

ZIONIST ORGANIZATION OF AMERICA

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VIA EMAIL

Ronald J. Daniels Office of the President 242 Garland Hall Johns Hopkins University 3400 N. Charles Street Baltimore, MD 21218

Theodore DeWeese, M.D. Chief Executive Officer Johns Hopkins Medicine 4924 Campbell Blvd #130 Nottingham, MD 21236

Dear President Daniels and Dr. DeWeese:

On behalf of the Zionist Organization of America (ZOA), the oldest pro-Israel organization in the U.S., we respectfully urge you to (1) terminate the investigation into Darren Klugman, M.D., a pediatric cardiologist, critical care provider, and associate professor at Johns Hopkins University; and (2) reverse, without delay, the unjust and unwarranted decision to suspend him. Dr. Klugman is Jewish and a supporter of Israel. He is being unfairly targeted as the result of a few strongly worded social media posts he made on October 7 and 8, 2023, after the terrorist group Hamas breached Israel's borders and brutally massacred, mutilated and raped over 1,200 Israelis, and kidnapped and took as hostages hundreds of Israelis (and Americans) to Gaza, including babies and the elderly.

As we explain more fully below, Dr. Klugman's social media posts are protected speech under Johns Hopkins' own policies, for which he should not and cannot be punished. The social media posts did not threaten violence against anyone based on race, religion, national origin or any other protected category. A Jewish, pro-Israel doctor with an impeccable record of care for all his patients is being unfairly singled out, vilified, and subjected to an unjust double standard. Please put a stop to this hateful, antisemitic campaign against Dr. Klugman, so that he can continue to dedicate himself to providing excellent, compassionate and often life-saving patient care.

Dr. Klugman's Understandable Response to Hamas' Barbarism

On October 7 and 8, 2023, as the horrific news of Hamas' murder, mutilation, rape, and abduction of Israeli civilians was unfolding, Dr. Klugman spoke out against the terrorist group's atrocities on X (formerly known as Twitter). Dr. Klugman is Jewish and as a Jew, supports and is committed to the safety and security of the Jewish State of Israel. He also had a personal stake in the atrocities that Hamas was committing; Dr. Klugman has close family in Israel whom he was unable to reach.

In the heat of these moments as Dr. Klugman learned of Hamas' depravities, he referred on X to Palestinian Arabs as "blood thirsty morally depraved animals who want nothing short of every inch of Israel and all jews dead." He posted that "Israel has no peace partner w[ith] the Palestinians, barbaric animals w[ith] no concern for human life." And he posted that it was "time to reclaim Gaza." In an exchange with someone on X who accused Israel of "a large scale slaughter . . . spread out across a year to displace Palestinians," Dr. Klugman responded, "G-d willing."

For weeks, Dr. Klugman's social media posts received little if any attention. On November 12, 2023, he learned of a hateful, antisemitic harassment campaign against him, instituted by a group that calls itself "Stop Zionist Hate" and is committed to "fighting Zionism and Zionist hate." Using a photo of Dr. Klugman taken from the Johns Hopkins website, this antisemitic, anti-Israel group branded Dr. Klugman "Zionist of the Week" and, taking his words out of context, falsely accused him of being a "genocide supporter."

That triggered antisemitic comments and demands that John Hopkins terminate him. A few comments sought Dr. Klugman's home address, directly threatening his and his family's personal safety.

On November 13, 2023, Dr. Klugman apologized to his department chair and also sent an email apology to his colleagues. His division chief emailed the department to let them know that leadership was aware of the situation. Within hours, person(s) unknown leaked these internal confidential communications, which surfaced on Stop Zionist Hate's X account.

On November 14, 2023, the Council on American-Islamic Relations (CAIR) filed a complaint with the Maryland Board of Medicine against Dr. Klugman. The complaint was shared on Stop Zionist Hate

On November 15, 2023, John Hopkins informed Dr. Klugman that he was being suspended from Hopkins to "ensure that the "University . . . is providing a safe, healthy, diverse, and inclusive environment." Dr. Klugman was also informed that he could no longer have direct contact with his colleagues.

On the same date, Stop Zionist Hate posted a video of Dr. Klugman that the group took from the Johns Hopkins website, and edited and doctored it. They called for Dr. Klugman's resignation and again falsely labeled him as a supporter of genocide.

