

June 30, 2005

Jim Newman
Communications Coordinator
Oregon Health & Science University
Oregon National Primate Research Center
3181 SW Sam Jackson Road
Portland OR, 97239-3098

Dear Mr. Newman,

I am writing in response to your May 25th letter in which, on behalf of Oregon Health & Science University (OHSU) President Peter Kohler, you are responding to In Defense of Animals (IDA) and 355 Oregonians who signed a petition (collected in an afternoon) of opposition to animal experimentation at OHSU. In your letter you urge IDA to "cease the spread of false and defamatory information" about the care of animals in labs at OHSU and the OHSU Oregon National Primate Research Center.

IDA fondly looks forward to the day we no longer need to share information about OHSU animal labs and the research OHSU conducts on monkeys and other animals. But we have an obligation to our supporters and the public as a watchdog organization to share the truth about what is happening behind your locked lab doors. So in order for us to cease spreading this information, we insist that OHSU provide adequate proof that all the inhumane conditions for animals have been corrected and you are no longer wasting taxpayer money on fraudulent animal research. OHSU has yet to admit there were ever any problems to begin with, which would be a good starting point.

We are also very concerned with OHSU's lack of transparency about how public monies are spent on research which may be best evidenced by the university's resistance to IDA's Oregon Public Records requests for documents. IDA was forced to file suit twice against OHSU, and recently won our second case in the Oregon Court of Appeals. The court found the university had incorrectly assessed fees associated with a 1998 document request for behavioral and health histories of the monkeys at ONPRC, asking IDA to pay a staggering \$151,000 for these documents, and had disregarded the public's interest in the process. Unfortunately, OHSU has kept the public in the dark for the past seven years about the care and treatment of monkeys in publicly funded research, and to date, we still don't have those documents.

When I quit as an OHSU primate technician in the spring of 2000, I had been working for more than two years to try to improve conditions from within to no avail. The two-plus hours of video evidence submitted in a formal complaint to the United States Department of Agriculture (USDA) does not lie. Although IDA is gravely disappointed that this federal regulatory agency did not cite OHSU for specific violations highlighted in our complaint, we find this only further implicates the USDA for failing to protect the animals in their charge.

The USDA is failing to protect the animals in OHSU labs, and one courageous whistleblower is willing to admit it. On August 28, 2000, IDA hosted a press conference in which Dr. Isis Johnson Brown, Oregon's former USDA inspector, was by my side discussing the problems she encountered while trying to enforce the Animal Welfare Act (AWA). The following are excerpts of her statement:

"What was surprising to me was my own supervisors were disappointed and unsupportive of my efforts to simply enforce the bare minimum standards in the Code of Federal Regulations. The USDA has a good ol' boy relationship with the research industry and the laws are nothing more than smoke and mirrors. More than once, I was instructed by a supervisor to make a personal list of violations of the law, cut that list in half, and then cut that list in half again before writing up my inspection reports. My willingness to uphold the law during my site visits at the Primate Center led

to me being 'retrained' several times by higher-ups in the USDA... The USDA has little motivation to enforce the already weak laws of the Animal Welfare Act. I was unable to do my job and eventually, out of frustration, I had to quit. I recognize the system is not set up to protect the animals but instead the financial interests of the research labs."

It is my experience that the USDA clearly lacks the motivation or personnel to rigorously or effectively enforce the AWA. The USDA visits each facility as little as once a year, and I observed that OHSU is tipped off that the inspector is in the area by other research facilities getting inspected. However, the inspectors did have some areas of concern after investigating my complaint. Your letter claims this inspection "resulted in only four minor suggestions pertaining to OHSU protocols for the care of animals." I would like to go into detail about one of these so-called "minor" suggestions.

The USDA's Deputy Administrator at the time, W. Ron DeHaven, responded that their team found the lack of social housing for monkeys "an area of major concern" (emphasis mine) to the investigative team. Much of the evidence in the USDA complaint fell into the categories of psychological well being. I witnessed the widespread problem of monkeys who are pulling out their hair, smearing and eating their feces, drinking their urine, abusing their infants, displaying depression and aggression, self-clutching, sucking their own penises, exhibiting stereotypic behavior (circling, pacing, back flipping, etc.) and in the worst cases, self-mutilating; biting, attacking and doing, at times, severe damage to their own bodies.

These are the victims of the lack of social housing mentioned by USDA inspectors and these abnormal behaviors are created when monkeys are taken away too young from their mothers and natal groups, and housed alone in tiny cages as adults. These problems are being created by OHSU's standard animal husbandry practices. I find it troubling that you would characterize the USDA's concern for the lack of social housing which facilitates these acute, mostly intractable psychological problems, as a "minor" suggestion.

