ISKCON Central Office of Child Protection
P.O. Box 1438 Alachua, Florida 32616-1438
904-418-0882 • FAX: 904-418-0982
EMAIL: dgovinda@aol.com

Official Decision on the case of Sri Galima dasa

This judgment, decided on February 1, 2000, was rendered in accordance with the guidelines for adjudicating cases of child abuse established by the ISKCON Child Protection Task Force Report, ratified by the ISKCON Governing Body Commission. This judgment is the Official Decision of the ISKCON Central Office of Child Protection (ICOCP) on the child abuse case of Sri Galima dasa (Mr. Gary Gardner).

This decision defines the parameters of the relationship of Sri Galima dasa with ISKCON. The ICOCP advises child abuse victims, their parents, and all members of the ISKCON organization to report allegations of child abuse to governmental social service and law enforcement authorities. Also, the ICOCP advises all members of ISKCON to learn and follow their local laws regarding child abuse and mandated reporting of child abuse.

This case deals with allegations of child physical and sexual abuse allegedly committed by Sri Galima dasa. In the ISKCON Child Protection Task Force Report, child physical abuse is defined as "An act of commission (perpetration) by the parent or caretaker where the child is physically injured and/ or marks such as bruises, welts, lacerations, or burns, etc. are visible. Although the injury is not an accident, the parent may not have intended to hurt the child. The injury may have resulted from over-punishment that is inappropriate to the child's age...Forms of physical abuse include: punching, beating, shaking, whipping, caning, burning, slapping, biting, kicking, ear twisting, throwing...Corporeal punishment can also be considered abusive if, although no single incident leaves a mark or results in an injury , the frequent and chronic use of such has a deleterious cumulative effect...Example: A child is spanked for every minor infraction, several times a week."

In the ISKCON Child Protection Task Force Report, child sexual abuse is defined as "An act of commission (perpetration) where a child is coerced, induced, persuaded, enticed, seduced, or entrapped into sexual acts with another person. The coercion can be either physical or verbal. The other person could be either an adult, an adolescent (12-18 years of age), or even... another child (less than 12 years of age) The abuser uses his/her position of authority or power (size, age, social position, cognitive differential) to exert control over the victim...Forms of sexual abuse include:(1) voyeurism ("Peeping Tom") (2) exhibitionism (flashing) (3) taking pornographic pictures of the child (4) having the child watch while the perpetrator masturbates (5) forced masturbation (6) kissing (7) fondling (8) digital/object penetration of vagina and/or anus (9) oral sex (10) sodomy (11) intercourse."

Evidence

The ICOCP has received first hand testimony from an alleged victim (claimant 1) that Sri Galima was his teacher from 1983 till 1986 in New Vrndavana. This claimant, who was born in 1975, alleges that Sri Galima sexually molested him two or three times per month. He stated that this abuse continued for more than two years, during the years 1983-1986. According to this alleged victim this sexual abuse included Sri Galima forcing the victim to perform oral sex. Also, the alleged sexual abuse included attempts at anal penetration, though the claimant stated that he doesn't recall whether these attempts were ever successful. Another informant reported to the ICOCP that he saw Sri Galima fondling the genitals of this alleged victim. Sri Galima admitted to fondling this alleged victim, though he denied allegations of oral or anal sex against this former student.

Another alleged victim (claimant 2) wrote to the ICOCP "I was born into the movement and first attended Gurukula in New Vrndavana where Sri Galima (school headmaster) sexually molested me to the highest degrees from about age 6 to age 10." Sri Galima admitted to fondling this alleged victim, and denied transgressions of sexual abuse more serious than fondling.

The ICOCP has also received a report from a former student at New Vrndavana who stated that another student (claimant 3) told him (the informant) that Sri Galima sexually abused him (claimant 3). Sri Galima denies this.

