

ARNE H CARLSON
GOVERNOR OF MINNESOTA (1991-1999)

April 29, 2014

Re: Suicide-death of Dan Markingson

Dear Regent,

As you know, the University community has been sharply divided over all the issues surrounding the suicide-death of Dan Markingson in May 2004. The concerns over the University's handling of this tragedy have drawn considerable attention and criticism from medical researchers all over the country. The resultant harm to the reputation of the University is concerning.

The central issue is the University's refusal to allow an independent professional inquiry into this matter. To this date, we do not know whether or not other deaths and injuries have occurred.

Even the University's own person employed to oversee research projects, including the protection of human subjects in medical research, declared under oath when asked, "*Has the University done any investigation into the death of Dan Markingson?*" His reply, "No."

Later he was asked: *To the best of your knowledge, did anyone at the IRB, at the University of Minnesota, or anyone under your office investigate this case, actually look at the records and see the court documents that I'm describing, and if so, could you give me the name of that person?*

A *Not to my knowledge.*

Q *Nobody did that?*

A *No.*

Considering the fact that considerable funds from drug companies is involved, that University professors and clinicians are hired and paid for by these companies, and that mentally ill patients are utilized as subjects, one would expect the highest level of review and scrutiny along with full transparency. Were the Regents notified? Were any public officials with oversight responsibility notified? Were the parents of the subjects treated in a compassionate manner and given a full understanding of their child's death? Sadly, the answer in all cases is no.

Bear in mind that the Department of Psychiatry has, according to Dr. Carl Elliot, Professor at the University's Center for Bioethics, "already staggered through several spectacular research fiascos" including a psychiatrist who was sentenced to prison for research fraud "after a nearly **4 year cover-up** by the University." Sadly, there were other instances as well.

To date, all those responsible for providing oversight have treated this matter as a hot potato passing it from one authority to another in the hope it will cool off. But can anyone from the Board of Regents, the office of the Governor, the State Legislature, or the office of the Attorney General answer this most central question:

How many research subjects have died or been seriously injured in psychiatric research studies at the University and what were the circumstances surrounding those deaths and injuries?

The public delegates the power and responsibility of oversight to elected officials and the Board of Regents and deserves an answer. Dr. Carl Elliott and Mike Howard, a caregiver to Dan Markingson's mother, have been carrying this struggle for justice for nearly a decade. They have been joined by distinguished researchers from all over the country and they are now picking up more support from the media and the legal community. I have joined that group and have pledged to use my efforts to make certain justice and full transparency become a reality.

As you can appreciate, this matter is rapidly becoming a tinderbox and the only real prevention of a very public scandal will be the creation of a truly independent and professional inquiry into what has transpired. President Kaler plans a prospective review but that sidesteps the faculty Senate's request and fails to deal with the issue of past justice. At a minimum, I would respectfully request that a public hearing on this matter be conducted by the Board of Regents.

No doubt under the guise of "loyalty" you will be urged to withstand the pressure for public disclosure. I do not disagree with the premise of "loyalty" but would suggest your loyalty rests with the people and their expectation that their University will always conduct itself in a totally honorable fashion and steadfastly adhere to the highest standards of human behavior.

The central question raised in this letter warrants and commands an answer from everyone entrusted with oversight responsibilities.

I am most grateful for your leadership and hope that you will feel free to call upon me or others cited in the attached materials for any assistance you may need.

My best,



Arne