To fully understand the conclusions of this USDA inspection, one must understand the limitations of the AWA itself. In the Code of Federal Regulations—guidelines used by USDA inspectors to interpret the AWA—section 3.81 is the Environment Enhancement to Promote Psychological Well Being. Unfortunately, these provisions are very weak, stating only that each facility must "develop, document, and follow an appropriate plan for environmental enhancement adequate to promote the psychological well being of non-human primates." What this law fails to mandate is any measure of whether the plan is well designed or is actually working to promote well being.

In OHSU's labs, the psychological well being plan was something that I was intimately involved with because it was my job to implement it. My task was to track, document and provide interventions for the monkeys displaying abnormal behavior. OHSU's plan was absolutely not working as evidenced by the widespread, abnormal behavior of hundreds of the individually caged monkeys. We had enrichment devices of toys, treats, puzzle feeders and grooming boards which were used as interventions designed to increase species appropriate behavior and distract monkeys from abnormal ones like pulling out their hair, circling and pacing in their tiny cages, and attacking themselves in psychotic, self-abusive episodes. Even though our plan was failing miserably to help these suffering monkeys, because we were following an "appropriate plan", the USDA was powerless to cite the facility. This is why the informed public gives little weight to the newspaper headlines you point to reporting "OHSU was cleared of wrongdoing".

I don't think that headline is even accurate when looking more closely at the USDA response. Your letter failed to mention that the USDA investigation discovered a monkey who was unable to see any conspecifics (another same-species monkey), which is a clear violation of law, but investigators chose not to cite OHSU. This is another example highlighting our concern that the USDA is failing to enforce the law or appropriately protect these primates. Within the video documentation in the complaint, there was an entire room of monkeys photographed who were facing empty cages on the opposite wall and were in violation of the law for at least a week. Even

though this was documented on video, the USDA failed to cite OHSU or even mention it in their report. Had they chose to, the inspectors could easily have proven this video to be accurate by reviewing census and cage reports for that time period.

The USDA inspectors were also concerned with the stressful, rough handling of monkeys during the roundup procedure in which monkeys housed outside are herded indoors to harvest monkeys for research projects. Bewildered and backed tightly into makeshift metal tunnels, these monkeys are frightened into transfer boxes by shouting technicians pounding on the metal grid and prodding them along with metal poles. Many monkeys spontaneously defecate and routinely suffer from rectal prolapses due to the acute stress this inhumane procedure induces. Other concerns the inspectors had included a low priority of filling enrichment devices for monkeys and low emphasis on feeding fresh fruit and vegetables. Also, the electroejaculation procedure, in which male monkeys are restrained to have their penises shocked for semen samples, was questioned in the USDA report.

You also point to presentations made at a meeting October 18,2004, to a state-sanctioned subcommittee of the Oregon Opportunity Task Force in which you state "your claims of abuse were found not credible." However, the process the sub-committee took to reach their conclusion is worth examining before giving credibility to their report. The committee's report states, "While some of the videotaped images of primates in distress were alarming, they were also fairly brief and as such were not terribly informative as to the cause or duration of the distress." The report then gives merit to OHSU staff who made presentations claiming that the video evidence was faked.

I'll return to the "faked video" question, but in regard to the comment about the "brief" video images, I need to elaborate to put this decision into proper perspective. Due to time constraints, my presentations of video were only a small sample of the evidence collected and submitted to the USDA. I reminded the committee members that the full two-plus hours of exhaustive video evidence had been provided to the full committee six months prior to this final meeting and to date, not one member of the committee had viewed any of it. The bottom line is the committee made a decision based on taking OHSU's word against mine that the video had been faked without ever reviewing the full evidence or further evaluating the tape's authenticity. Without a valid review of the evidence, the conclusion of the committee lacks merit.

I did not scare monkeys to fake video as OHSU maintains. Thankfully, experts like Dr. Jane Goodall, a world-renowned primatologist, have come to my side to set the story straight. In an interview I conducted regarding these videos, Goodall stated,

"When I first saw the video, I was shocked, I was horrified, and I was very, very angry. The fact that today conditions such as those that I saw can still be allowed to continue - that people can go to work every day and allow such barbaric conditions to continue - is a very black mark against humanity. I have heard that there are people at the Primate Center who have suggested that the images on your video had been faked. Well, the images that I saw - a baby monkey rolling up into a ball and sucking his penis, an infant monkey with [the disease] Shigella crawling about in his own filth, an adult rhesus who was so crazy that he had bitten his arms, bitten off almost all the flesh, an individual capuchin who had been used in drug research sitting with staring eyes, clearly in the last stages of depression, a monkey strapped down and submitted to a horribly painful electro ejaculation process with electrodes strapped on his penis, just to get a semen sample - these things could not have been faked. There's no way they could have been faked. No, these monkeys were being tortured."