The ICOCP has received a signed letter from an alleged victim (claimant 4) stating "This letter is to report an instance of child abuse which happened in 1983. I was attending the New Vrndavana Gurukula, of which Sri Galima was the headmaster. One day while talking to my mother on the phone about how I disliked the Gurukula, Sri Galima listened on the other line. He became angry that I was complaining to my mother and when the call was over he beat me. He used a paddle made from 2 inches x 6 inches lumber, leaving bruises from the middle of my back to the back of my knees. I also had facial bruising form being slapped. At the time, I didn't know he was listening in on my conversation...I didn't even know why I was being beaten." Sri Galima responded that he did "excessively spank" this victim on one occasion. His description of the incident is different from the description of the alleged victim. Sri Galima wrote that the incident happened in 1981, and that he, Sri Galima, overreacted when he heard the child speaking with his mother. Sri Galima wrote that he heard him talk very disrespectfully to his mother, and then he, Sri Galima, "spanked him very hard." Sri Galima further stated that he has apologized to the mother and father and asked for forgiveness.

Another alleged victim (claimant 5) wrote "I came to New Vrndavana in 1980...Sri Galima came and took me to (Old Nandagram) every day I would run away and every day I would be beaten with what was called the (ugradanda) A paddle with 30 holes swung by a man 6'4, 200 lbs against a 5 year olds butt wearing only a cotton dhoti." Sri Galima didn't respond to this allegation.

The ICOCP has received a written testimony (claimant 6) stating "I joined the gurukula at the age of five. I spent six years in gurukula and all of them were at New Vrndavana. While in the ashrama I suffered both physical and mental abuse from a few different teachers...I can remember

Sri Galima beating me because I would wet my bed. He would spank me over and over until my ass would have blisters from the paddle which had holes in it..." Sri Galima responded that he doesn't remember ever spanking this alleged victim.

The ICOCP has also received several generalized accusations. These accusations list Sri Galima's name in connection with alleged child abuse, but they either do not directly describe abusive activities performed by Sri Galima dasa, or do not mention names of alleged victims, or do not provide adequate detail. For example, the mother of a former student in the New Vrndavana gurukula wrote "He told me that Sri Galima would have sex with a boy sitting on his lap in front of the rest of the boys (as a routine occurrence)...He told me that although [ ] had sex with them, he was always good to them. This differentiated him from Sri Galima and [ ] who also beat them continually ([ ]) and, perhaps worst of all, played mental head games on them- making them believe they were 'horny', lusty boys...[name of her son] tried all through those years (the Gurukula years) to tell me that terrible things were going on there everyday and that he was being beaten constantly for no reason- Always, Sri Galima would take the receiver and tell me in L.A. listening that I must be strong- that he was just feeling separation but was doing wonderfully..." The ICOCP has also received a letter stating "In my 10 years of gurukula I had many different teachers including [ ], Sri Galima, and [ ]. I was forced to endure severe hardships. Everyday we would have to be disciplined with repeated blows from the ugradanda (special paddle) if we complained or disliked any of our conditions. I was also physically hit by these teachers...I fear that during those ten years I was also abused sexually by [ ] and or Sri Galima, but that I have blocked it out of my memories."

History and Mitigating Factors

In the early 1970s, without experience or training, Sri Galima dasa accepted the service of asrama teacher in the Dallas gurukula. By the mid-1970s he left this service to join a sankirtana party, and in 1976 he began serving in the gurukula in New Vrndavana. In 1978 he became headmaster of the New Vrndavana gurukula. Sri Galima stressed to the ICOCP that he did not have proper training to be a teacher, what to speak of a headmaster, but he accepted these services in the mood of surrender to the needs of the organization.

By early 1980 there were about 50 boys in the gurukula, many of whom didn't want to be there, living in a house with one bathroom. The conditions were extremely austere, and Sri Galima was under much constant pressure to supervise and care for the children. He explained to the ICOCP that for several years he never had a break from this service. Sri Galima stated that without physical discipline the school would have been total chaos. He also emphasized that the policy of the New Vrndavana management was that the children had to live at the gurukula, so the headmaster, Sri Galima, had no choice whether to accept the students.

