



January 13, 2023

The Honorable Ivan J. Bates
State's Attorney for Baltimore City

Via e-mail: ibates@attorney.org; mail@attorney.org

Dear Mr. Bates:

Thank you in advance for your time, and congratulations on your new position as the 26th state's attorney for Baltimore City. 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 the federal Animal Welfare Act (AWA) and the Maryland Code, Crim. Law § 10-604(a)(3)-(4) and § 10-604(5)(ii)—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 a routine inspection conducted by the U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) on December 6, 2022, a female baboon appeared to be experiencing discomfort due to a sizeable wound on her left heel.¹ Even though laboratory staff noticed "bilateral pressure ulcers" on her foot, they failed to report this condition promptly to veterinary staff until a scheduled inspection later. A veterinarian subsequently noticed ulceration on both of the baboon's hind feet. Failure to provide timely, necessary veterinary care may have caused prolonged, needless pain and suffering.

The aforementioned USDA/APHIS inspection report also outlines a critical violation wherein three rabbits who were being used in a traumatic brain injury experiment were euthanized—one after displaying deteriorated neurological symptoms (a necropsy revealed an abscess at the incision site), one whose wound tore open at the incision site, and one who developed an infection at the incision site. Further investigation revealed that laboratory staff failed to comply with proper aseptic procedures during the surgeries as required by and outlined in the research protocol. Failure by the research facility and its staff to ensure the most basic experimental conduct to abide by the facility's policies and the experimental protocol may have resulted in unnecessary pain and suffering for the rabbits who were ultimately euthanized.

¹USDA. Inspection report. December 6, 2022. Accessed January 12, 2023. <https://www.peta.org/wp-content/uploads/2023/01/2022-12-06-jhu-usda-ir-rabbit-baboon.pdf>

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To reiterate our claim, the 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 described in the aforementioned USDA/APHIS inspection report experienced unnecessary pain and suffering, not in accordance with an approved protocol, and failed to receive necessary veterinary care, these incidents appear to violate the Maryland Code, Crim. Law § 10-604(a)(3)-(4) and § 10-604(5)(ii), respectively. Therefore, we urge your office to pursue prosecution of appropriate cruelty-to-animals charges against JHU.

JHU Has a History of USDA-Reported Violations and Citations

This apparent violation of the cruelty law is in addition to a growing list of other alarming AWA violations by JHU that have led to more citations issued against the university by the USDA.² According to federal records obtained by PETA, JHU has been cited by the USDA/APHIS for negligence and compromising the welfare of the animals the university uses in experiments,^{3,4} including 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 them.
- 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.
- Staff in a JHU laboratory failed to adequately document the deteriorating health of a rabbit who had been implanted with a tumor. The rabbit’s poor health wasn’t reported to the veterinary staff, thereby violating the study protocol. After the animal was euthanized, necropsy reports revealed a poor body condition score of 1 of 5.

Apparent Violations of Maryland Criminal Code by JHU Experimenters

²PETA. USDA finds agony for monkeys at Johns Hopkins. Accessed September 19, 2022.

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

³USDA. Inspection report. August 23, 2021. Accessed September 19, 2022. <https://www.peta.org/wp-content/uploads/2021/10/210823-jhu-ir-pig-monkeys.pdf>

⁴APHIS, USDA. Inspection Report. September 27, 2022. Accessed January 12, 2023. <https://www.peta.org/wp-content/uploads/2022/11/2022-09-27-jhu-usda-ir-rabbit.pdf>

According to records PETA obtained through public records requests, animals used by JHU experimenter Zhaoli Sun⁵ weren't treated in accordance with the approved protocol for alcohol-induced liver toxicity experiments.⁶ This likely caused them prolonged, immense pain and suffering.⁷

In addition, PETA has also reported on apparent violations of Maryland Code, Crim. Law § 10-604 by JHU experimenter Shreesh Mysore, who had been illegally experimenting on and killing barn owls for at least seven years without facing any repercussions for his blatant negligence.⁸

These apparent violations of state law were outlined in detail in our letter to your predecessor, Marilyn Mosby, at the Office of the State's Attorney for Baltimore City on December 8, 2021,⁹ regarding Shreesh Mysore, and October 13, 2022, regarding Zhaoli Sun.¹⁰

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 these serious matters 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. Thank you for your consideration of this important matter. We look forward to your response.

Sincerely yours,



Shriya Swaminathan
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Laboratory Investigations Department

⁵NIH. Project 4-Animal transplant models to characterize immune and regenerative effects of alcohol. Accessed January 12, 2023. https://reporter.nih.gov/search/OgGEx9hUSE6XRuKknU_H3A/projects

⁶Wirtz D, Wolff A. Correspondence between OLAW and JHU. Accessed January 12, 2023. <https://www.peta.org/wp-content/uploads/2022/09/2022-07-06-case-2p.pdf>

⁷Wirtz D, Wolff A.

⁸PETA. Owls' skulls cut open at Johns Hopkins University. Accessed January 12, 2023. <https://headlines.peta.org/johns-hopkins-university-owl-experiments/>

⁹Swaminathan S. Letter to State's Attorney Marilyn Mosby. PETA. December 8, 2021. Accessed January 12, 2023. <https://www.peta.org/wp-content/uploads/2022/09/2021-12-08-letter-to-baltimore-da-from-peta.pdf>

¹⁰Swaminathan S. Letter to State's Attorney Marilyn Mosby. PETA. October 13, 2022. Accessed January 12, 2023. <https://www.peta.org/wp-content/uploads/2022/10/2022-10-13-criminal-animal-cruelty-complaint-re-jhu.pdf>