/2022/09/2022-07-06-case-2p.pdf>

<sup>3</sup>Wirtz D, Wolff A.

<sup>4</sup>Wirtz D, Wolff A.

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experiment experienced unnecessary pain and suffering, not in accordance with an approved protocol, this conduct appears to violate Maryland Code, Crim. Law § 10-604(a)(3)-(4), and we urge the Office of the State’s Attorney for Baltimore City pursue prosecution of appropriate cruelty-to-animals charges against JHU.

This violation of research protocol is on top of a growing list of alarming violations of the federal Animal Welfare Act by JHU that have led to citations issued by the U.S. Department of Agriculture (USDA).<sup>5</sup> According to federal records obtained by PETA, JHU has been cited by the USDA’s Animal and Plant Health Inspection Service (APHIS) for negligence and compromising the welfare of the animals the university uses in experiments.<sup>6</sup> The APHIS inspection report reveals the following:

- A JHU principal investigator deviated from a protocol approved by the Institutional Animal Care and Use Committee by failing to provide pigs with analgesia, claiming that recovery from anesthesia was better without the use of analgesics. JHU veterinary staff were also not consulted on this matter.
- A pig used in a JHU cardiac experiment had a difficult recovery from anesthesia and was later found to be severely injured. A subsequent necropsy revealed that this animal had sustained two broken elbows, which occurred while the pig was being moved from a transport cage to another location. The JHU senior laboratory technician had failed to report the injuries to the university’s veterinary staff.
- A JHU laboratory displayed a significant lack of aseptic technique and failed to maintain a sterile workspace—nearly 50% of cranial implants embedded in rhesus macaques by one JHU experimenter resulted in contamination and chronic antibiotic-resistant infections in these monkeys. As a result, the experimenter euthanized these animals.
- Experimenters in JHU’s Traylor Laboratory used expired compounds during experiments on rabbits. Two bottles of heparin—one that had expired in 2017 and the other in 2018—and one bottle of sodium chloride that had expired in 2019 were used in these experiments.

In addition, PETA uncovered that JHU experimenter Shreesh Mysore had been illegally experimenting on and killing barn owls for at least seven years without facing any repercussions for his blatant negligence.<sup>7</sup> Mysore had failed to acquire the necessary permits to possess barn owls for invasive brain experiments and operated without a permit from 2015 to 2018, despite having been reminded by the Maryland Department of Natural Resources (MD DNR). Both JHU and NIH have failed to take appropriate corrective actions against Mysore. This issue was also addressed in a letter to the Office of the State’s Attorney for Baltimore City on December 8, 2021, in which we requested an investigation into Mysore’s apparent serious violations of Maryland Code, Crim. Law § 10-606.<sup>8</sup>

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<sup>5</sup>PETA. USDA finds agony for monkeys at Johns Hopkins. Accessed September 19, 2022.

<https://headlines.peta.org/photos-violations-agony-monkeys-johns-hopkins/>

<sup>6</sup>USDA. Inspection report. August 23, 2021. Accessed September 19, 2022. <https://www.peta.org/wp-content/uploads/2021/10/210823-jhu-ir-pig-monkeys.pdf>

<sup>7</sup>PETA. Owls’ skulls cut open at Johns Hopkins University. Accessed September 19, 2022.

<https://headlines.peta.org/johns-hopkins-university-owl-experiments/>

<sup>8</sup>Swaminathan S. Letter to State’s Attorney Marilyn Mosby. PETA. December 8, 2021. Accessed September 19, 2022. <https://www.peta.org/wp-content/uploads/2022/09/2021-12-08-letter-to-baltimore-da-from-peta.pdf>

Adding to Mysore's transgression of the law, PETA uncovered that killing the owls after they were used in experiments violated the conditions of the scientific collection permit issued by the MD DNR. It was evident from Mysore's permit and federal grant application that his experiments would include the ultimate killing of the owls he experiments on.<sup>9,10</sup> However, Maryland Code, Natural Resources § 10-909(e)(1) explicitly prohibits such killing of wildlife—which, per the statutory definition, includes the barn owls used by Mysore—by permittees.<sup>11</sup> This violation led the MD DNR to revoke Mysore's license.<sup>12,13</sup> After temporarily issuing a permit that explicitly prohibited the killing of owls, the agency perplexingly issued the school a new permit that allows for business as usual.

Given JHU's apparent inability to abide by the most fundamental regulations in place that give bare minimum protections to animals who are being used in experiments, we urge your office to investigate this serious matter and take all appropriate actions to ensure that Maryland's cruelty-to-animals laws are stringently enforced.

You can contact me directly at [ShriyaS@peta.org](mailto:ShriyaS@peta.org). Thank you for your consideration of this important matter. We look forward to your response.

Sincerely yours,



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<sup>9</sup>Maryland Department of Natural Resources. Scientific Collecting Permit. Accessed August 5, 2022. <https://www.peta.org/wp-content/uploads/2022/03/sco-mysore.pdf>

<sup>10</sup>Mysore S. Research Project Grant. Accessed August 5, 2022. <https://www.peta.org/wp-content/uploads/2021/01/Mysore-grant-application.pdf>

<sup>11</sup>Md. Code, Nat. Res. § 10-909.

<sup>12</sup>Peditto P. Letter concerning Mysore permit. May 12, 2022. Accessed September 19, 2022. <https://www.peta.org/wp-content/uploads/2022/06/Mysore-Permit.pdf>

<sup>13</sup>Larney T. Permit revocation. Accessed September 19, 2022. <https://www.peta.org/wp-content/uploads/2022/05/State-of-Maryland-Mail-Permit-Revocation.pdf>