Regarding physical discipline, Sri Galima explained that, when he was a child, in his junior high school and high school it was common to punish a misbehaved student with a paddle, often to the point where the boy was black and blue. He said that the coach in his school had a long paddle with many holes in it, and used it frequently to discipline students. In a report to the ICOCP Sri

Galima wrote "As far as I was concerned to spank a kid was proper discipline. We did have a paddle and Kirtanananda Swami [the authority in New Vrndavana at the time] approved of it."

Sri Galima dasa further explained that by the beginning of 1980 his nerves were getting frayed, and he was losing his taste for Krsna consciousness. He admitted "My decisions about a lot of things were just out of hand." He described the atmosphere of the New Vrndavana gurukula as "a scenario for disaster." He approached his authority and requested to get married, but his request was denied on the basis that if he got married then he would not be able to dedicate himself full time to the children. Though Sri Galima emphasized to his authority that he was breaking under the pressure, he was convinced by his authority to continue in his service.

Sri Galima explained that some of the boys were physically affectionate towards him, and would give him massages and run errands for him. This caused no problem till 1980. When his taste for spiritual life began to wane, however, it was replaced by sex desire. Sri Galima stated that the children, while massaging him, put their hands all over his body, and the situation became uncontrolled. He described the situation to his authority and again asked to get married, but again this request was denied. Also, Sri Galima asked to receive proper training to be a teacher and headmaster, but he was refused. In May of 1983 Sri Galima was removed from the gurukula, and a few months later he got married.

For the next few years Sri Galima retained some contact with the gurukulas, including a brahminical asrama, a varnasrama college asrama, and as an academic teacher for boys and girls. In 1986 accusations of child abuse surfaced against Sri Galima and he resigned from service with the schools, though late in 1986 his authority again placed him as headmaster of the gurukula,a service that he performed for only a few months.

Sri Galima dasa wrote to the ICOCP "I have no sexual inclinations toward children. I didn't have them before 1980 nor do I have them now. I was under extreme pressure and spiritually weak at the time the offenses took place. I will have to live with these accusations for the rest of my life. I accept responsibility for that, but I don't think that I am alone responsible. ISKCON and the authorities at the time are also responsible for putting such a heavy burden on my shoulders. I was refused help and proper direction on how to run a Gurukula. I wasn't allowed to marry a proper wife before the offenses took place. I was calling out for help...Ultimately, however, I have to take responsibility for being a blind follower..."

Section 1 of the ISKCON Child Protection Task Force Report states "Cultural norms and/or poverty are to be taken into consideration when considering neglect, corporal punishment, and psychological abuse. Cultural norms refer to different perspectives on child-raising, discipline, education, etc., according to local custom and practice...There will naturally be variances in facilities and outlooks on child care, but at the same time there are basic and universal standards...Cultural norms...are not a loophole but a factor for consideration. They are never an excuse for child abuse...ISKCON is an international organization encompassing many countries and cultures. While recognizing these variations, there are universal and basic standards of decency and morals..."

This adjudicatory panel recognizes that Sri Galima dasa's conception of discipline from his upbringing, combined with the stresses and pressures of the atmosphere in the New Vrndavana gurukula, may have contributed to excessive corporal punishments used by Sri Galima. Further, this panel acknowledges that the pressures of the situation were significant factors in causing Sri Galima dasa to act in ways that were aberrant from his normal behavior. While these influences are acknowledged and considered, they do not absolve Sri Galima of his responsibility for his conduct.

Conclusions, Directives, and Recommendations

In accordance with the ISKCON Child Protection Task Force Report a majority of evidence, meaning that the evidence weighs on the side of guilt, was the standard used to evaluate accusations. This standard should be understood in contradistinction to the standard of "beyond a reasonable doubt".

Based on the standard of evidence described in the paragraph above, this panel accepts the testimony of claimant 1. This victim claimed that Sri Galima sexually molested him two or three times per month. He stated that this abuse continued for more than two years, during the years 1983-1986. According to this child sexual abuse victim the sexual abuse included Sri Galima forcing the victim to perform oral sex. Also, the sexual abuse included attempts at anal penetration, though the claimant stated that he doesn't recall whether these attempts were ever successful.