The next day, November 16, 2023, Johns Hopkins sent a hospital- and university-wide email alerting the Hopkins community to Dr. Klugman's suspension That internal email was also leaked to Stop Zionist Hate, which posted it.

On November 21, 2023, the American Board of Pediatrics notified Dr. Klugman that his board certifications in pediatrics, pediatric critical care, and cardiology were going to be suspended for no less than five years. Dr. Klugman is appealing the decision.

This distinguished doctor whom we understand has a spotless record of compassionate, responsible and <u>life-saving</u> patient care now faces the ruination of his professional career based on a smear campaign by Hamas supporters who are targeting him for one reason only: Dr. Klugman is a Jew and a Zionist who is committed to the safety and security of his ancestral homeland, the State of Israel.

For anyone who may be inclined to believe that CAIR filed the complaint against Dr. Klugman out of genuine concern for his ability to provide quality care to patients, it is crucial to consider <u>CAIR's positions on Israel and Jews</u>. At a November 2023 conference hosted by American Muslims for Palestine, CAIR's executive director, Nihad Awad, praised Hamas' massacre on October 7. Awad also stated that while Gazans have the right to defend themselves, Israelis do not. These statements should come as no surprise, given CAIR's connection to Hamas; in a 2009 terrorism case, federal prosecutors named CAIR an "<u>unindicted co-conspirator</u>" of Hamas.

Indeed, the director of CAIR's Maryland chapter who was responsible for filing the complaint against Dr. Klugman has her own record of animus against Jews and Israel. She was <u>suspended</u> from the state's hate commission (and then reinstated because the Attorney General did not have the authority to suspend her) based on her history of antisemitic social media posts, including one outrageously comparing Israel to Nazi Germany.

CAIR is part of a smear campaign against Dr. Klugman, motivated by Dr. Klugman's outspoken support for Israel and his condemnation of the terrorists committed to the murder of Jews and to Israel's destruction. Johns Hopkins should not facilitate or play any part in that campaign.

Johns Hopkins' Investigation and Suspension Violate Dr. Klugman's Free Speech Rights under <u>Hopkins' Own Policies</u>

Johns Hopkins could not be clearer that it "<u>embraces and actively supports a culture of free expression and debate in every aspect of university life</u>." So long as the views expressed "do not threaten, incite violence or raise demonstrable health or safety concerns," then Johns Hopkins supports "the right to engage in acts of public expression and the right of an audience to receive that expression," no matter how controversial.

Not one of Dr. Klugman's social media posts on October 7 and 8, 2023, threatened anyone, or incited violence, or raised demonstrable health or safety concerns. Consistent with

Johns Hopkins' policy, Dr. Klugman had every right to express his views about Hamas and its barbaric actions against innocent men, women and children.

Johns Hopkins has also made it clear in its <u>Statement of Principles on Academic Freedom</u> that it is committed to free expression, noting that academic freedom – "the wellspring of an open and free university" – "protects the right to speak and create, to question and dissent, to participate in debate on and off campus, and to invite others to do the same, <u>all without fear of restraint or penalty</u>" [emphasis added]. Academic freedom, according to Johns Hopkins, "is designed to afford members of the community <u>the broadest possible scope for unencumbered expression</u>, investigation, analysis, and discourse" [emphasis added].

Indeed, this Statement expressly provides that even "offensive" views are protected and cannot be suppressed or punished: "[A]cademic freedom necessarily permits the expression of views that even the vast majority of the community may find misguided, ignorant, or offensive. The appropriate response to such statements in an academic setting is not to censor or punish, but to challenge, criticize, and persuade" [emphasis added].

Dr. Klugman's conduct was consistent with Johns Hopkins' policies and principles. There is no basis for the investigation against him or the suspension that was imposed. Both actions should be revoked immediately.

Dr. Klugman is Being Subjected to Unfair Disparate Treatment

At the instigation of people and groups with documented agendas against Jews and Israel, Dr. Klugman is under investigation, has been suspended, and faces the serious and damaging loss of his three professional certifications -- all allegedly to determine whether his social media posts interfere with Johns Hopkins' obligation to provide a safe, healthy, diverse, and inclusive environment.