Other experts, such as the Laboratory Primate Advocacy Group (LPAG), have commented on the videos I took inside OHSU's labs and vouched for their authenticity. This non-profit educational group is dedicated to speaking on behalf of monkeys and apes in research and breeding institutions. LPAG's professional members represent individuals with more than 40 years of combined experience working with nonhuman primates at 18 primate research institutions,

breeding facilities, sanctuaries, and zoos throughout the United States as well as two overseas field sites. The following are statements taken from a letter submitted by LPAG to ORPRC's director, Susan Smith regarding the videos. The full text of the letter can be found online at: <http://articles.animalconcerns.org/ar-voices/oregonletter.html>

"It is not the intent of this letter to address statements or claims made by Matt Rossell. The video and photo images of the monkeys at the ORPRC speak for themselves, and LPAG feels that many of ORPRC's explanations for the condition of these monkeys are inadequate, inaccurate, and misleading. Our questions and concerns regarding the images and the ORPRC's explanations will be the focus of this letter... In some cases ORPRC misleads members of the public who have little or no knowledge of primate behavior, claiming falsely that the abnormal behaviors are actually normal... LPAG believes, from our experience, that poor rearing conditions, developmental history and/or single-cage housing can also explain the current condition of the self-mutilating monkeys at ORPRC, such as Rodney. The weaning and housing practices at your facility will inevitably continue to result in more individuals with behavioral problems, some as severe as self-mutilation...Matt Rossell's place in the animal rights community notwithstanding, the images portrayed in his investigation are an accurate picture of what occurs in primate research facilities."

Your letter also questions the fact that a growing number of professionals are questioning the efficacy of animal research. You must not be aware that the patient-advocacy group, Europeans For Medical Advancement, commissioned pollsters Taylor Nelson to conduct a survey of 500 General Practitioners asking their opinion on animal testing and its relevance to their practice of treating human diseases. The poll, conducted in August of 2004, revealed a significant change in attitude on the part of practicing physicians toward the traditional medical community's reliance and trust in the efficacy of animal testing.

Of the general practitioners polled, 82 percent were concerned that animal data can be misleading when applied to humans. 51 percent would have more confidence in human-based safety tests for new drugs than in animal safety tests and 83 percent would support an independent scientific evaluation of the clinical relevance of animal experimentation.

IDA is planning a public event that would explore the clinical relevance of using animals as a model for human disease. Dr. Ray Greek, president of Americans (and Europeans) for Medical Advancement, has offered to participate in a debate August 20th at Portland State University. Unfortunately, after an exhaustive search, IDA has not found anyone in the animal research community willing to defend their work in such a debate. I am now openly inviting OHSU to find a suitable expert, either among your staff or elsewhere, to participate in this professional debate. If OHSU chooses to ignore this invitation, as they have in the past, it will only cast more doubt on the animal model and widen the growing divide in public opinion.

Americans oppose using animals in research experiments that cause animals to suffer, according to a recent survey conducted by an independent polling firm. The survey found that the public's level of disapproval depended on the degree of pain and distress caused by the experiments. 75 percent of those surveyed disapproved of experiments that caused animals severe pain or distress, 60 percent for moderate pain and distress, and 33 percent for even little or no pain or distress. Imagine what would happen to those statistics if Americans became more aware of the inherent flaws of extrapolating data from animals to people? Perhaps it's no wonder why OHSU has repeatedly refused to debate the science.

I don't fault you personally for providing misinformation about OHSU's animal labs, but the deception is nonetheless unacceptable. Working in public relations as a communications coordinator, you do not see what I witnessed at OHSU working as a primate technician with the animals, in the labs, conducting the research and caring for the monkeys; now more than 3,700 according to recent census. Up dramatically from a census of 2,500 monkeys in 2000, this alarming growth represents a 32 percent increase in monkeys at ONPRC over the past five years, at a time, as Dr. Jane Goodall aptly stated, "We shouldn't be expanding the primate research centers. We should be closing them down, all of them."

I still welcome an opportunity to meet with Dr. Kohler to discuss these issues, but my attempts thus far have been repeatedly denied, reneged or ignored. IDA and our supporters look forward to a lively public debate about the efficacy of animal research and would love to set this up with your help. Please respond at your earliest convenience.

Sincerely,

Matt Rossell

cc: OHSU President Peter Kohler
Oregon Opportunity Task Force
General public