This panel also accepts the statement of claimant 2. This claimant gave a general testimony that Sri Galima sexually molested him. Largely because this child sexual abuse victim did not provide details of the sexual abuse, this panel accepts Sri Galima's description that the abuse included fondling.

The ICOCP made efforts to give all former students of Sri Galima dasa an opportunity to provide first hand testimony concerning alleged child abuse committed by Sri Galima. Therefore, this panel accepts Sri Galima's denial of the second hand testimony concerning claimant 3.

This panel accepts that Sri Galima dasa committed physical child abuse on one occasion against claimant 4, though the circumstances surrounding this abusive incident remain unclear. Also, this panel accepts that Sri Galima committed physical child abuse against claimants 5 and 6.

Based on the evidence and findings described above, this adjudicatory panel of the ICOCP has determined that:

1) Sri Galima dasa should not visit ISKCON property, or the property of organizations affiliated with ISKCON, or attend ISKCON functions, or the functions of organizations affiliated with ISKCON, including activities such as ratha yatras and harinamas, till Feb. 1, 2006*. After Feb. 1, 2006, Sri Galima may visit ISKCON property and attend ISKCON functions only if he complies

with the stipulations delineated below. That is, the ban from ISKCON will continue indefinitely after Feb. 1, 2006, if Sri Galima does not comply with the conditions described below.

2) In order for the ban to be lifted after Feb. 1, 2006, Sri Galima must undergo a mental health evaluation that focuses on sexuality issues. Also, for at least six months he must undergo psychological therapy. The evaluator and therapist must be pre-approved by the ICOCP, and the ICOCP must receive reports from the evaluator and therapist that describe Sri Galima's situation and progress.

3) Sri Galima does must contribute at least $5,000 towards child protection in Srila Prabhupada's movement. This money must be paid to the ICOCP and will used for restitution for Sri Galima's child abuse victims. If the victims do not accept this money or cannot be located, then the money will be used for the grant program of the ICOCP.

4) Sri Galima must write apology letters to each of the five victims mentioned in this document. In each apology letter Sri Galima must describe in detail, with regards to actions and frequency of those actions, the acts of child sexual abuse that he committed against the victim, and Sri Galima must take full responsibility for every incident of child sexual abuse. Also, in each letter Sri Galima must make a genuine apology to the victim. Further, in each letter Sri Galima must offer to make amends for his heinous misdeeds of child sexual abuse. All of these letters should be sent to the ICOCP, and not directly to the victims. This adjudicatory panel will determine whether Sri Galima's apology letters are adequate to lift the complete ban from ISKCON. A major factor in this determination will be the opinions of the victims. For example, if any one of the victims expresses the opinion that Sri Galima, as he has done in the past and up to the present, continues in his apology letter to avoid full disclosure of his crimes of child abuse, to minimize the severity of his misconduct, and to avoid taking full responsibility for the child sexual abuse that he committed, then it is very possible that this adjudicatory panel will continue the complete ban from ISKCON for Sri Galima. Sri Galima must satisfy the victims with the honesty and genuineness of his apology letters. Sri Galima will be completely banned from ISKCON until he submits the five apology letters to the ICOCP and complies with the other conditions of this Official Decision.

If Sri Galima dasa complies with items 2, 3, and 4, then the complete ban from ISKCON will be lifted on Feb. 1, 2006. If he complies with items 2, 3, and 4 and the ban is consequently lifted, then Sri Galima's connection with ISKCON must be constrained according to the following conditions.

5) Sri Galima must show this document to the Temple President of any temple he visits, or the manager of any ISKCON project he visits, and obtain a signed statement that the president or manager has read this decision. Sri Galima must send the signed copy of the decision to the ISKCON Central Office of Child Protection. If Sri Galima visits a temple only once or twice during public functions, such as Sunday Feasts, then he does not need to obtain a signed statement from the temple president or manager. If he visits a temple more than two times, then he must obtain such a signed statement.

