



July 9, 2024

Major Alberto Colón
Southeastern District Commander
Baltimore Police Department

Via e-mail: SoutheasternDistrict@BaltimorePolice.org

Dear Major Colón:

I'm writing on behalf of People for the Ethical Treatment of Animals—PETA entities have more than 9 million members and supporters globally, over 95,000 of whom live in Maryland—to request that your department investigate and pursue all appropriate charges against Johns Hopkins University (720 Rutland Ave, Ross 459, Baltimore) for apparent violation of Maryland's prohibitions against abuse or neglect of an animal, Md. Code, Crim. Law § 10-604.

The Maryland legislature intended that “each animal in the State be protected from intentional cruelty, including animals that are...used in privately, locally, State, or federally funded scientific or medical activities.” Md. Code, Crim. Law § 10-602(7). In the school's use of live animals in experiments, evidence indicates that staff unnecessarily failed to provide a baboon with proper shelter, in apparent violation of Md. Code, Crim. Law § 10-604(a)(5)(vi).¹

An April 22, 2024, U.S. Department of Agriculture (USDA) inspection report (attached) documents an incident involving a baboon that is noncompliant with the federal Animal Welfare Act.²

In this incident, staff apparently unnecessarily failed to provide proper shelter when, according to the inspection report, a baboon was strangled in an enclosure. On January 19, 2024, an animal caretaker found a juvenile baboon “unconscious and entangled in the lixit line that provided water to [the animal's] cage.”³ The baboon was not responsive to resuscitation attempts and was euthanized. The inspection report summarizes, “The necropsy report indicated bruising was

¹This incident does not constitute “research conducted in accordance with protocols approved by an animal care and use committee, as required under the federal Animal Welfare Act or the federal Health Research Extension Act”—it stands to reason that it would not be part of the protocol for a baboon to be strangled by a lixit line—and so the incident is not exempt from Maryland law protecting animals from abuse. Md. Code, Crim. Law § 10-603(2).

²The Animal Welfare Act does not insulate the University of Maryland from liability under state law because it expressly does not preempt the field. 7 U.S.C. §§ 2143(a)(8), 2145(b); *see also* USDA OIG, CONTROLS OVER APHIS LICENSING OF ANIMAL EXHIBITORS, AUDIT REP. 33601-10-Ch, at 4 (June 2010), https://www.rexano.org/RegAgency/OIG_Audit_USDA_Exhibitors2010.pdf (stating that “[t]he AWA does not supersede State and local authorities or restrict them in any way when their laws are more stringent than the AWA”). Moreover, the enforcement of state law for the protection of animals is crucial given that the AWA provides only minimal protections—and even those have been routinely found by the USDA's own internal watchdog to be inadequately enforced, and the school's conduct appears to fall within the prohibitions of Maryland's laws.

³Page 1 of inspection report.

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS

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

present around the neck, which is consistent with entrapment in the lixit line. The primary enclosure was not designed to prevent the nonhuman primate from pulling the lixit line into its enclosure.”⁴

Staff apparently failed to provide proper shelter by confining the animal to an enclosure that, rather than protecting the animal from injury, enabled the animal to become fatally entangled with and strangled by a lixit line.

Thank you for your attention to this important matter. Please do not hesitate to contact me with any questions at AmandaE@peta.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Elyse". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Amanda Elyse, J.D., M.S.
Laboratory Oversight Specialist
Laboratory Investigations Department
PETA

⁴Page 1 of inspection report.



Inspection Report

Johns Hopkins University
720 Rutland Ave, Ross 459
Baltimore, MD 21205

Customer ID: **81**
Certificate: **51-R-0006**
Site: 003
JOHNS HOPKINS UNIVERSITY,
THE

Type: ROUTINE INSPECTION
Date: 22-APR-2024

3.80(a)(2)(ii) Critical

Primary enclosures.

On January 19, 2024, a juvenile baboon was found unconscious and entangled in the lixit line that provided water to its cage. The caretaker disconnected the baboon from the lixit line and immediately contacted the supervisor and veterinarian. Attempts to resuscitate the animal were made but the animal remained unresponsive. The non-human primate was subsequently euthanized. The necropsy report indicated bruising was present around the neck, which is consistent with entrapment in the lixit line.

The primary enclosure was not designed to prevent the nonhuman primate from pulling the lixit line into its enclosure. Primary enclosures must be constructed and maintained so that it protects the non-human primates from injury.

Corrected before the time of inspection by a corrective action plan that included shortening all lixit lines and mesh was added to the sides and tops of the baboon caging.

This inspection and exit interview were conducted with the facility representatives.

This inspection was conducted from 4/22-26/2024.

Additional Inspectors:

GLORIA MCFADDEN, VETERINARY MEDICAL OFFICER

Jason Sifkarovski, VETERINARY MEDICAL OFFICER

Prepared By: JESSICA GOWINS
USDA, APHIS, Animal Care

Title: VETERINARY MEDICAL OFFICER

Date:
02-MAY-2024

Received by Title: IACUC Representative

Date:
02-MAY-2024



Species Inspected

Cust No	Cert No	Site	Site Name	Inspection
81	51-R-0006	003	JOHNS HOPKINS UNIVERSITY, THE	22-APR-2024

Count	Scientific Name	Common Name
000022	<i>Mesocricetus auratus</i>	SYRIAN / GOLDEN HAMSTER (COMMON PET/RESEARCH TYPE)
000009	<i>Canis familiaris</i>	DOG ADULT
000022	<i>Cavia porcellus</i>	DOMESTIC GUINEA PIG
000232	<i>Callithrix jacchus</i>	COMMON MARMOSET
000074	<i>Macaca mulatta</i>	RHESUS MACAQUE
000021	<i>Macaca nemestrina</i>	PIG-TAILED MACAQUE
000046	<i>Sus scrofa domestica</i>	DOMESTIC PIG / POTBELLY PIG / MICRO PIG
000090	<i>Oryctolagus cuniculus</i>	DOMESTIC RABBIT / EUROPEAN RABBIT
000052	<i>Rousettus aegyptiacus</i>	EGYPTIAN FRUIT BAT
000065	<i>Eptesicus fuscus</i>	BIG BROWN BAT
000030	<i>Chinchilla lanigera</i>	CHINCHILLA (DOMESTICATED)
000014	<i>Mustela putorius furo</i>	DOMESTIC FERRET
000036	<i>Cricetulus griseus</i>	CHINESE HAMSTER
000060	<i>Carollia perspicillata</i>	SEBA'S SHORT-TAILED BAT
000043	<i>Papio anubis</i>	OLIVE BABOON
000003	<i>Papio hamadryas</i>	HAMADRYAS BABOON
000003	<i>Macaca fascicularis</i>	CRAB-EATING MACAQUE / CYNOMOLGUS MONKEY
000004	<i>Felis catus</i>	CAT ADULT
000004	<i>Peromyscus maniculatus</i>	DEER MOUSE
000830	Total	