But Hopkins has not taken such steps against other individuals at Hopkins who interfered with that obligation. In January 2021, we wrote to Johns Hopkins about Rasha Anaya, a Hopkins graduate student and teaching assistant in the chemistry department who had used Twitter to express her hatred of and bigotry against Jews, Israelis and white people – to the point that she openly threatened to lower students' grades if they were Zionists and thus simply supported the right of the Jewish people to live in their religious and ancestral homeland, Israel.

On November 15, 2020, Anayah tweeted, "ethical dilemma: if you have to grade a zionist student exam, do you still give them all their points even though they support your ethnic cleansing? like idk." Anayah included a poll on Twitter with two options: "yes rasha. be a good ta," and "free palestine! fail them." In addition to threatening to penalize students based on their Jewish identity and Zionist beliefs, Anayah promoted the lie that Israelis were engaging in ethnic cleansing, in order to incite hatred of them.

Anayah continued to express her hatred of Israelis, and of white people, too. On November 20, 2020, when she tweeted about mentoring undergraduate chemistry students, she

<u>expressed her relief</u> that she "[d]idn't get pinned with an israeli or some b**ch, white boy to have to share my knowledge with. alhamdulilah [thank God]."

In <u>another Twitter post</u> the same day, Anaya slammed an undergraduate student simply for having gone on a Birthright trip (made available to young Jewish adults around the world) to Israel: "we had an undergrad in lab who had been on birthright ad [sic] had one of the street signs to tel aviv on her laptop. It stabbed me every time she opened it. If i had been paired to ine [sic] of them or one of these conceited white boys i would have lost it."

As we wrote to Hopkins then, teaching assistants help shape the minds of their students and serve as mentors and role models. Given her antisemitic (and anti-white) bigotry – and her willingness to express it by penalizing and harming students under her supervision – Anayah was a wrong and dangerous person to serve in this or any capacity at Johns Hopkins. Yet she remained at Johns Hopkins according to her LinkedIn account and is currently a postdoctoral researcher at Johns Hopkins.

Please consider also that after Hamas' horrific massacre, at least two Johns Hopkins doctors and other medical personnel reportedly participated in an anti-Israel protest on November 16, 2023, in front of the hospital. At least one sign at the protest equated the Israeli Defense Forces with the Gestapo, an antisemitic comparison of Israel to Nazi Germany, according to the internationally accepted definition of antisemitism that is used by the U.S. government. We understand that at least two self-identified Johns Hopkins physicians introduced themselves at the rally and spoke out against Israel.

The protesters at this rally reportedly engaged in hateful chanting that crossed the line into antisemitism, including:

- "Hey hey, ho ho, Zionism has got to go" which is the <u>antisemitic denial of the Jewish</u> people's right to self-determination;
- "Resistance is justified when people are occupied," which is condoning and legitimizing violence and terrorism against Jews and Israelis, including Hamas' massacre of Jews and Israelis on October 7; and
- "There is only one solution: Intifada revolution," which is a call for violence and terrorism against Israelis and Jews.

It is impossible to imagine how Jewish and Israeli visitors, doctors and other employees could feel safe and welcome at Johns Hopkins, or how Jewish and Israeli patients could feel comfortable and safe receiving care there, when medical staff were standing right outside the hospital and openly calling for violence and terrorism against Israelis and Jews and calling for Israel's destruction. Yet to our knowledge, neither the doctors nor any of the other Johns Hopkins personnel who participated in this anti-Israel, antisemitic protest were investigated, suspended or disciplined, despite the overtly threatening, antisemitic speech they engaged in directly in front of the hospital.

Please do not allow Dr. Klugman to be singled out and scapegoated any further. He has unjustly suffered enough already. We urge you to:

- (1) Immediately end your investigation into Dr. Klugman, lift the suspension, and authorize Dr. Klugman to resume his professional responsibilities in full at Johns Hopkins;
- (2) Notify the American Board of Pediatrics without delay that Johns Hopkins has terminated its investigation and lifted Dr. Klugman's suspension, and that Johns Hopkins fully supports and stands behind Dr. Klugman and his continued board certifications in pediatrics, critical care, and cardiology;
- (3) Continue to ensure that Dr. Klugman and his family are protected from any threats to their personal safety; and
- (4) Investigate who wrongly leaked the confidential internal communications to Stop Zionist Hate and hold them accountable under your rules and policies;

Justice and fairness require taking all these steps. Thank you for considering our concerns.

Very truly yours,

Morton A. Klein

National President

Susan B. Tuchman, Esq.

Director, Center for Law and Justice