6) He should not reside or stay overnight on ISKCON property, though, after the complete ban is lifted he may attend temple functions such as Mangala-arati, Srimad-Bhagavatam Class, Sunday Feasts, Ratha yatras and other festivals.

7) If any of Sri Galima's abuse victims or their family members attend a function at an ISKCON temple, he must leave the premises, unless he has obtained permission from them to stay. Similarly, Sri Galima should not reside in the same community as any of his former abuse victims or their family members unless he has obtained written permission from them. He must not pressure or attempt to force them to provide such permission.

8) Sri Galima must not lead kirtana or give class on Krsna conscious philosophy on ISKCON property or at an ISKCON function. This directive is for the duration of this lifetime.

9) He should avoid close association with minors, other than his own children, in or out of ISKCON.

10) Sri Galima cannot hold any positions in ISKCON.

11) Sri Galima dasa cannot serve in ISKCON in any capacity that involves connection with children.

12) Sri Galima must not be shown any special privilege or preference at an ISKCON temple or in an ISKCON project, or in a project or organization affiliated with ISKCON. For example, he should not be offered the special privilege of garlanding Srila Prabhupada at an ISKCON program.

13) Sri Galima dasa should not visit ISKCON schools, or schools affiliated with ISKCON, or other ISKCON projects primarily designed for children, unless such visits are necessary for Sri Galima to care for his own children.

14) Sri Galima should not be alone on ISKCON property with children who are not his own children.

15) Books, tapes, CDs, or videos produced by Sri Galima dasa must not be sold or advertised in stores or publications that represent ISKCON or that represent an organization affiliated with ISKCON.

If Sri Galima dasa violates any of these injunctions, then he can have no association with ISKCON temples or projects until his case is reviewed by the ICOCP.

These judgments constitute the minimum restrictions that an ISKCON organization may place on Sri Galima dasa. Any specific ISKCON organization may choose to invoke more stringent restrictions. However, it is expected that all ISKCON entities will consider these decisions of the ICOCP before imposing more stringent limitations, as the constraints prescribed herein are deemed to be sufficient with regards to child protection.

The ICOCP has received reports indicating that Sri Galima dasa has remained steadily dedicated to Srila Prabhupada's mission and the Vaisnava practices taught by Srila Prabhupada. This panel humbly requests Sri Galima dasa to abide by this Official Decision, and to continue to perform sincere service for Lord Caitanya's sankirtana movement.

This adjudicatory panel has agreed to an exception to the complete ban from ISKCON for Sri Galima dasa. The temple president and Governing Body Commissioner of the Columbus, Ohio, ISKCON temple has agreed to allow Sri Galima to visit the Columbus temple on a restricted basis. This panel agrees to allow Sri Galima dasa to visit the Columbus temple one time per month for one hour at a time when there is no public program. This exception will remain in effect as long as the GBC and temple president of the Columbus temple agrees to allow Sri Galima this one hour per month visit. Sri Galima dasa must not visit the Columbus temple at a time when any gurukula veterans who find Sri Galima's visit objectionable are present at the temple.

According to the ISKCON Child Protection Task Force Report, Section 5, in cases where an allegation(s) of child abuse are determined to be valid, the accused may appeal the Official Decision to the GBC Executive Committee and the ISKCON Minister of Justice within six months from the date of the decision. The Official Decision described in this document is effective immediately, and the perpetrator must abide by its guidelines during the appeal process, should he choose to appeal this decision.

Judges serving on this case were: Bhusaya dasa, Sandamini dasi, and Isvara Puri dasa. The Case Manager for this case was Dhira Govinda dasa. The Director of ICOCP at the time of this decision was Dhira Govinda dasa.

* Note- Sandamini dasi, Bhusaya dasa, and Dhira Govinda dasa voted for a six-year ban, and Isvara Puri dasa voted for an eight-year ban.